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Contents

Federal Register

Vol. 91, No. 51

Tuesday, March 17, 2026

Agency for Toxic Substances and Disease Registry
NOTICES
Requests for Nominations:
Substances To Be Evaluated for Toxicological Profile Development, 12804–12805

Agriculture Department
See Farm Service Agency
See Food Safety and Inspection Service
See The U.S. Codex Office

Centers for Disease Control and Prevention
NOTICES
Agency Information Collection Activities; Proposals, Submissions, and Approvals 12805–12810
Requests for Nominations:
Advisory Committee on Breast Cancer in Young Women, 12807–12808

Centers for Medicare & Medicaid Services
NOTICES
Agency Information Collection Activities; Proposals, Submissions, and Approvals, 12810–12811

Civil Rights Commission
NOTICES
Hearings, Meetings, Proceedings, etc.:
South Carolina Advisory Committee, 12754–12755

Coast Guard
RULES
Safety Zone:
San Pedro Channel and San Pedro Bay, CA, 12689–12690

Commerce Department
See Economic Development Administration
See Foreign-Trade Zones Board
See International Trade Administration
See National Oceanic and Atmospheric Administration

Consumer Product Safety Commission
NOTICES
Proposed Settlement Agreement, Stipulation, Order, and Judgment, etc.:
Shimano, Inc. and Shimano North America Holding, Inc., 12761–12764

Defense Department
NOTICES
Arms Sales 12764–12785

Economic Development Administration
RULES
Removing Certain Redundant Language From Regulations Governing Planning Investments and Comprehensive Economic Development Strategies, 12676–12677
Streamlining the Regulations Establishing General Terms and Conditions for the Economic Development Administration's Investment Assistance, 12675–12676
Streamlining the Requirements for Approved Projects for Public Works and Economic Development Investments, 12677–12678

Employee Benefits Security Administration
NOTICES
Exemption:
Certain Prohibited Transaction Restrictions Involving ATT Inc. (together with ATT Inc.'s affiliates, ATT or the Applicant) Located in Dallas, TX, 12817–12827

Employment and Training Administration
NOTICES
Agency Information Collection Activities; Proposals, Submissions, and Approvals:
H–2B Foreign Labor Certification Program, 12827–12828

Energy Department
See Federal Energy Regulatory Commission

Environmental Protection Agency
PROPOSED RULES
National Emission Standards for Hazardous Air Pollutants:
Ethylene Oxide Emissions Standards for Sterilization Facilities Residual Risk and Technology Review Reconsideration, 12700–12736

Farm Service Agency
NOTICES
Agency Information Collection Activities; Proposals, Submissions, and Approvals:
Power of Attorney, 12752–12753

Federal Aviation Administration
RULES
Airspace Designations and Reporting Points:
Zuni, NM, 12686–12687
Airworthiness Directives:
Extra Aerobatic Aircraft GmbH Airplanes, 12684–12686
Special Conditions:
Airbus Helicopters Model EC175B Helicopters; Search and Rescue (SAR) Modes, 12680–12684
Gulfstream Aerospace Corporation Model G300 Airplane; Therapeutic Oxygen System, 12678–12680
Standard Instrument Approach Procedures, and Takeoff Minimums and Obstacle Departure Procedures; Miscellaneous Amendments, 12687–12689
PROPOSED RULES
Airworthiness Directives:
Airbus SAS Airplanes, 12698–12700
MHI RJ Aviation ULC (Type Certificate Previously Held by Bombardier, Inc.) Airplanes, 12695–12698

Federal Communications Commission
PROPOSED RULES
Internet-Based Telecommunications Relay Service Modernization, 12736–12751
NOTICES
Agency Information Collection Activities; Proposals, Submissions, and Approvals 12796–12799

Federal Deposit Insurance Corporation
NOTICES
Meetings; Sunshine Act, 12799

Federal Energy Regulatory Commission
NOTICES
Agency Information Collection Activities; Proposals, Submissions, and Approvals, 12786–12788
Application:
Blackstone Hydro Associates; Effectiveness of Withdrawal of Downstream Fishway Effectiveness Monitoring Plan, 12786
Gulf South Pipeline Co., LLC, 12792–12796
Combined Filings, 12789, 12791–12792
Effectiveness of Withdrawal of Operation Compliance Monitoring Plan:
Blackstone Hydro Associates, 12792
Licenses; Exemptions, Applications, Amendments, etc.:
Great Lake Hydro America, LLC; Revised Procedural Schedule, 12790
Meetings; Sunshine Act, 12790–12791
Request Under Blanket Authorization:
Transcontinental Gas Pipe Line Co., LLC, 12788–12789
Virtual Scoping Session:
Columbia Gas Transmission, LLC; Proposed Southeast Virginia Energy Storage Project, 12785–12786

Federal Highway Administration
NOTICES
Final Federal Agency Action:
Proposed Highway Projects in Texas, 12891–12893

Federal Housing Finance Agency
RULES
Reinstating Grandfather Exceptions to Restrictions on Private Transfer Fee Covenants:
Technical Amendment, 12673–12675

Federal Maritime Commission
NOTICES
Agreements Filed, 12799

Federal Motor Carrier Safety Administration
NOTICES
Agency Information Collection Activities; Proposals, Submissions, and Approvals:
Crash Causal Factors Program: Knowledge of Systems and Processes, 12896–12898
Exemption Application:
Qualification of Drivers; Epilepsy and Seizure Disorders, 12893–12896, 12900–12902
Qualification of Drivers; Hearing, 12898–12900

Federal Reserve System
NOTICES
Agency Information Collection Activities; Proposals, Submissions, and Approvals, 12800–12802
Change in Bank Control:
Acquisitions of Shares of a Bank or Bank Holding Company, 12801
Formations of, Acquisitions by, and Mergers of Bank Holding Companies, 12799–12800
Privacy Act; Systems of Records, 12802–12804

Federal Transit Administration
NOTICES
Guidance:
Fiscal Year 2026 Grants for Buses and Bus Facilities Program Project Selections, 12902–12904

Food Safety and Inspection Service
NOTICES
Agency Information Collection Activities; Proposals, Submissions, and Approvals:
Public Health Information System, 12753–12754

Foreign Assets Control Office
NOTICES
Sanctions Action, 12904–12907

Foreign-Trade Zones Board
NOTICES
Proposed Production Activity:
AuroraTe LLC; Foreign-Trade Zone 84, Houston, TX, 12755

Great Lakes St. Lawrence Seaway Development Corporation
RULES
Seaway Regulations and Rules:
Periodic Update, Various Categories, 12690–12693
Tariff of Tolls, 12693–12694

Health and Human Services Department
See Agency for Toxic Substances and Disease Registry
See Centers for Disease Control and Prevention
See Centers for Medicare & Medicaid Services
See Health Resources and Services Administration
See National Institutes of Health

Health Resources and Services Administration
NOTICES
Agency Information Collection Activities; Proposals, Submissions, and Approvals:
Ryan White HIV/AIDS Program: Allocations Report Form, 12811–12812

Homeland Security Department
See Coast Guard

Internal Revenue Service
NOTICES
Agency Information Collection Activities; Proposals, Submissions, and Approvals:
Application for Enrollment, Application for Renewal of Enrollment, and Regulations Governing the Performance of Actuarial Services Under the Employee Retirement Income Security Act of 1972, 12907–12908
Application To Adopt, Change, or Retain a Tax Year, 12907
Average Area Purchase Price Safe Harbors and Nationwide Purchase Prices Under Section 143, 12908
Hearings, Meetings, Proceedings, etc.:
Electronic Tax Administration Advisory Committee, 12908–12909

International Trade Administration
NOTICES
Antidumping or Countervailing Duty Investigations, Orders, or Reviews:
Certain Passenger Vehicle and Light Truck Tires From the People's Republic of China, 12755–12757

International Trade Commission
NOTICES
Investigations; Determinations, Modifications, and Rulings, etc.:
Certain Urine Splash Guards and Components Thereof, 12815–12816
Crystalline Silicon Photovoltaic Cells Whether or Not Partially or Fully Assembled Into Other Products; Evaluation of the Effectiveness of Import Relief, 12814–12815

Labor Department
See Employee Benefits Security Administration
See Employment and Training Administration

National Institutes of Health
NOTICES
Hearings, Meetings, Proceedings, etc.:
Center for Scientific Review, 12813–12814
National Institute of Environmental Health Sciences, 12812–12813

National Oceanic and Atmospheric Administration
NOTICES
Agency Information Collection Activities; Proposals, Submissions, and Approvals:
Pribilof Islands, Taking for Subsistence Purposes, 12757–12758
Hearings, Meetings, Proceedings, etc.:
Evaluation of Washington Coastal Management Program, 12758
New England Fishery Management Council, 12761
Permits; Applications, Issuances, etc.:
Marine Mammals; File No. 29433, 12758–12759
Taking or Importing of Marine Mammals:
Endangered Species Act; Incidental to Texas Parks and Wildlife Department's Fisheries-Independent Gill Net Surveys in Texas Waters, 12759–12761

National Science Foundation
NOTICES
Agency Information Collection Activities; Proposals, Submissions, and Approvals, 12828–12829

Nuclear Regulatory Commission
NOTICES
Facility Operating and Combined Licenses:
Applications and Amendments Involving Proposed No Significant Hazards Considerations, etc., 12831–12843
Licenses; Exemptions, Applications, Amendments, etc., 12843
Licenses; Exemptions, Applications, Amendments, etc.:
Holtec Big Rock Point, LLC; Big Rock Point Plant, 12829–12831

Postal Regulatory Commission
NOTICES
New Postal Products, 12843–12844

Postal Service
NOTICES
International Product Change:
Priority Mail Express International, Priority Mail International and First-Class Package International Service Agreements, 12844–12845

Presidential Documents
PROCLAMATIONS
Special Observances:
Women's History Month (Proc. 11017), 12911–12914

Securities and Exchange Commission
NOTICES
Self-Regulatory Organizations; Proposed Rule Changes:
24X National Exchange LLC, 12845–12848
BOX Exchange LLC, 12851–12854
Cboe BYX Exchange, Inc., 12858–12862
LCH SA, 12869–12876
MEMX LLC, 12854–12858
Nasdaq PHLX LLC, 12862–12866
National Securities Clearing Corp., 12866–12869
NYSE Texas, Inc., 12849–12850

Surface Transportation Board
NOTICES
Exemption:
Construction and Operation; Union Pacific Railroad Co., Maricopa County, AZ, 12876–12883

Tennessee Valley Authority
NOTICES
Agency Information Collection Activities; Proposals, Submissions, and Approvals, 12883–12884

The U.S. Codex Office
NOTICES
Hearings, Meetings, Proceedings, etc.:
Codex Alimentarius Commission, Committee on Fish and Fishery Products, 12752

Trade Representative, Office of United States
NOTICES
Initiation of Section 301 Investigations:
Acts, Policies, and Practices of Certain Economies Relating to Structural Excess Capacity and Production in Manufacturing Sectors, 12886–12891
Acts, Policies, and Practices of Various Economies Related to the Failure To Impose and Effectively Enforce a Prohibition on the Importation of Goods Produced With Forced Labor, 12884–12886

Transportation Department
See Federal Aviation Administration
See Federal Highway Administration
See Federal Motor Carrier Safety Administration
See Federal Transit Administration
See Great Lakes St. Lawrence Seaway Development Corporation

Treasury Department
See Foreign Assets Control Office
See Internal Revenue Service

Veterans Affairs Department
NOTICES
Agency Information Collection Activities; Proposals, Submissions, and Approvals:
Adaptive Sports Grant Application, 12909

Separate Parts In This Issue

Part II
Presidential Documents, 12911–12914

Reader Aids

Consult the Reader Aids section at the end of this issue for phone numbers, online resources, finding aids, and notice of recently enacted public laws.

To subscribe to the Federal Register Table of Contents electronic mailing list, go to https://public.govdelivery.com/accounts/USGPOOFR/subscriber/new, enter your e-mail address, then follow the instructions to join, leave, or manage your subscription.

CFR PARTS AFFECTED IN THIS ISSUE

A cumulative list of the parts affected this month can be found in the Reader Aids section at the end of this issue.

3 CFR

Proclamations:

11017 12913

12 CFR

1228 12673

13 CFR

302 12675
303 12676
305 12677

14 CFR

25 12678
29 12680
39 12684
71 12686
97 12687

Proposed Rules:

39 (2 documents) 12695, 12698

33 CFR

165 12689
401 12690
402 12693

40 CFR

Proposed Rules:

63 12700

47 CFR

Proposed Rules:

64 12736

Rules and Regulations

Federal Register
Vol. 91, No. 51
Tuesday, March 17, 2026

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.

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FEDERAL HOUSING FINANCE AGENCY

12 CFR Part 1228

RIN 2590–AB61

Amendment Reinstating ''Grandfather'' Exceptions to Restrictions on Private Transfer Fee Covenants

AGENCY: Federal Housing Finance Agency.

ACTION: Final rule; technical amendment; request for comments.

SUMMARY: The Federal Housing Finance Agency (FHFA) is making a technical amendment to its Private Transfer Fee Covenants (PTFC) Regulation. The PTFC Regulation restricts FHFA's regulated entities—the Federal National Mortgage Association (Fannie Mae), the Federal Home Loan Mortgage Corporation (Freddie Mac) (collectively, the Enterprises), and the Federal Home Loan Banks (Banks)—from purchasing, investing in, accepting as collateral, or otherwise dealing in mortgages on properties encumbered by certain types of PTFCs, or related securities, subject to certain exceptions. The technical amendment reinstates timing and transitional applicability (''grandfather'') exceptions that were removed by FHFA's 2024 amendments to the PTFC Regulation. The reinstated ''grandfather'' exceptions are applicable *nunc pro tunc* beginning July 16, 2012.

DATES:

Effective date: The final rule is effective March 17, 2026.

Applicable date: Section 1228.3(a) is applicable beginning July 16, 2012.

FOR FURTHER INFORMATION CONTACT: Sara L. Todd, Assistant General Counsel, Office of General Counsel (OGC), (202) 649–3527, *sara.todd@fhfa.gov,* Federal Housing Finance Agency, 400 Seventh Street SW, Washington, DC 20219. This is not a toll-free number. The mailing address is: Federal Housing Finance Agency, Fourth Floor, 400 Seventh Street SW, Washington, DC 20219. For TTY/TRS users with hearing and speech disabilities, dial 711 and ask to be connected to the contact number above.

SUPPLEMENTARY INFORMATION:

I. Background

A. Regulatory History

The PTFC Regulation was originally published on March 16, 2012 and became effective on July 16, 2012 (the 2012 Final Rule),[1] following issuance of a proposed rule on August 16, 2010.[2] The PTFC Regulation restricts FHFA's regulated entities—the Enterprises and the Banks—from purchasing, investing in, accepting as collateral, or otherwise dealing in mortgages on properties encumbered by certain types of PTFCs, or related securities, subject to certain exceptions.[3]

On September 26, 2023, FHFA published a proposed rule (the 2023 Proposed Rule) to amend the PTFC Regulation to add an exception to the restrictions for loans and related securities on properties with PTFCs if the loans meet the shared equity loan program requirements for Resale Restriction Programs (other than the 100 percent of area median income (AMI) limit), in § 1282.34(d)(4)(i)(A) and (d)(4)(ii) of FHFA's Duty to Serve Regulation.[4] On March 12, 2024, FHFA published a final rule (the 2024 Final Rule) adopting the proposed amendments (with technical changes to improve clarity regarding the intent of the provisions).[5] The 2024 Final Rule became effective May 13, 2024.

The 2023 Proposed Rule also proposed removing the prospective application and effective date provisions from § 1228.3 of the PTFC Regulation, which included ''grandfather'' exceptions. The ''grandfather'' exceptions were for mortgages on properties encumbered by PTFCs if those PTFCs were created before February 8, 2011, or if those PTFCs were created on or after February 8, 2011 pursuant to an agreement entered into before February 8, 2011 applicable to land identified in the agreement, if the agreement was in settlement of litigation or approved by a government agency or body. The 2023 Proposed Rule also proposed omitting the provisions stating that the PTFC Regulation also applies to securities backed by mortgages to which the PTFC Regulation applies, and to securities issued after February 8, 2011 backed by revenue from private transfer fees, regardless of when the covenants were created. In addition, the 2023 Proposed Rule proposed omitting the statement expressly requiring the regulated entities to comply with the 2012 Final Rule not later than July 16, 2012. FHFA proposed these changes in the mistaken belief that the transitional ''grandfather'' exceptions were no longer necessary because the Enterprises and the Banks had been operating under the provisions of the PTFC Regulation since July 16, 2012, and the Enterprises subsequently had been operating under the terms of a regulatory waiver (the Enterprise Regulatory Waiver) since July 1, 2023.

The 2023 Proposed Rule preamble solicited public comments on the proposed amendments, and FHFA received no specific comments on the proposed removal of the ''grandfather'' exceptions provision. Accordingly, FHFA did not include the provision in the 2024 Final Rule.

The 2024 Final Rule also revised § 1228.3 to include the retrospective component of the Enterprise Regulatory Waiver by allowing the Enterprises to retain in their portfolios shared equity loans on properties with private transfer fees that were purchased or securitized by the Enterprises with promissory note dates prior to the effective date of the Enterprise Regulatory Waiver (July 1, 2023), regardless of whether the loans met the Duty to Serve shared equity loan program criteria for Resale Restriction Programs in 12 CFR 1282.34(d)(4)(i)(A) and (d)(4)(ii).

B. Subsequent Input on Removal of the ''Grandfather'' Exceptions

After the 2024 Final Rule was adopted, FHFA received informal communications regarding stakeholders who had relied upon the ''grandfather'' exceptions provision when they entered into an agreement during the transitional period contemplated by the 2012 Final Rule. The concerns indicated that, as a result of removal of the ''grandfather'' exceptions provision, any covenants, agreements, statutes, or other documents that were entered into or adopted while the 2012 Final Rule was

[1] 77 FR 15566 (March 16, 2012).
[2] 75 FR 49932 (Aug. 16, 2010).
[3] 12 CFR part 1228.
[4] 88 FR 65827 (Sept. 26, 2023).
[5] 89 FR 17711 (March 12, 2024).

in effect and that referred to § 1228.3 of the 2012 Final Rule no longer direct readers of those documents to the text of the ''grandfather'' exceptions provision. Thus, lenders, title insurance agents, or prospective purchasers might not be able to verify that the stakeholders' agreements and covenants fall within an exception created by the ''grandfather'' exceptions provision. The resulting inability to confirm the existence or applicability of an exception under the ''grandfather'' exceptions provision could result in a cloud on the title of a stakeholder who had relied upon that provision.

II. Limitations on Applicability—Reinstatement of ''Grandfather'' Exceptions—§ 1228.3

FHFA agrees that the stakeholders' concerns warrant addressing. While the new version of § 1228.3 adopted in the 2024 Final Rule—which codified the retrospective component of the Enterprise Regulatory Waiver—is correct as written, the ''grandfather'' exceptions were deleted without thorough consideration of potential unintended consequences. Accordingly, this final rule makes a technical amendment to reinstate the deleted ''grandfather'' exceptions as § 1228.3(a), applicable *nunc pro tunc* beginning July 16, 2012, so that all prior and current components of the transitional and timing requirements of the PTFC Regulation are available for any stakeholder whose property meets the requirements. Availability and applicability of the ''grandfather'' exceptions is determined with reference to the operative dates specified in § 1228.3, rather than with reference to the effective dates of amendments to the PTFC Regulation, so that continuity of the ''grandfather'' exceptions is not affected by the temporary omission of the ''grandfather'' exceptions from the PTFC Regulation.

The current heading for § 1228.3—''Limitation on applicability''—was changed in the 2024 Final Rule from the former heading—''Prospective application and effective date,'' because the passage of time has altered the nature of the provision from prospective to identification of several limitations based upon dates that occurred in the past. The final rule revises the word ''Limitation'' in the heading to the plural ''Limitations'' to reflect that the timing aspects of the Enterprise Regulatory Waiver that were codified in the 2024 Final Rule, combined with the ''grandfather'' exceptions, establish multiple limitations.

III. Administrative Procedure Act

The Administrative Procedure Act (5 U.S.C. 551 *et seq.*) (APA) generally requires public notice and comment before promulgation of regulations. *See* 5 U.S.C. 553(b). Unless notice or hearing is required by statute, however, the APA provides an exception ''when the agency for good cause finds (and incorporates the finding and a brief statement of reasons therefor in the rules issued) that notice and public procedure thereon are impracticable, unnecessary, or contrary to the public interest.'' 5 U.S.C. 553(b)(B).

FHFA finds for good cause pursuant to 5 U.S.C. 553(b)(B) that the notice and comment procedure required by the APA is unnecessary and contrary to the public interest for this final rule because: (i) the ''grandfather'' exceptions provision that is being reinstated is unchanged from the version that was subjected to notice and public comment previously; (ii) the technical amendment is technical in nature, so no further comment should be necessary; and (iii) expeditious correction of the omission is merited for the members of the public who relied on the deleted exceptions provision.

IV. Consideration of Differences Between the Banks and the Enterprises

When promulgating regulations relating to the Banks, section 1313(f) of the Federal Housing Enterprises Financial Safety and Soundness Act of 1992, as amended, requires the Director of FHFA to consider the differences between the Banks and the Enterprises with respect to: the Banks' cooperative ownership structure; mission of providing liquidity to members and housing associates; affordable housing and community development mission; capital structure; and joint and several liability. In developing the 2012 Final Rule, FHFA considered the differences between the Banks and the Enterprises as they related to the above factors and determined that the 2012 Final Rule was appropriate to the structure, operations, and execution of the mission of the Banks with respect to the five factors, and would not result in any inappropriate treatment of the Banks as compared to the Enterprises.

In the preamble to the 2023 Proposed Rule, FHFA requested comments on whether differences related to the section 1313(f) factors should result in any additional or other revisions to that Proposed Rule. No commenter on the 2023 Proposed Rule recommended amending the PTFC Regulation to apply different criteria to the Banks or the Enterprises regarding removal of the ''grandfather'' exceptions or any other provisions in that Proposed Rule. In adopting the 2024 Final Rule, FHFA determined that the Rule was appropriate as it would have no impact on four of the five factors and could have a modest, positive impact on the fifth factor—the mission of providing liquidity to Bank members and housing associates.

FHFA believes that this final rule is appropriate because it would have no effects that were not considered by FHFA in developing the 2012 Final Rule and the 2024 Final Rule. Accordingly, FHFA's section 1313(f) analyses for those Rules apply to this interim final rule as well, and, therefore, it is not necessary to conduct a new section 1313(f) analysis for this final rule.

V. Regulatory Impact

A. Paperwork Reduction Act

This final rule does not contain any information collection requirement. Thus, it does not require approval of the Office of Management and Budget (OMB) under the Paperwork Reduction Act (44 U.S.C. 3501 *et seq.*). Therefore, FHFA has not submitted any information to OMB for review.

B. Regulatory Flexibility Act

The Regulatory Flexibility Act (5 U.S.C. 601 *et seq.*) requires that a regulation that has a significant economic impact on a substantial number of small entities, small businesses, or small organizations must include an initial regulatory flexibility analysis describing the regulation's impact on small entities. FHFA need not undertake such an analysis if the agency has certified that the regulation will not have a significant economic impact on a substantial number of small entities. 5 U.S.C. 605(b). FHFA has considered the impact of this final rule under the Regulatory Flexibility Act and FHFA certifies that the final rule will not have a significant economic impact on a substantial number of small entities because it applies only to Fannie Mae, Freddie Mac, and the Banks, which are not small entities for purposes of the Regulatory Flexibility Act.

C. Executive Order 12866, Regulatory Planning and Review

Executive Order 12866 requires agencies to submit ''significant regulatory actions'' to the Office of Management and Budget, Office of Information and Regulatory Affairs (OIRA) for review. FHFA has determined the final rule not to be a significant regulatory action for purposes of E.O. 12866. OMB has

reviewed FHFA's economic impact analysis and has concurred in the determination that this final rule is not a significant regulatory action and does not require OMB coordination and review under E.O. 12866.

D. Executive Order 13563: Improving Regulation and Regulatory Review

Executive Order 13563 directs agencies to analyze regulations that are ''outmoded, ineffective, insufficient, or excessively burdensome, and to modify, streamline, expand, or repeal them in accordance with what has been learned.'' Executive Order 13563 also directs that, where relevant, feasible, and consistent with regulatory objectives, and to the extent permitted by law, agencies are to identify and consider regulatory approaches that reduce burdens and maintain flexibility and freedom of choice for the public. FHFA has developed this final rule in a manner consistent with these requirements.

E. Executive Order 14192: Unleashing Prosperity Through Deregulation

Executive Order 14192 requires that for each new regulation issued, at least 10 existing regulations be identified for elimination. Executive Order 14192 also directs that any new incremental costs associated with new regulations shall, to the extent permitted by law, be offset by the elimination of existing costs associated with at least 10 prior regulations. FHFA's implementation of these requirements will be informed by M–25–20, Guidance Implementing Section 3 of Executive Order 14192, Titled ''Unleashing Prosperity Through Deregulation'' (March 26, 2025). This final rule is not subject to offset requirements under Executive Order 14192 because it is ''not significant'' and therefore does not meet the Executive Order's definition of a ''regulatory action'' subject to the Executive Order's requirements.

F. Congressional Review Act

In accordance with the Congressional Review Act (CRA) (5 U.S.C. 801 *et seq.*), FHFA has determined that this final rule is not a ''major rule'' and has verified this determination with OMB. Because it is not a ''major rule,'' FHFA is adopting the final rule without the 60-day delayed effective date generally prescribed under the CRA for major rules (5 U.S.C. 801(3)(A)). In addition, the delayed effective date required by the CRA does not apply to any rule for which an agency for good cause finds (and incorporates the finding and a brief statement of reasons therefor in the rule issued) that notice and public procedure thereon are impracticable, unnecessary, or contrary to the public interest (5 U.S.C. 808(2)). FHFA has adopted such findings for the reasons set forth in Section III. above.

List of Subjects in 12 CFR Part 1228

Banks, Banking, Condominiums, Cooperatives, Federal Home Loan Banks, Government-sponsored enterprises, Investments, Loan programs—housing and community development, Low and moderate income housing, Mortgages, Nonprofit organizations, Real property acquisition, Securities.

For the reasons stated in the Preamble, and under the authority of 12 U.S.C. 4526, FHFA is amending part 1228 of chapter XII of title 12 of the Code of Federal Regulations as follows:

PART 1228—RESTRICTIONS ON THE ACQUISITION OF, OR TAKING SECURITY INTERESTS IN, MORTGAGES ON PROPERTIES ENCUMBERED BY CERTAIN PRIVATE TRANSFER FEE COVENANTS AND RELATED SECURITIES

■ 1. The authority citation for part 1228 continues to read as follows:

Authority: 12 U.S.C. 4511, 4513, 4526, 4565, 4616, 4617, 4631.

■ 2. Revise § 1228.3 to read as follows:

§ 1228.3 Limitations on applicability.

(a) Beginning July 16, 2012, this part shall apply only to mortgages on properties encumbered by private transfer fee covenants if those covenants were created on or after February 8, 2011, except that this part shall not apply to mortgages on properties encumbered by private transfer fee covenants if those covenants were created pursuant to an agreement entered into before February 8, 2011 applicable to land that is identified in the agreement and the agreement was in settlement of litigation or approved by a government agency or body. This part also applies to securities backed by mortgages to which this part applies, and to securities issued after February 8, 2011 backed by revenue from private transfer fees, regardless of when the covenants were created.

(b) This part does not apply to shared equity loans, or related securities, with promissory note dates prior to July 1, 2023, regardless of whether the loans met the Duty to Serve shared equity loan program criteria for resale restriction programs in § 1282.34(d)(4)(i)(A) and (d)(4)(ii) of this chapter.

Clinton Jones,

General Counsel, Federal Housing Finance Agency.

[FR Doc. 2026–05160 Filed 3–16–26; 8:45 am]

BILLING CODE 8070–01–P

DEPARTMENT OF COMMERCE

Economic Development Administration

13 CFR Part 302

[Docket No. 260311–0078]

RIN 0610–AA73

Streamlining the Regulations Establishing General Terms and Conditions for the Economic Development Administration's Investment Assistance

AGENCY: Economic Development Administration (EDA), Department of Commerce (Department).

ACTION: Final rule.

SUMMARY: By this rule, EDA amends its regulations establishing general terms and conditions for investment assistance by removing three unnecessary sections. This action is intended to streamline the described body of regulations, eliminate redundant and otherwise unwarranted regulatory text, and to promote administrative efficiency without diminishing any substantive obligations or entitlements related to EDA's investment assistance.

DATES: The rule is effective March 17, 2026.

FOR FURTHER INFORMATION CONTACT: Jeffrey Roberson, Chief Counsel, Economic Development Administration, at (202) 779–0563.

SUPPLEMENTARY INFORMATION: By this rule, the Department amends the regulations at 13 CFR part 302, which establish the general terms and conditions for EDA's investment assistance. The Department amends those regulations in the following ways.

First, the Department is removing § 302.6, which reiterates that recipients of EDA's investment assistance are ''subject to all Federal laws and to Federal, Department, and EDA policies, regulations, and procedures applicable to Federal financial assistance awards,'' including the government-wide requirements at 2 CFR part 200. 13 CFR 302.6. Upon review, the Department has determined that § 302.6 is appropriate for removal, as the application of part 200 is sufficiently established by the

language of part 200, and § 302.6's vague references to other applicable authorities are of minimal, if any, value; the requirements of these other authorities apply, and are sufficiently established, regardless of whether § 302.6 specifically or generally cross-references them. Accordingly, § 302.6 is appropriate for removal under the Department's broader deregulatory policies.

Second, the Department is removing § 302.12, which states that ''EDA shall approve Investment Assistance awards only if, as determined in EDA's sole discretion, the Project for which such Investment Assistance is awarded will be properly and efficiently administered, operated and maintained.'' 13 CFR 302.12. But this requirement of efficiency is already sufficiently established by section 504 of the Public Works and Economic Development Act of 1965 (42 U.S.C. 3194); the government-wide regulations at 2 CFR part 200, *see* 2 CFR 200.400(a), (c) (establishing, as part of the ''fundamental premises'' guiding Federal awards, the importance of ''efficient administration''); and the Department's internal materials, including its Federal Financial Assistance Manual. Accordingly, § 302.12 is appropriate for removal under the Department's deregulatory policies.

Third, the Department is removing § 302.15, which states that ''EDA will accept an Eligible Applicant's certifications, accompanied by evidence satisfactory to EDA, that the Eligible Applicant meets the requirements for receiving Investment Assistance.'' 13 CFR 302.15. No statutory provision requires the promulgation and maintenance of such regulatory language, and the Department finds it to be of little, if any, value; the rest of part 302 sufficiently addresses the requirements for receiving assistance and contemplates the presentation of evidence. Based on the other sections of part 302, the Department is satisfied that § 302.15 does not serve any meaningful independent purpose and thus is appropriate for removal under the Department's deregulatory policies.

Overall, the Department has determined that these amendments to part 302 are warranted, as they will remove unnecessary regulatory language of little to no value and generally streamline part 302, thereby promoting simplicity and efficiency without diminishing any substantive rights or obligations related to EDA's investment assistance.

Classifications

A. Administrative Procedure Act

Pursuant to 5 U.S.C. 553(b)(B), the Department finds good cause to waive the prior notice and opportunity for public participation requirements of the Administrative Procedure Act for this final rule. The Department considers this rule to be uncontroversial, and has determined that prior notice and opportunity for public participation is unnecessary, because this rule only removes regulatory language that is unnecessary and does not serve any meaningful significant function; none of the language being removed by this rule is statutorily required, and public participation could not justify the continued maintenance of any of the language at issue under the Department's broader regulatory policies. For the same reasons, the Department has determined that delaying the effectiveness of these amendments would be contrary to the public interest. The language being removed by this rule adds complexity and clutter to part 302; the removal of this language will immediately streamline part 302, thereby promoting administrative efficiency and benefiting the public, at little to no cost. The Department therefore finds good cause to waive the public notice and comment period under 553(b)(B) and to waive the 30-day delay in effectiveness under 553(d).

B. Executive Orders 12866, 14192, 13132

The Office of Management and Budget has determined this rule is not significant pursuant to Executive Order (''E.O.'') 12866. This rule is an E.O. 14192 deregulatory action. This rule does not contain policies having federalism implications as the term is defined in E.O. 13132.

C. Regulatory Flexibility Act

Because a notice of proposed rulemaking and an opportunity for public participation are not required to be given for this rule by 5 U.S.C. 553(b)(B), the analytical requirements of the Regulatory Flexibility Act (5 U.S.C. 601 *et seq.*) are not applicable. Accordingly, no regulatory flexibility analysis is required, and none has been prepared.

D. Paperwork Reduction Act

This rule will not impose additional reporting or recordkeeping requirements under the Paperwork Reduction Act of 1995, 44 U.S.C. 3501 *et seq.*

List of Subjects for 13 CFR Part 302

Federal policy and procedures, Pre-approval requirements, Reporting and audit requirements, Project administration, Post-approval requirements.

Dated: March 13, 2026.

Benjamin Page,

Deputy Assistant Secretary and Chief Operating Officer.

For the reasons set forth in the preamble, EDA amends 13 CFR part 302 as follows:

PART 302—GENERAL TERMS AND CONDITIONS FOR INVESTMENT ASSISTANCE

■ 1. The authority citation for part 302 continues to read as follows:

Authority: 19 U.S.C. 2341 *et seq.;* 42 U.S.C. 3150; 42 U.S.C. 3152; 42 U.S.C. 3153; 42 U.S.C. 3192; 42 U.S.C. 3193; 42 U.S.C. 3194; 42 U.S.C. 3211; 42 U.S.C. 3212; 42 U.S.C. 3216; 42 U.S.C. 3218; 42 U.S.C. 3220; 42 U.S.C. 5141; 15 U.S.C. 3701; Department of Commerce Delegation Order 10–4.

§ 302.6 [Removed and Reserved]

■ 2. Remove and reserve § 302.6.

§ 302.12 [Removed and Reserved]

■ 3. Remove and reserve § 302.12.

§ 302.15 [Removed and Reserved]

■ 4. Remove and reserve § 302.15.

[FR Doc. 2026–05227 Filed 3–16–26; 8:45 am]

BILLING CODE 3510–24–P

DEPARTMENT OF COMMERCE

Economic Development Administration

13 CFR Part 303

[Docket No. 260311–0079]

RIN 0610–AA74

Removing Certain Redundant Language From Regulations Governing Planning Investments and Comprehensive Economic Development Strategies

AGENCY: Economic Development Administration (EDA), Department of Commerce (Department).

ACTION: Final rule.

SUMMARY: By this rule, EDA amends its regulations governing planning investments and comprehensive economic development strategies by removing certain redundant language. Specifically, this rule removes a section pertaining to eligible administrative expenses on the basis that it is redundant with the government-wide

cost principles set forth elsewhere in the Code of Federal Regulations. This action is intended to streamline EDA's regulations by eliminating unnecessary regulatory text, and thereby promote administrative efficiency, without diminishing any substantive obligation or entitlement related to planning investments and comprehensive economic development strategies.

DATES: The rule is effective March 17, 2026.

FOR FURTHER INFORMATION CONTACT: Jeffrey Roberson, Chief Counsel, Economic Development Administration, at (202) 779–0563.

SUPPLEMENTARY INFORMATION: By this rule, the Department amends the regulations at 13 CFR part 303, which govern planning investments and comprehensive economic development strategies. Specifically, this rule removes § 303.5, which addresses eligible administrative expenses and states that, ''[i]n accordance with applicable Federal cost principles, Planning Investments may be used to pay the direct and indirect costs incurred by a Planning Organization in the development, implementation, revision or replacement of a CEDS and for related short-term planning activities.'' 13 CFR 303.5. The eligibility of the expenses described in § 303.5, however, is already adequately established by the government-wide, uniform cost principles set forth in 2 CFR part 200. Section 303.5 is thus redundant and appropriate for removal. The Department has determined that the removal of § 303.5 will streamline part 303 without diminishing any substantive obligation or entitlement related to planning investments and comprehensive economic development strategies.

Classifications

A. Administrative Procedure Act

Pursuant to 5 U.S.C. 553(b)(B), the Department finds good cause to waive the prior notice and opportunity for public participation requirements of the Administrative Procedure Act for this final rule. The Department considers this rule to be uncontroversial, and has determined that prior notice and opportunity for public participation is unnecessary, because this rule only removes redundant regulatory language and does not affect any substantive obligation or entitlement. Indeed, because the section being removed by this rule is redundant and not required by statute, public participation could not justify its continued maintenance under the Department's broader deregulatory policies. For the same reasons, the Department has determined that delaying the effectiveness of these amendments would be contrary to the public interest. The section being removed by this rule adds unnecessary length and complexity to part 303; its removal will immediately streamline part 303, thereby promoting administrative efficiency and benefiting the public, at little to no cost. The Department therefore finds good cause to waive the public notice and comment period under 553(b)(B) and to waive the 30-day delay in effectiveness under 553(d).

B. Executive Orders 12866, 14192, 13132

The Office of Management and Budget has determined this rule is not significant pursuant to Executive Order (''E.O.'') 12866. This rule is an E.O. 14192 deregulatory action. This rule does not contain policies having federalism implications as the term is defined in E.O. 13132.

C. Regulatory Flexibility Act

Because a notice of proposed rulemaking and an opportunity for public participation are not required to be given for this rule by 5 U.S.C. 553(b)(B), the analytical requirements of the Regulatory Flexibility Act (5 U.S.C. 601 *et seq.*) are not applicable. Accordingly, no regulatory flexibility analysis is required, and none has been prepared.

D. Paperwork Reduction Act

This rule will not impose additional reporting or recordkeeping requirements under the Paperwork Reduction Act of 1995, 44 U.S.C. 3501 *et seq.*

List of Subjects for 13 CFR Part 303

Planning, Award and application requirements, Comprehensive economic development strategy, State plans, Short-term planning investments.

Dated: March 13, 2026.

Benjamin Page,

Deputy Assistant Secretary and Chief Operating Officer.

For the reasons set forth in the preamble, EDA amends 13 CFR part 303 as follows:

PART 303—PLANNING INVESTMENTS AND COMPREHENSIVE ECONOMIC DEVELOPMENT STRATEGIES

■ 1. The authority citation for part 303 continues to read as follows:

Authority: 42 U.S.C. 3143; 42 U.S.C. 3162; 42 U.S.C. 3174; 42 U.S.C. 3211; Department of Commerce Organization Order 10–4.

§ 303.5 [Removed and Reserved]

■ 2. Remove and reserve § 303.5.

[FR Doc. 2026–05228 Filed 3–16–26; 8:45 am]

BILLING CODE 3510–24–P

DEPARTMENT OF COMMERCE

Economic Development Administration

13 CFR Part 305

[Docket No. 260311–0080]

RIN 0610–AA75

Streamlining the Requirements for Approved Projects for Public Works and Economic Development Investments

AGENCY: Economic Development Administration (EDA), Department of Commerce (Department).

ACTION: Final rule.

SUMMARY: By this rule, EDA amends its regulations governing public works and economic development investments by removing certain unnecessary language. Specifically, this action removes unnecessary language related to bid overrun, project signs, and occupancy prior to final acceptance. This action is intended to streamline EDA's regulations without diminishing any substantive rights or obligations in connection with public works and economic development investments.

DATES: The rule is effective March 17, 2026.

FOR FURTHER INFORMATION CONTACT: Jeffrey Roberson, Chief Counsel, Economic Development Administration, at (202) 779–0563.

SUPPLEMENTARY INFORMATION: By this rule, the Department amends the regulations at 13 CFR part 305, subpart B, which establish the requirements for approved projects for EDA's public works and economic development investments. The Department amends those regulations in the following ways.

First, the Department is removing unnecessary language from the regulatory section governing bid overrun. Specifically, § 305.10(b)(2) establishes that, in the event of bid overrun, recipients may request additional funding, and it expressly states that ''[t]he award of additional Investment Assistance is at EDA's sole discretion and will be considered in accord with EDA's competitive process requirements.'' 13 CFR 305.10(b)(2). Section 305.10(b)(2) goes on to also state that ''EDA's consideration of a request for additional Investment Assistance does not indicate approval.'' *Id.* Upon

review, the Department has determined that this final statement is unnecessary, because consideration is not ordinarily understood to necessarily indicate approval, and because the preceding sentence of § 305.10(b)(2) already sufficiently establishes that the consideration of a request for additional funding, which will be done in accord with EDA's competitive process requirements, is distinct from the actual approval and award of additional funding, which is up to EDA's sole discretion.

Second, the Department is removing § 305.12, the section pertaining to project signs. That section states that recipients are responsible for the construction, erection, and maintenance of signs indicating that the Federal government is participating in the project, in accordance with EDA's specifications. 13 CFR 305.12. As this section alludes to, EDA provides recipients with clear signage specifications and requirements through its regional offices and award documents, as appropriate. Accordingly, EDA has determined that this general reference to those signage specifications is unwarranted and appropriate for removal, for the sake of simplifying and streamlining part 305.

Third, the Department is removing § 305.14, the section pertaining to occupancy prior to final acceptance. Specifically, § 305.14 states that ''[o]ccupancy of any part of the Project prior to final acceptance is entirely at the Recipient's risk and must follow the requirements of local and State law.'' 13 CFR 305.14. The Department is satisfied, however, that both of these basic points are sufficiently well-established independent of § 305.14; risk and liability allocation is adequately established by both the government-wide regulations at 2 CFR part 200 and common law principles, and the default understanding that State and local laws apply independent of Federal law is adequately established under our constitutional structure and system of laws. The Department has therefore determined that the removal of § 305.14 is warranted to simplify and streamline part 305.

Overall, the Department has determined that these amendments to part 305 will reduce the unnecessary complexity of part 305 and promote administrative efficiency, without diminishing any substantive rights or obligations related to EDA's public works and economic development investments.

Classifications

A. Administrative Procedure Act

Pursuant to 5 U.S.C. 553(b)(B), the Department finds good cause to waive the prior notice and opportunity for public participation requirements of the Administrative Procedure Act for this final rule. The Department considers this rule to be uncontroversial, and has determined that prior notice and opportunity for public participation is unwarranted, because this rule only removes language that provides unnecessary clarification, reiteration, and/or elaboration. None of the language being removed by this rule is statutorily required, and public participation could not justify the continued maintenance of any of the language at issue under the Department's broader regulatory policies. For the same reasons, the Department has determined that delaying the effectiveness of these amendments would be contrary to the public interest. The language being removed by this rule adds complexity and clutter to part 305, poses some risk of confusion and distraction, and impedes administrative efficiency; the removal of this language will immediately streamline part 305 and benefit the public at little to no cost. The Department therefore finds good cause to waive the public notice and comment period under 553(b)(B) and to waive the 30-day delay in effectiveness under 553(d).

B. Executive Orders 12866, 14192, 13132

The Office of Management and Budget has determined this rule is not significant pursuant to Executive Order (''E.O.'') 12866. This rule is an E.O. 14192 deregulatory action. This rule does not contain policies having federalism implications as the term is defined in E.O. 13132.

C. Regulatory Flexibility Act

Because a notice of proposed rulemaking and an opportunity for public participation are not required to be given for this rule by 5 U.S.C. 553(b)(B), the analytical requirements of the Regulatory Flexibility Act (5 U.S.C. 601 *et seq.*) are not applicable. Accordingly, no regulatory flexibility analysis is required, and none has been prepared.

D. Paperwork Reduction Act

This rule will not impose additional reporting or recordkeeping requirements under the Paperwork Reduction Act of 1995, 44 U.S.C. 3501 *et seq.*

List of Subjects for 13 CFR Part 305

Public works, Economic development, Award and application requirements, Requirements for approved projects.

Dated: March 13, 2026.

Benjamin Page,

Deputy Assistant Secretary and Chief Operating Officer.

For the reasons set forth in the preamble, EDA amends 13 CFR part 305 as follows:

PART 305—PUBLIC WORKS AND ECONOMIC DEVELOPMENT INVESTMENTS

■ 1. The authority citation for part 305 continues to read as follows:

Authority: 42 U.S.C. 3211; 42 U.S.C. 3141; Department of Commerce Organization Order 10–4.

Subpart B—Requirements for Approved Projects

■ 2. Amend § 305.10 by revising paragraph (b)(2) to read as follows:

§ 305.10 Bid underrun and overrun.

* * * * *

(b) * * *

(2) If the Recipient demonstrates to EDA's satisfaction that the options listed in paragraph (b)(1) of this section are not feasible and the Project cannot be completed otherwise, the Recipient may submit a written request to EDA for additional funding in accordance with applicable EDA guidance. The award of additional Investment Assistance is at EDA's sole discretion and will be considered in accord with EDA's competitive process requirements.

§ 305.12 [Removed and Reserved]

■ 3. Remove and reserve § 305.12.

§ 305.14 [Removed and Reserved]

■ 4. Remove and reserve § 305.14.

[FR Doc. 2026–05229 Filed 3–16–26; 8:45 am]

BILLING CODE 3510–24–P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 25

[Docket No. FAA–2025–5235; Special Conditions No. 25–885–SC]

Special Conditions: Gulfstream Aerospace Corporation Model G300 Airplane; Therapeutic Oxygen System

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Final special conditions; request for comments.

SUMMARY: These special conditions are issued for the Gulfstream Aerospace LP (Gulfstream) Model G300 airplane. This airplane will have a novel or unusual design feature when compared to the state of technology envisioned in the airworthiness standards for transport-category airplanes. This design feature is the installation of a therapeutic oxygen distribution system that provides a shared source of oxygen between the flightcrew and passengers. The applicable airworthiness regulations do not contain adequate or appropriate safety standards for this design feature. These special conditions contain the additional safety standards that the Administrator considers necessary to establish a level of safety equivalent to that established by the existing airworthiness standards.

DATES: This action is effective on Gulfstream on March 17, 2026. Send comments on or before May 1, 2026.

ADDRESSES: Send comments identified by Docket No. FAA–2025–5235 using any of the following methods:

- *Federal eRegulations Portal:* Go to *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 (DOT), 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* at any time. Follow the online instructions for accessing the docket or go 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.

FOR FURTHER INFORMATION CONTACT: Robert Hettman, Mechanical Systems, AIR–623, Technical Policy Branch, Policy and Standards Division, Aircraft Certification Service, Federal Aviation Administration, 2200 South 216th Street, Des Moines, WA 98198; telephone 206–231–3171; email *robert.hettman@faa.gov.*

SUPPLEMENTARY INFORMATION: The substance of these special conditions has been published in the **Federal Register** for public comment in several prior instances with no substantive comments received. Therefore, the FAA finds, pursuant to title 14, Code of Federal Regulations (14 CFR) 11.38(b), that new comments are unlikely, and notice and comment prior to this publication are unnecessary.

Privacy

Except for Confidential Business Information (CBI) as described in the following paragraph, and other information as described in 14 CFR 11.35, the FAA will post all comments received without change to *www.regulations.gov,* including any personal information you provide. The FAA will also post a report summarizing each substantive verbal contact received about these special conditions.

Confidential Business Information

Confidential Business Information (CBI) is commercial or financial information that is both customarily and actually treated as private by its owner. Under the Freedom of Information Act (FOIA) (5 U.S.C. 552), CBI is exempt from public disclosure. If your comments responsive to these special conditions contain commercial or financial information that is customarily treated as private, that you actually treat as private, and that is relevant or responsive to these special conditions, it is important that you clearly designate the submitted comments as CBI. Please mark each page of your submission containing CBI as ''PROPIN.'' The FAA will treat such marked submissions as confidential under the FOIA, and the indicated comments will not be placed in the public docket of these special conditions. Send submissions containing CBI to the individual listed in the For Further Information Contact section above. Comments the FAA receives, which are not specifically designated as CBI, will be placed in the public docket for these special conditions.

Comments Invited

The FAA invites interested people to take part in this rulemaking by sending written comments, data, or views. The most helpful comments reference a specific portion of the special conditions, explain the reason for any recommended change, and include supporting data.

The FAA will consider all comments received by the closing date for comments. The FAA may change these special conditions based on the comments received.

Background

On January 23, 2025, Gulfstream applied for an amendment to Type Certificate No. A61NM to include the new Model G300 airplane. The Gulfstream Model G300 airplane, which is a derivative of the Model G280 currently approved under Type Certificate No. A61NM, is a twin-engine, transport-category airplane. It has a maximum seating capacity of 19 passengers and two crew, with a maximum takeoff weight of 39,600 pounds.

Type Certification Basis

Under the provisions of 14 CFR 21.101, Gulfstream must show that the Model G300 airplane meets the applicable provisions of the regulations listed in Type Certificate No. A61NM, or the applicable regulations in effect on the date of application for the change, except for earlier amendments as agreed upon by the FAA.

If the Administrator finds that the applicable airworthiness regulations (*e.g.,* 14 CFR part 25) do not contain adequate or appropriate safety standards for the Gulfstream Model G300 airplane because of a novel or unusual design feature, special conditions are prescribed under the provisions of § 21.16.

Special conditions are initially applicable to the model for which they are issued. Should the type certificate for that model be amended later to include any other model that incorporates the same novel or unusual design feature, or should any other model already included on the same type certificate be modified to incorporate the same novel or unusual design feature, these special conditions would also apply to the other model under § 21.101.

In addition to the applicable airworthiness regulations and special conditions, the Gulfstream Model G300 airplane must comply with the exhaust-emission requirements of 14 CFR part 34 and the noise-certification requirements of 14 CFR part 36.

The FAA issues special conditions, as defined in 14 CFR 11.19, in accordance with 14 CFR 11.38, and they become part of the type certification basis under § 21.101.

Novel or Unusual Design Features

The Gulfstream Model G300 airplane will incorporate the following novel or unusual design feature:

An oxygen distribution system that provides a shared source of oxygen

between the flightcrew and passengers to provide supplemental and therapeutic oxygen.

Discussion

No specific regulations address the design and installation of required passenger or crew oxygen systems that share a supply source with an optional oxygen system used specifically for therapeutic applications. Therapeutic oxygen systems have been previously certified, and were generally considered an extension of the passenger oxygen system for the purpose of defining the applicable regulations. As a result, existing requirements, such as §§ 25.1309, 25.1441(b) and (c), 25.1451, and 25.1453, in the Gulfstream G300 airplanes' certification basis applicable to this Amended TC project, provide some design standards appropriate for oxygen system installations. In addition, § 25.1445 includes standards for oxygen distribution systems when oxygen is supplied to flightcrew and passengers. If a common source of supply is used, § 25.1445(a)(2) requires a means to separately reserve the minimum supply required by the flightcrew.

Section 25.1445 is intended to protect the flightcrew by ensuring that an adequate supply of oxygen is available to complete a descent and landing following a loss of cabin pressure. When the regulation was written, the only passenger oxygen system designs were supplemental oxygen systems intended to protect passengers from hypoxia in the event of a decompression. Existing passenger oxygen systems did not include design features that would allow the flightcrew to control oxygen to passengers during flight. There are no similar requirements in § 25.1445 when oxygen is supplied from the same source to passengers for use during a decompression, and for discretionary or first-aid use any time during the flight. In the design, the crew, passenger, and therapeutic oxygen systems use the same source of oxygen. These special conditions contain additional design requirements for the equipment involved in this dual therapeutic oxygen plus supplemental gaseous oxygen installation.

These special conditions contain the additional safety standards that the Administrator considers necessary to establish a level of safety equivalent to that established by the existing airworthiness standards.

Applicability

As discussed above, these special conditions are applicable to the Gulfstream Model G300 airplane. Should Gulfstream apply at a later date for a change to the type certificate to include another model incorporating the same novel or unusual design feature, or should any other model already included on the same type certificate be modified to incorporate the same novel or unusual design feature, these special conditions would apply to that model as well.

Conclusion

This action affects only a certain novel or unusual design feature on one model of airplane. It is not a rule of general applicability.

List of Subjects in 14 CFR Part 25

Aircraft, Aviation safety, Reporting and recordkeeping requirements.

Authority Citation

The authority citation for these special conditions is as follows:

Authority: 49 U.S.C. 106(f), 40113, 44701, 44702, and 44704.

The Special Conditions

Accordingly, pursuant to the authority delegated to me by the Administrator, the following special conditions are issued as part of the type certification basis for Gulfstream Aerospace LP Model G300 airplanes.

The distribution system for the passenger therapeutic oxygen system must be designed and installed to meet requirements as follows:

(1) When oxygen is supplied to passengers for both supplemental and therapeutic purposes, the distribution system must be designed for either—

(a) A source of supplemental oxygen for protection following a loss of cabin pressure, and a separate source for therapeutic purposes; or

(b) A common source of supply with means to separately reserve the minimum supply required by the passengers for supplemental use following a loss of cabin pressure.

Issued in Fort Worth, Texas, on March 12, 2026.

Jorge R. Castillo,

Manager, Technical Policy Branch, AIR–620, Policy and Standards Division, Aircraft Certification Service.

[FR Doc. 2026–05198 Filed 3–16–26; 8:45 am]

BILLING CODE 4910–13–P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 29

[Docket No. FAA–2025–2038; Special Conditions No. 29–060–SC]

Special Conditions: Airbus Helicopters Model EC175B Helicopters; Search and Rescue (SAR) Modes

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Final special conditions; request for comments.

SUMMARY: These special conditions are issued for the Airbus Helicopters (Airbus) Model EC175B helicopter. This helicopter will have a novel or unusual design feature when compared to the state of technology envisioned in the airworthiness standards for transport category helicopters. This design feature is associated with the installation of an optional search and rescue (SAR) automatic flight control system (AFCS). The applicable airworthiness regulations do not contain adequate or appropriate safety standards for this design feature. These special conditions contain the additional safety standards that the Administrator considers necessary to establish a level of safety equivalent to that established by the existing airworthiness standards.

DATES: This action is effective on Airbus on March 17, 2026. Send comments on or before May 1, 2026.

ADDRESSES: Send comments identified by Docket No. FAA–2025–2038 using any of the following methods:

- *Federal eRegulations Portal:* Go to *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 (DOT), 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* at any time. Follow the online instructions for accessing the docket or go 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.

FOR FURTHER INFORMATION CONTACT: Gregory Thumann, Performance and Environment Unit, AIR–621A, Technical Policy Branch, Policy and Standards Division, Aircraft Certification Service, Federal Aviation Administration, Wichita Dwight D. Eisenhower Airport, FAA AIR Office—Wichita, 1801 S Airport Rd., Wichita, Kansas 67209–2190; telephone and fax 405–666–1052; email *Gregory.G.Thumann@faa.gov.*

SUPPLEMENTARY INFORMATION: The substance of these special conditions has been published in the **Federal Register** for public comment in several prior instances with no substantive comments received. Therefore, the FAA finds, pursuant to Title 14, Code of Federal Regulations (14 CFR) 11.38(b), that new comments are unlikely, and notice and comment prior to this publication are unnecessary.

Privacy

Except for Confidential Business Information (CBI) as described in the following paragraph, and other information as described in § 11.35, the FAA will post all comments received without change to *www.regulations.gov,* including any personal information you provide. The FAA will also post a report summarizing each substantive verbal contact received about these special conditions.

Confidential Business Information

Confidential Business Information (CBI) is commercial or financial information that is both customarily and actually treated as private by its owner. Under the Freedom of Information Act (FOIA) (5 U.S.C. 552), CBI is exempt from public disclosure. If your comments responsive to these special conditions contain commercial or financial information that is customarily treated as private, that you actually treat as private, and that is relevant or responsive to these special conditions, it is important that you clearly designate the submitted comments as CBI. Please mark each page of your submission containing CBI as ''PROPIN.'' The FAA will treat such marked submissions as confidential under the FOIA, and the indicated comments will not be placed in the public docket of these special conditions. Send submissions containing CBI to the individual listed in the For Further Information Contact section above. Comments the FAA receive, which are not specifically designated as CBI, will be placed in the public docket for these special conditions.

Comments Invited

The FAA invites interested people to take part in this rulemaking by sending written comments, data, or views. The most helpful comments reference a specific portion of the special conditions, explain the reason for any recommended change, and include supporting data.

The FAA will consider all comments received by the closing date for comments. The FAA may change these special conditions based on the comments received.

Background

On September 14, 2022, Airbus requested FAA type certificate validation for the Airbus Model EC175B helicopter, identified by project Type Certificate No. TC14123SE–R. The Model EC175B helicopter is a large-passenger Transport Category, 14 CFR part 29, twin-engine conventional helicopter certificated for Category A operations and also for instrument flight under the requirements of Appendix B of Part 29. This model is powered by two Pratt & Whitney Canada PT6C–67E engines with a dual channel Full Authority Digital Engine Control system, has five main rotor blades, a maximum gross weight of 17,196 pounds, and a velocity not exceeding 175 knots. The Model EC175B helicopter features an integrated modular avionics suite with four 6x8-inch multi-function displays called Common Integrated Global Avionics for Light Helicopters. This rotorcraft is capable of carrying 18 passengers and two crew members. Its initial customer base included offshore oil and search and rescue operations.

Type Certification Basis

Under the provisions of 14 CFR 21.17, Airbus must show that the Model EC175B helicopter meets the applicable provisions of Part 29, as amended by Amendments 29–1 through 29–52. The Airbus Model EC175B certification basis date is March 1, 2009.

If the Administrator finds that the applicable airworthiness regulations (*e.g.,* Part 29) do not contain adequate or appropriate safety standards for the Airbus Model EC175B helicopter because of a novel or unusual design feature, special conditions are prescribed under the provisions of 14 CFR 21.16.

Special conditions are initially applicable to the model for which they are issued. Should the type certificate for that model be amended later to include any other model that incorporates the same novel or unusual design feature, these special conditions would also apply to the other model under 14 CFR 21.101.

In addition to the applicable airworthiness regulations and special conditions, the Airbus Model EC175B helicopter must comply with the exhaust-emission requirements of 14 CFR part 34 and the noise-certification requirements of 14 CFR part 36.

The FAA issues special conditions, as defined in 14 CFR 11.19, in accordance with § 11.38, and they become part of the type certification basis under § 21.17(a)(2).

Novel or Unusual Design Features

The Airbus Model EC175B helicopter will incorporate the following novel or unusual design feature:

The SAR system is composed of a navigation computer with SAR modes, an AFCS that provides coupled SAR functions, hoist operator control, a hover speed reference system, and two radio altimeters. The AFCS coupled SAR functions include:

(a) Hover hold at selected height above the surface.

(b) Ground speed hold.

(c) Transition down and hover to a waypoint under guidance from the navigation computer.

(d) SAR pattern, transition down, and hover near a target over which the helicopter has flown.

(e) Transition up, climb, and capture a cruise height.

(f) Capture and track SAR search patterns generated by the navigation computer.

(g) Monitor the preselected hover height with an automatic increase in collective if the aircraft height drops below the safe minimum height.

These SAR modes are intended to be used over large bodies of water in areas clear of obstructions. Further, the use of the modes that transition down from cruise to hover will include operation at airspeeds below V_{MINI}.

The SAR system only entails navigation, flight control, and coupled AFCS operation of the helicopter. The system does not include the additional equipment that may be required for over water flight or external loads to meet other operational requirements.

Discussion

Airbus Model EC175B will include the installation of an optional SAR AFCS.

The use of dedicated AFCS upper modes, in which a fully coupled autopilot provides operational SAR profiles, is necessary for SAR operations

conducted over water in offshore areas clear of obstructions. The SAR modes enable the helicopter pilot to fly fully coupled maneuvers, including predefined search patterns during cruise flight, and to transition between cruise flight to a stabilized hover, as well as from hover back to cruise. The SAR AFCS also includes an auxiliary crew control that allows another crewmember (such as a hoist operator) to have limited authority to control the helicopter's longitudinal and lateral position during hover operations.

Flight operations conducted over water at night may have an extremely limited visual horizon, with little visual reference to the surface, even when conducted under visual meteorological conditions. Consequently, the certification requirements for SAR modes must meet the requirements outlined in Appendix B to Part 29. While Appendix B to Part 29 prescribes airworthiness criteria for instrument flight, it does not consider operations below the instrument flight minimum speed (VMINI), whereas the SAR modes allow for coupled operations at low speed, all-azimuth flight to zero airspeed (hover).

Since SAR operations have traditionally been a public-use mission, the use of SAR modes in civil operations requires special airworthiness standards (special conditions) to ensure a level of safety consistent with Category A and Instrument Flight Rule (IFR) certification in accordance with Appendix B to Part 29. In this regard, Part 29 lacks adequate airworthiness standards for AFCS SAR mode certification, including flight characteristics, performance, and installed equipment and systems.

These special conditions contain the additional safety standards that the Administrator considers necessary to establish a level of safety equivalent to that established by the existing airworthiness standards.

Applicability

As discussed above, these special conditions are applicable to the Airbus Model EC175B helicopter. Should Airbus apply at a later date for a change to the type certificate to include another model incorporating the same novel or unusual design feature, these special conditions would apply to that model as well.

Conclusion

This action affects only a certain novel or unusual design feature on the Airbus Model EC175B helicopter. It is not a rule of general applicability.

List of Subjects in 14 CFR Part 29

Aircraft, Aviation safety, Reporting and recordkeeping requirements.

Authority Citation

The authority citation for these special conditions is as follows:

Authority: 49 U.S.C. 106(f), 40113, 44701, 44702, and 44704.

The Special Conditions

■ Accordingly, pursuant to the authority delegated to me by the Administrator, the following special conditions are issued as part of the type certification basis for the Airbus Helicopters Model EC175B helicopter.

In addition to the Part 29 certification requirements for Category A and helicopter instrument flight (Appendix B to Part 29), the following additional requirements must be met for certification of the optional search and rescue (SAR) automatic flight control system (AFCS):

(a) *SAR Flight Modes.* The coupled SAR flight modes must provide:

(1) Safe and controlled flight in the three axes at all airspeeds (lateral position and speed, longitudinal position and speed, and height and vertical speed) from the previous instrument flight minimum speed (VMINI) to a hover (within the maximum demonstrated wind envelope).

(2) Automatic transition to the helicopter instrument flight (Appendix B to Part 29) envelope as part of the normal SAR mode sequencing.

(3) A pilot-selectable ''Go-Around'' mode that safely interrupts any other coupled mode and automatically transitions the helicopter to the instrument flight (Appendix B to Part 29) envelope.

(4) A means to prevent unintended flight below a safe minimum height. Pilot-commanded descent below the safe minimum height is acceptable, provided the alerting requirements in paragraph (b)(8)(i) of these special conditions alert the pilot of this descent below safe minimum height.

(b) *SAR Mode System Architecture.* To support the integrity of the SAR modes, the following system architecture is required:

(1) Ground mapping radar function that presents real-time information to the pilots.

(2) A system for limiting the engine power demanded by the AFCS when any of the automatic piloting modes are engaged so that full authority digital engine control power limitations, such as torque and temperature, are not exceeded.

(3) A system providing the aircraft height above the surface and the final pilot-selected height at a location on the instrument panel in a position acceptable to the FAA that will make it plainly visible to and usable by any pilot at their station.

(4) A system providing the aircraft heading and the pilot-selected heading at a location on the instrument panel in a position acceptable to the FAA that will make it plainly visible to and usable by any pilot at their station.

(5) A system providing the aircraft longitudinal and lateral ground speeds and the pilot-selected longitudinal and lateral ground speeds when used by the AFCS in the flight envelope where airspeed indications become unreliable. This information must be presented at a location on the instrument panel in a position acceptable to the FAA that is plainly visible to and usable by any pilot at their station.

(6) A system providing wind speed and wind direction when automatic piloting modes are engaged or while transitioning from one mode to another.

(7) A system that monitors flight guidance deviations and failures and contains an alerting function that provides the flight crew with enough information to take appropriate corrective action.

(8) An alerting system that provides visual or aural alerts, or both, to the flight crew under any of the following conditions:

(i) When the stored or pilot-selected safe minimum height is reached.

(ii) When a SAR mode system malfunction occurs.

(iii) When the AFCS changes modes automatically from one SAR mode to another. For normal transitions between SAR modes, a single visual or aural alert may suffice. For a SAR mode malfunction or a mode having a time-critical component, the flight crew alerting system must activate early enough to allow the flight crew to take timely and appropriate action. The alerting system means must be designed to alert the flight crew in order to minimize crew errors that could create an additional hazard.

(9) The SAR system hoist operator control is considered a flight control with limited authority and must comply with the following:

(i) The hoist operator control must be designed and located to provide for convenient operation and to prevent confusion and inadvertent operation.

(ii) The helicopter must be safely controllable by the hoist operator control throughout the range of that control.

(iii) The hoist operator control may not interfere with the safe operation of the helicopter.

(iv) Pilot and copilot flight controls must be able to smoothly override the limited control authority of the hoist operator control, without exceptional piloting skill, alertness, or strength, and without the danger of exceeding any other limitation because of the override.

(10) The reliability of the AFCS must be related to the effects of its failure. The occurrence of any failure condition that would prevent continued safe flight and landing must be extremely improbable. For any failure condition of the AFCS that is not shown to be extremely improbable:

(i) The helicopter must be safely controllable and capable of continued safe flight without exceptional piloting skill, alertness, or strength. Additional unrelated probable failures affecting the control system must be evaluated.

(ii) The AFCS must be designed so that it cannot create a hazardous deviation in the flight path or produce hazardous loads on the helicopter during normal operation or in the event of a malfunction or failure, assuming corrective action begins within an appropriate period of time. Where multiple systems are installed, subsequent malfunction conditions must be evaluated in sequence unless their occurrence is shown to be improbable.

(11) A functional hazard assessment and a system safety assessment must address the failure conditions associated with SAR operations:

(i) For SAR catastrophic failure conditions, changes may be required to the following:

(A) System architecture.

(B) Software and complex electronic hardware design assurance levels.

(C) High intensity radiated field (HIRF) test levels.

(D) Instructions for continued airworthiness.

(ii) The assessments must consider all the systems required for SAR operations, including the AFCS, all associated AFCS sensors (for example, radio altimeter), and primary flight displays. Electrical and electronic systems with SAR catastrophic failure conditions (for example, AFCS) must comply with the § 29.1317(a)(4) High Intensity Radiated Field (HIRF) requirements.

(c) SAR Mode Performance Requirements.

(1) The SAR modes must be demonstrated for the requested flight envelope, including the following minimum sea state and wind conditions:

(i) *Sea State:* Wave height of 2.5 meters (8.2 feet), considering both short and long swells. This is in addition to the sea state demonstrated in reference to the airframe's ditching capability.

(ii) *Wind:* 25 knots headwind; 17 knots for all other azimuths.

(2) The selected hover height and hover velocity must be captured (including the transition from one captured mode to another captured mode) accurately and smoothly and not exhibit any significant overshoot or oscillation.

(3) The minimum use height (MUH) for the SAR modes must be no more than the maximum loss of height following any single failure or any combination of failures not shown to be extremely improbable, plus an additional margin of 15 feet above the surface. MUH is the minimum height at which any SAR AFCS mode may be engaged.

(4) The SAR mode system must be usable up to the maximum certified gross weight of the aircraft or to the lower of the following weights:

(i) Maximum emergency flotation weight.

(ii) Maximum hover out-of-ground effect (OGE) weight.

(iii) Maximum demonstrated weight.

(d) Flight Characteristics.

(1) The basic aircraft must meet all of the Part 29 airworthiness criteria for helicopter instrument flight (Appendix B to Part 29).

(2) For SAR mode coupled flight below VMINI, at the maximum demonstrated winds, the helicopter must be able to maintain any required flight condition and make a smooth transition from any flight condition to any other flight condition without requiring exceptional piloting skill, alertness, or strength, and without exceeding the limit load factor. This requirement also includes aircraft control through the hoist operator's control.

(3) For coupled flight below the previously established VMINI, the following stability requirements replace the stability requirements of paragraphs IV, V, and VI of Appendix B to Part 29:

(i) *Static Longitudinal Stability:* The requirements of Appendix B to Part 29, paragraph IV, are not applicable.

(ii) *Static Lateral-Directional Stability:* The requirements of Appendix B to Part 29, paragraph V, are not applicable.

(iii) *Dynamic Stability:* The requirements of paragraph VI of Appendix B are replaced with the following two paragraphs:

(A) Any oscillation must be damped, and any aperiodic response must not double in amplitude in less than 10 seconds. This requirement must also be met with degraded upper modes of the AFCS. An ''upper mode'' is a mode that utilizes a fully coupled autopilot to provide an operational SAR profile.

(B) After any upset, the AFCS must return the aircraft to the last commanded position within 10 seconds or less.

(4) With any of the upper modes of the AFCS engaged, the pilot must be able to manually recover the aircraft and transition to the normal (Appendix B to Part 29) IFR flight profile envelope without exceptional skill, alertness, or strength.

(e) One-Engine Inoperative (OEI) Performance Information.

(1) The following performance information must be provided in the Rotorcraft Flight Manual Supplement (RFMS):

(i) OEI performance information and emergency procedures, providing the maximum weight that will provide a minimum clearance of 15 feet above the surface, following failure of the critical engine in a hover. The maximum weight must be presented as a function of the hover height for the temperature and pressure altitude range requested for certification. The effects of wind must be reflected in the hover performance information.

(ii) Hover OGE performance with the critical engine inoperative for OEI continuous and time-limited power ratings for those weights, altitudes, and temperatures for which certification is requested.

Note: These OEI performance requirements do not replace performance requirements that may be needed to comply with the airworthiness or operational standards (14 CFR 29.865 or 14 CFR part 133) for external loads or human external cargo.

(2) [Reserved]

(f) RFMS.

(1) Limitations necessary for the safe operation of the SAR system to include:

(i) Minimum crew requirements. No fewer than two pilots, except for approved external load operations, which will also require a hoist operator.

(ii) Maximum SAR weight as determined by the lower of the SAR mode performance requirement of paragraph (c)(4) of these special conditions or the aircraft performance information provided by paragraph (e) of these special conditions.

(iii) Maximum demonstrated sea state conditions for ditching compliance.

(iv) Engagement criteria for each of the SAR modes to include MUH (as determined in subparagraph (c)(3)) of these special conditions.

(v) Normal and emergency procedures for operation of the SAR system

(including operation of the hoist operator control), with AFCS failure modes, AFCS degraded modes, and engine failures.

(2) Performance information:

(i) OEI performance and height-loss.

(ii) Hover OGE performance information, utilizing OEI continuous and time-limited power ratings.

(iii) The maximum wind envelope demonstrated in the flight test.

(iv) Information and advisory information concerning operations in a heavy salt spray environment, including any airframe or power effects as a result of salt encrustation.

(g) Flight Demonstration.

(1) Before approval of the SAR system, an acceptable flight demonstration of all the coupled SAR modes is required.

(2) The AFCS must provide fail-safe operations during coupled maneuvers. The demonstration of fail-safe operations must include a pilot workload assessment associated with manually flying the aircraft to an altitude greater than 200 feet above the surface and an airspeed of at least the best rate of climb airspeed (Vy).

(3) For any failure condition of the SAR system not shown to be extremely improbable, the pilot must be able to make a smooth transition from one flight mode to another without exceptional piloting skill, alertness, or strength.

(4) Failure conditions that are not shown to be extremely improbable must be demonstrated by analysis, ground testing, or flight testing. For failures demonstrated in flight, the following normal pilot recovery times are acceptable:

(i) Transition modes (Cruise-to-Hover/Hover-to-Cruise) and hover modes: Normal pilot recognition plus 1 second.

(ii) *Cruise modes:* Normal pilot recognition plus 3 seconds.

(5) All AFCS malfunctions must include evaluation of the low-speed and high-power flight conditions typical of SAR operations. Additionally, AFCS hard-over, slow-over, and oscillatory malfunctions, particularly in yaw, require evaluation. AFCS malfunction testing must include a single or a combination of failures (such as erroneous data from and loss of the radio altimeter, attitude, heading, and altitude sensors) that are not shown to be extremely improbable.

(6) The flight demonstration must include the following environmental conditions:

(i) Swell into wind.

(ii) Swell and wind from different directions.

(iii) Cross swell.

(iv) Swell of different lengths (short and long swell).

(7) The flight demonstration must also evaluate OEI procedures from hover while hoisting an external load.

Issued in Fort Worth, Texas, on March 6, 2026.

Jorge R. Castillo,

Manager, Technical Policy Branch, Policy and Standards Division, Aircraft Certification Service.

[FR Doc. 2026–05207 Filed 3–16–26; 8:45 am]

BILLING CODE 4910–13–P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39

[Docket No. FAA–2025–5386; Project Identifier MCAI–2025–01227–A; Amendment 39–23272; AD 2026–04–12]

RIN 2120–AA64

Airworthiness Directives; Extra Aerobatic Aircraft GmbH Airplanes

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Final rule.

SUMMARY: The FAA is adopting a new airworthiness directive (AD) for all Extra Aerobatic Aircraft GmbH (Extra) Model EXTRA NG airplanes. This AD was prompted by reports of the canopy opening or detaching in flight because of a partially or improperly locked canopy. This AD requires replacing the canopy placards and revising the Limitations Section of the Pilot Operating Handbook/Airplane Flight Manual (POH/AFM). The FAA is issuing this AD to address the unsafe condition on these products.

DATES: This AD is effective April 21, 2026.

The Director of the Federal Register approved the incorporation by reference of a certain publication listed in this AD as of April 21, 2026.

ADDRESSES:

AD Docket: You may examine the AD docket at *regulations.gov* under Docket No. FAA–2025–5386; or in person at Docket Operations between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays. The AD docket contains this final rule, the mandatory continuing airworthiness information (MCAI), any comments received, and other information. The address for Docket Operations is U.S. Department of Transportation, Docket Operations, M–30, West Building Ground Floor, Room W12–140, 1200 New Jersey Avenue SE, Washington, DC 20590.

Material Incorporated by Reference:

- For EXTRA Aerobatic Aircraft GmbH material identified in this AD, contact Extra, Schwarze Heide 21, 46569 Hünxe, Germany; phone: +49 2858 9137 0; email: *engineering@ExtraAircraft.com.*
- You may view this material at the FAA, Airworthiness Products Section, Operational Safety Branch, 901 Locust, Kansas City, MO 64106. For information on the availability of this material at the FAA, call (817) 222–5110. It is also available at *regulations.gov* under Docket No. FAA–2025–5386.

FOR FURTHER INFORMATION CONTACT: Doug Rudolph, Aviation Safety Engineer, FAA, 1600 Stewart Avenue, Suite 410, Westbury, NY 11590; phone: (816) 329–4059; email: *doug.rudolph@faa.gov.*

SUPPLEMENTARY INFORMATION:

Background

The FAA issued a notice of proposed rulemaking (NPRM) to amend 14 CFR part 39 by adding an AD that would apply to all Extra Model EXTRA NG airplanes. The NPRM was published in the **Federal Register** on December 10, 2025 (90 FR 57168). The NPRM was prompted by European Union Aviation Safety Agency (EASA) AD 2025–0156, dated July 21, 2025 (EASA AD 2025–0156) (also referred to as the MCAI), issued by EASA, which is the Technical Agent for the Member States of the European Union. The MCAI states that there are reports of canopies opening or detaching during flight. Further investigation revealed that, in most cases, the root cause was a partially or improperly locked canopy. This condition, if not detected and corrected, could result in canopy separation, possibly leading to damage to the airplane structure, loss of control of the airplane, or injuries to people on the ground.

In the NPRM, the FAA proposed to require replacing the canopy placards and revising the Limitations Section of the POH/AFM. The FAA is issuing this AD to address the unsafe condition on these products.

You may examine the MCAI in the AD docket at *regulations.gov* under Docket No. FAA–2025–5386.

Discussion of Final Airworthiness Directive

Comments

The FAA received no comments on the NPRM or on the determination of the costs.

Conclusion

These products have been approved by the civil aviation authority of another country and are approved for operation in the United States. Pursuant to the FAA's bilateral agreement with this State of Design Authority, that authority has notified the FAA of the unsafe condition described in the MCAI referenced above. The FAA reviewed the relevant data, considered any comments received, and determined that air safety requires adopting this AD as proposed. Accordingly, the FAA is issuing this AD to address the unsafe condition on these products. This AD is adopted as proposed in the NPRM.

Material Incorporated by Reference Under 1 CFR Part 51

The FAA reviewed EXTRA Aerobatic Aircraft GmbH Service Bulletin No. SB–NG–1–24, Issue A, dated December 19, 2024. This material specifies procedures for revising the Limitations Section of the POH/AFM to include the newly mandated placard. Compliance shall be accomplished by incorporating Revision 16 or later approved revisions of the POH/AFM. This material is reasonably available because the interested parties have access to it through their normal course of business or by the means identified in the **ADDRESSES** section.

Costs of Compliance

The FAA estimates that this AD affects 30 airplanes of U.S. registry.

The FAA estimates the following costs to comply with this AD:

ESTIMATED COSTS

Action	Labor cost	Parts cost	Cost per product	Cost on U.S. operators
Replace canopy placards	1 work-hour × $85 per hour = $85	$10	$95	$2,850
Revise POH/AFM	1 work-hour × $85 per hour = $85	0	85	2,550

Authority for This Rulemaking

Title 49 of the United States Code specifies the FAA's authority to issue rules on aviation safety. 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.

The FAA is issuing this rulemaking under the authority described in Subtitle VII, Part A, Subpart III, Section 44701: General requirements. Under that section, Congress charges the FAA with promoting safe flight of civil aircraft in air commerce by prescribing regulations for practices, methods, and procedures the Administrator finds necessary for safety in air commerce. This regulation is within the scope of that authority because it addresses an unsafe condition that is likely to exist or develop on products identified in this rulemaking action.

Regulatory Findings

This AD will not have federalism implications under Executive Order 13132. This AD will not have a substantial direct effect on the States, on the relationship between the national government and the States, or on the distribution of power and responsibilities among the various levels of government.

For the reasons discussed above, I certify that this AD:

(1) Is not a ''significant regulatory action'' under Executive Order 12866,

(2) Will not affect intrastate aviation in Alaska, and

(3) Will not have a significant economic impact, positive or negative, on a substantial number of small entities under the criteria of the Regulatory Flexibility Act.

List of Subjects in 14 CFR Part 39

Air transportation, Aircraft, Aviation safety, Incorporation by reference, Safety.

The Amendment

Accordingly, under the authority delegated to me by the Administrator, the FAA amends 14 CFR part 39 as follows:

PART 39—AIRWORTHINESS DIRECTIVES

■ 1. The authority citation for part 39 continues to read as follows:

Authority: 49 U.S.C. 106(g), 40113, 44701.

§ 39.13 [Amended]

■ 2. The FAA amends § 39.13 by adding the following new airworthiness directive:

2026–04–12 Extra Aerobatic Aircraft GmbH: Amendment 39–23272; Docket No. FAA–2025–5386; Project Identifier MCAI–2025–01227–A.

(a) Effective Date

This airworthiness directive (AD) is effective April 21, 2026.

(b) Affected ADs

None.

(c) Applicability

This AD applies to all Extra Aerobatic Aircraft GmbH Model EXTRA NG airplanes, certificated in any category.

(d) Subject

Joint Aircraft System Component (JASC) Code 1100, Placards and Markings.

(e) Unsafe Condition

This AD was prompted by reports of the canopy opening or detaching in flight because of a partially or improperly locked canopy. The FAA is issuing this AD to detect and address placards/design that did not provide adequate positive canopy locking or confirmation. The unsafe condition, if not addressed, could result in canopy separation, possibly leading to damage to the airplane structure, loss of control of the airplane, or injuries to people on the ground.

(f) Compliance

Comply with this AD within the compliance times specified, unless already done.

(g) Required Actions

(1) For airplanes without canopy placard part number (P/N) EX–01106.01–Canopy installed, within 3 months or 25 hours time-in-service, whichever occurs first after the effective date of this AD, replace the affected canopy placards at the front and rear canopy handles in accordance with the INSTRUCTIONS, steps 1 and 2, in EXTRA Aerobatic Aircraft GmbH Service Bulletin No. SB–NG–1–24, Issue A, dated December 19, 2024 (EXTRA SB–NG–1–24).

(2) Before next flight, after the replacement of the affected canopy placards required by paragraph (g)(1) of this AD, revise the Limitations Section of the existing pilot's operating handbook/airplane flight manual (POH/AFM) to include canopy placard P/N EX–01106.01–Canopy in accordance with the INSTRUCTIONS, step 3, in EXTRA SB–NG–1–24. The owner/operator (pilot) holding at least a private pilot certificate may revise the existing POH/AFM for the airplane and must enter compliance with the applicable paragraph of this AD into the airplane maintenance records in accordance with 14 CFR 43.9(a) and 91.417(a)(2)(v).

(3) Amending the existing POH/AFM by incorporating a later POH/AFM revision that includes information identical to that required by paragraph (g)(2) is an acceptable

method to comply with the requirements of paragraph (g)(2) of this AD.

(h) Installation Prohibition

As of the effective date of this AD, do not replace any canopy placard with a placard that is not P/N EX–01106.01–Canopy.

(i) Alternative Methods of Compliance (AMOCs)

The Manager, International Validation Branch, FAA, has the authority to approve AMOCs for this AD, if requested using the procedures found in 14 CFR 39.19. In accordance with 14 CFR 39.19, send your request to your principal inspector or local Flight Standards District Office, as appropriate. If sending information directly to the manager of the International Validation Branch, send it to the attention of the person identified in paragraph (j) of this AD and email to: *AMOC@faa.gov.* Before using any approved AMOC, notify your appropriate principal inspector, or lacking a principal inspector, the manager of the local flight standards district office/certificate holding district office.

(j) Additional Information

For more information about this AD, contact Doug Rudolph, Aviation Safety Engineer, FAA, 1600 Stewart Avenue, Suite 410, Westbury, NY 11590; phone: (816) 329–4059; email: *doug.rudolph@faa.gov.*

(k) Material Incorporated by Reference

(1) The Director of the Federal Register approved the incorporation by reference (IBR) of the material listed in this paragraph under 5 U.S.C. 552(a) and 1 CFR part 51.

(2) You must use this material as applicable to do the actions required by this AD, unless the AD specifies otherwise.

(i) EXTRA Aerobatic Aircraft GmbH Service Bulletin No. SB–NG–1–24, Issue A, dated December 19, 2024.

(ii) [Reserved]

(3) For EXTRA Aerobatic Aircraft GmbH material identified in this AD, contact Extra Aerobatic Aircraft GmbH, Schwarze Heide 21, 46569 Hünxe, Germany; phone: +49 2858 9137 0; email: *engineering@ExtraAircraft.com.*

(4) You may view this material at the FAA, Airworthiness Products Section, Operational Safety Branch, 901 Locust, Kansas City, MO 64106. For information on the availability of this material at the FAA, call (817) 222–5110.

(5) You may view this material 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* or email *fr.inspection@nara.gov.*

Issued on February 19, 2026.

Steven W. Thompson,

Acting Deputy Director, Compliance & Airworthiness Division, Aircraft Certification Service.

[FR Doc. 2026–05169 Filed 3–16–26; 8:45 am]

BILLING CODE 4910–13–P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 71

[Docket No. FAA–2026–0628; Airspace Docket No. 26–ASW–1]

RIN 2120–AA66

Revocation of Class E Airspace; Zuni, NM

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Final rule.

SUMMARY: This action revokes Class E airspace at Zuni, NM. This action supports the closure of Black Rock Airport at Zuni Pueblo, NM.

DATES: Effective 0901 UTC, May 14, 2026. The Director of the Federal Register approves this incorporation by reference action under 1 CFR part 51, subject to the annual revision of FAA Order JO 7400.11 and publication of conforming amendments.

ADDRESSES: A copy of the notice of proposed rulemaking (NPRM), all comments received, this final rule, and all background material may be viewed online at *www.regulations.gov* using the FAA Docket number. Electronic retrieval help and guidelines are available on the website. It is available 24 hours each day, 365 days each year. An electronic copy of this document may also be downloaded from *www.federalregister.gov.*

FAA Order JO 7400.11K, Airspace Designations and Reporting Points, and subsequent amendments can be viewed online at *www.faa.gov/air_traffic/publications/.* You may also contact the Rules and Regulations Group, Office of Policy, Federal Aviation Administration, 800 Independence Avenue SW, Washington, DC 20591; telephone: (202) 267–8783.

FOR FURTHER INFORMATION CONTACT: Raul Garza Jr., Federal Aviation Administration, Operations Support Group, Central Service Center, 10101 Hillwood Parkway, Fort Worth, TX 76177; telephone (817) 222–5874.

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 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 revokes Class E airspace extending upward from 700 feet above the surface at Black Rock Airport, Zuni, NM, because the airport closed.

History

The FAA published an NPRM for Docket No. FAA–2026–0628 in the **Federal Register** (91 FR 2885; January 23, 2026) proposing to revoke Class E airspace at Zuni, NM. Interested parties were invited to participate in this rulemaking effort by submitting written comments on the proposal to the FAA. One comment was received supporting this rulemaking effort.

Incorporation by Reference

Class E airspace designations are published in paragraph 6005 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 amends the current version of that order, FAA Order JO 7400.11K, dated August 4, 2025, and effective September 15, 2025. These amendments will 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. Adjustments are therefore included in this action.

The Rule

This action modifies 14 CFR part 71 by revoking Class E airspace extending upward from 700 feet above the surface at Black Rock Airport, Zuni, NM. This action is being taken because, as the result of the airport closure, Class E airspace is no longer required. This final rule coincides with the final rule establishing Class E airspace at Andrew Othole Memorial Airport in Zuni Pueblo, NM.

Regulatory Notices and Analyses

The FAA has determined that this 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 only affects air traffic procedures and air navigation, it is certified that this rule, when promulgated, does not have a significant economic impact on a substantial number of small entities under the criteria of the Regulatory Flexibility Act.

Environmental Review

The FAA has determined that this action qualifies for categorical exclusion under the National Environmental Policy Act in accordance with FAA Order 1050.1G, ''FAA National Environmental Policy Act Implementing Procedures,'' paragraph B–2.5(a), which categorically excludes from further environmental impact review rulemaking actions that designate or modify classes of airspace areas, airways, routes, and reporting points (see 14 CFR part 71, Designation of Class A, B, C, D, and E Airspace Areas; Air Traffic Service Routes; and Reporting Points); and paragraph B–2.5(k), which categorically excludes from further environmental impact review the publication of existing air traffic control procedures that do not essentially change existing tracks, create new tracks, change altitude, or change concentration of aircraft on these tracks. As such, this action is not expected to result in any potentially significant environmental impacts, and no extraordinary circumstances exist that warrant preparation of an environmental assessment.

Lists of Subjects in 14 CFR Part 71

Airspace, Incorporation by reference, Navigation (air).

The Amendment

In consideration of the foregoing, the Federal Aviation Administration amends 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 6005 Class E Airspace Areas Extending Upward From 700 Feet or More Above the Surface of the Earth.

* * * * *

ASW NM E5 Zuni, NM [Remove]

* * * * *

Issued in Fort Worth, Texas, on March 13, 2026.

Jerry J. Creecy,

Acting Manager, Operations Support Group, ATO Central Service Center.

[FR Doc. 2026–05219 Filed 3–16–26; 8:45 am]

BILLING CODE 4910–13–P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 97

[Docket No. 31654; Amdt. No. 4209]

Standard Instrument Approach Procedures, and Takeoff Minimums and Obstacle Departure Procedures; Miscellaneous Amendments

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Final rule.

SUMMARY: This rule establishes, amends, suspends, or removes Standard Instrument Approach Procedures (SIAPS) and associated Takeoff Minimums and Obstacle Departure procedures (ODPs) for operations at certain airports. These regulatory actions are needed because of the adoption of new or revised criteria, or because of changes occurring in the National Airspace System, such as the commissioning of new navigational facilities, adding new obstacles, or changing air traffic requirements. These changes are designed to provide safe and efficient use of the navigable airspace and to promote safe flight operations under instrument flight rules at the affected airports.

DATES: This rule is effective March 17, 2026. The compliance date for each SIAP, associated Takeoff Minimums, and ODP is specified in the amendatory provisions.

The incorporation by reference of certain publications listed in the regulations is approved by the Director of the Federal Register as of March 17, 2026.

ADDRESSES: Availability of matters incorporated by reference in the amendment is as follows:

For Examination

1. U.S. Department of Transportation, Docket Ops-M30. 1200 New Jersey Avenue SE, West Bldg., Ground Floor, Washington, DC 20590–0001.

2. The FAA Air Traffic Organization Service Area in which the affected airport is located;

3. The office of Aeronautical Information Services, 6500 South MacArthur Blvd., Oklahoma City, OK 73169 or,

4. 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* or email *fr.inspection@nara.gov.*

Availability

All SIAPs and Takeoff Minimums and ODPs are available online free of charge. Visit the National Flight Data Center at *nfdc.faa.gov* to register. Additionally, individual SIAP and Takeoff Minimums and ODP copies may be obtained from the FAA Air Traffic Organization Service Area in which the affected airport is located.

FOR FURTHER INFORMATION CONTACT: Rune Duke, Manager (Acting), Standards Section, Flight Procedures and Airspace Group, Aviation Safety, Federal Aviation Administration. Mailing Address: FAA Mike Monroney Aeronautical Center, Flight Procedures and Airspace Group, 6500 South MacArthur Blvd., STB Annex, Bldg 26, Room 217, Oklahoma City, OK 73099. Telephone (405) 954–1139.

SUPPLEMENTARY INFORMATION: This rule amends 14 CFR part 97 by establishing, amending, suspending, or removes SIAPS, Takeoff Minimums and/or ODPS. The complete regulatory description of each SIAP and its associated Takeoff Minimums or ODP for an identified airport is listed on FAA form documents which are incorporated by reference in this amendment under 5 U.S.C. 552(a), 1 CFR part 51, and 14 CFR 97.20. The applicable FAA Forms are 8260–3, 8260–4, 8260–5, 8260–15A, 8260–15B, when required by an entry on 8260–15A, and 8260–15C.

The large number of SIAPs, Takeoff Minimums and ODPs, their complex nature, and the need for a special format make publication in the **Federal Register** expensive and impractical. Further, pilots do not use the regulatory text of the SIAPs, Takeoff Minimums or ODPs, but instead refer to their graphic depiction on charts printed by publishers of aeronautical materials. Thus, the advantages of incorporation by reference are realized and publication of the complete description of each SIAP, Takeoff Minimums and ODP listed on FAA form documents is

unnecessary. This amendment provides the affected CFR sections and specifies the types of SIAPS, Takeoff Minimums and ODPs with their applicable effective dates. This amendment also identifies the airport and its location, the procedure, and the amendment number.

Availability and Summary of Material Incorporated by Reference

The material incorporated by reference is publicly available as listed in the **ADDRESSES** section.

The material incorporated by reference describes SIAPS, Takeoff Minimums and/or ODPs as identified in the amendatory language for part 97 of this final rule.

The Rule

This amendment to 14 CFR part 97 is effective upon publication of each separate SIAP, Takeoff Minimums and ODP as amended in the transmittal. Some SIAP and Takeoff Minimums and textual ODP amendments may have been issued previously by the FAA in a Flight Data Center (FDC) Notice to Airmen (NOTAM) as an emergency action of immediate flights safety relating directly to published aeronautical charts.

The circumstances that created the need for some SIAP and Takeoff Minimums and ODP amendments may require making them effective in less than 30 days. For the remaining SIAPs and Takeoff Minimums and ODPs, an effective date at least 30 days after publication is provided.

Further, the SIAPs and Takeoff Minimums and ODPs contained in this amendment are based on the criteria contained in the U.S. Standard for Terminal Instrument Procedures (TERPS). In developing these SIAPs and Takeoff Minimums and ODPs, the TERPS criteria were applied to the conditions existing or anticipated at the affected airports. Because of the close and immediate relationship between these SIAPs, Takeoff Minimums and ODPs, and safety in air commerce, I find that notice and public procedure under 5 U.S.C. 553(b) are impracticable and contrary to the public interest and, where applicable, under 5 U.S.C. 553(d), good cause exists for making some SIAPs effective in less than 30 days.

The FAA has determined that this 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. For the same reason, the FAA certifies that this amendment will not have a significant economic impact on a substantial number of small entities under the criteria of the Regulatory Flexibility Act.

Lists of Subjects in 14 CFR Part 97

Air Traffic Control, Airports, Incorporation by reference, Navigation (Air).

Issued in Washington, DC, on March 13, 2026.

Rune Duke,

Manager (Acting), Standards Section, Flight Procedures and Airspace Group, Flight Technologies & Procedures Division, Federal Aviation Administration.

Adoption of the Amendment

Accordingly, pursuant to the authority delegated to me, 14 CFR part 97 is amended by establishing, amending, suspending, or removing Standard Instrument Approach Procedures and/or Takeoff Minimums and Obstacle Departure Procedures effective at 0901 UTC on the dates specified, as follows:

PART 97—STANDARD INSTRUMENT APPROACH PROCEDURES

■ 1. The authority citation for part 97 continues to read as follows:

Authority: 49 U.S.C. 106(f), 106(g), 40103, 40106, 40113, 40114, 40120, 44502, 44514, 44701, 44719, 44721–44722.

■ 2. Part 97 is amended to read as follows:

Effective 16 April 2026

Telluride, CO, KTEX, RNAV (GPS) X RWY 9, Orig
Portland, ME, KPWM, RNAV (RNP) Z RWY 29, Orig
Beatrice, NE, BIE, RNAV (GPS) RWY 14, Amdt 1F

Effective 14 May 2026

Mobile, AL, BFM, VOR RWY 14, Amdt 9A, CANCELED
Flagstaff, AZ, FLG, VOR RWY 21, Amdt 1A, CANCELED
Napa, CA, APC, ILS Z OR LOC Z RWY 1L, Amdt 2
Napa, CA, APC, RNAV (GPS) Y RWY 1L, Amdt 4
Napa, CA, APC, RNAV (GPS) Z RWY 1L, Amdt 3
Ontario, CA, ONT, RNAV (RNP) Z RWY 8R, Orig-A
Petaluma, CA, O69, RNAV (GPS) RWY 29, Amdt 1
Orlando, FL, ISM, ILS OR LOC RWY 15, Amdt 1B
Orlando, FL, ISM, RNAV (GPS) RWY 15, Amdt 1B
Red Oak, IA, RDK, VOR/DME–A, Amdt 5A, CANCELED
Tipton, IA, 8C4, VOR RWY 11, Amdt 3, CANCELED
Fairfield, IL, FWC, NDB RWY 9, Amdt 3D, CANCELED
Kewanee, IL, EZI, RNAV (GPS) RWY 1, Amdt 1B
Kewanee, IL, EZI, RNAV (GPS) RWY 19, Amdt 1C
Mount Vernon, IL, MVN, Takeoff Minimums and Obstacle DP, Orig-A
Paxton, IL, 1C1, VOR RWY 18, Amdt 2B, CANCELED
Quincy, IL, UIN, NDB RWY 4, Amdt 19, CANCELED
Fort Wayne, IN, FWA, ILS OR LOC RWY 5, ILS RWY 5 (CAT II), Amdt 16
Fort Wayne, IN, FWA, VOR OR TACAN RWY 5, Amdt 21
Fort Wayne, IN, FWA, VOR OR TACAN RWY 14, Amdt 18
Fort Wayne, IN, FWA, VOR OR TACAN RWY 23, Amdt 15
Rochester, IN, RCR, RNAV (GPS) RWY 29, Amdt 1B
Rochester, IN, RCR, Takeoff Minimums and Obstacle DP, Orig-A
South Bend, IN, SBN, VOR RWY 18, Amdt 7F, CANCELED
Dodge City, KS, DDC, VOR RWY 14, Amdt 19C, CANCELED
Dodge City, KS, DDC, VOR RWY 32, Amdt 5D, CANCELED
Lexington, KY, LEX, ILS OR LOC RWY 4, Amdt 19
Lexington, KY, LEX, RNAV (GPS) RWY 4, Amdt 4
Bunkie, LA, 2R6, VOR/DME–A, Amdt 6, CANCELED
Monroe, LA, MLU, VOR RWY 32, Amdt 5B
Rayville, LA, M79, VOR/DME–A, Amdt 3, CANCELED
Oakland, MD, 2G4, VOR RWY 9, Orig-B, CANCELED
Ann Arbor, MI, ARB, VOR RWY 6, Amdt 13F, CANCELED
Ann Arbor, MI, ARB, VOR RWY 24, Amdt 13G, CANCELED
Caro, MI, CFS, VOR–A, Amdt 7A, CANCELED
Pellston, MI, PLN, VOR RWY 23, Amdt 16C, CANCELED
Sturgis, MI, IRS, NDB RWY 19, Amdt 6A, CANCELED
Sturgis, MI, IRS, NDB RWY 24, Amdt 11, CANCELED
Marshall, MN, MML, VOR RWY 12, Amdt 8C, CANCELED
Morris, MN, MOX, VOR RWY 14, Amdt 2A, CANCELED
Morris, MN, MOX, VOR RWY 32, Amdt 6A, CANCELED
Rushford, MN, 55Y, VOR–A, Amdt 2C, CANCELED
Thief River Falls, MN, TVF, VOR Y RWY 13, Amdt 9B, CANCELED
Thief River Falls, MN, TVF, VOR Z RWY 13, Amdt 2D, CANCELED
Willmar, MN, BDH, VOR RWY 31, Amdt 1, CANCELED
Fredericktown, MO, H88, VOR RWY 19, Amdt 1C, CANCELED
Fredericktown, MO, H88, VOR/DME RWY 1, Amdt 3C, CANCELED
Fulton, MO, FTT, VOR–A, Amdt 5A, CANCELED

Kaiser/Lake Ozark, MO, AIZ, VOR RWY 4, Amdt 7C, CANCELED
St Charles, MO, SET, VOR RWY 18, Amdt 1A, CANCELED
Charlotte, NC, CLT, Takeoff Minimums and Obstacle DP, Amdt 9A
Bismarck, ND, BIS, Takeoff Minimums and Obstacle DP, Amdt 9
Casselton, ND, 5N8, VOR/DME RWY 31, Amdt 1C, CANCELED
Dickinson, ND, DIK, VOR–A, Amdt 6A, CANCELED
Minot, ND, MOT, VOR RWY 8, Amdt 11B, CANCELED
Minot, ND, MOT, VOR RWY 26, Amdt 13B, CANCELED
Beatrice, NE, BIE, VOR RWY 18, Amdt 4, CANCELED
Beatrice, NE, BIE, VOR RWY 36, Amdt 11, CANCELED
Fairmont, NE, FMZ, NDB RWY 17, Amdt 2A, CANCELED
Fairmont, NE, FMZ, NDB RWY 35, Amdt 3A, CANCELED
Lincoln, NE, LNK, RNAV (GPS) RWY 17, Amdt 1
Lincoln, NE, LNK, Takeoff Minimums and Obstacle DP, Orig-B
Plattsmouth, NE, PMV, NDB RWY 16, Orig-A, CANCELED
Plattsmouth, NE, PMV, NDB RWY 34, Amdt 1, CANCELED
Silver City, NM, SVC, VOR–A, Amdt 7E
Tucumcari, NM, TCC, RNAV (GPS) RWY 3, Amdt 1
Tucumcari, NM, TCC, RNAV (GPS) RWY 21, Amdt 1
Tucumcari, NM, TCC, RNAV (GPS) RWY 26, Amdt 1
Bellefontaine, OH, EDJ, VOR RWY 7, Orig-D, CANCELED
Bellefontaine, OH, EDJ, VOR RWY 25, Amdt 1, CANCELED
Columbus, OH, OSU, ILS OR LOC RWY 9R, Amdt 5D
London, OH, UYF, RNAV (GPS) RWY 9, Orig-C
Wooster, OH, BJJ, VOR RWY 10, Amdt 1D, CANCELED
Wooster, OH, BJJ, VOR RWY 28, Orig-F, CANCELED
Franklin, PA, FKL, VOR RWY 21, Amdt 8C, CANCELED
Eagle Butte, SD, 84D, RNAV (GPS) RWY 13, Orig
Eagle Butte, SD, 84D, RNAV (GPS) RWY 31, Amdt 1
Eagle Butte, SD, 84D, Takeoff Minimums and Obstacle DP, Amdt 2
Mitchell, SD, MHE, VOR RWY 13, Amdt 11B, CANCELED
Parkston, SD, 8V3, RNAV (GPS) RWY 15, Orig-B
Parkston, SD, 8V3, RNAV (GPS) RWY 33, Orig-B
Livingston, TN, 8A3, VOR/DME RWY 21, Amdt 5D, CANCELED
Brady, TX, BBD, RNAV (GPS) RWY 35, Amdt 1C
Caldwell, TX, RWV, VOR/DME–A, Amdt 3A, CANCELED
College Station, TX, CLL, ILS OR LOC RWY 35, Amdt 15
Dalhart, TX, DHT, VOR/DME RWY 35, Amdt 3A, CANCELED
Midland, TX, MDD, VOR RWY 25, Amdt 3E, CANCELED
Midland, TX, MDD, VOR–A, Amdt 2B, CANCELED
Monahans, TX, E01, VOR/DME RWY 12, Amdt 1D, CANCELED
Perryton, TX, PYX, NDB–A, Amdt 4B, CANCELED
Wink, TX, INK, VOR RWY 13, Amdt 10B, CANCELED
Tooele, UT, TVY, ILS OR LOC RWY 17, Amdt 3A
Tooele, UT, TVY, RNAV (GPS) RWY 17, Amdt 4A
Burlington, WI, BUU, VOR–A, Amdt 2B, CANCELED
Lone Rock, WI, LNR, LOC RWY 27, Amdt 1A

[FR Doc. 2026–05210 Filed 3–16–26; 8:45 am]

BILLING CODE 4910–13–P

DEPARTMENT OF HOMELAND SECURITY

Coast Guard

33 CFR Part 165

[Docket Number USCG–2026–0292]

RIN 1625–AA00

Safety Zone; San Pedro Channel and San Pedro Bay, CA

AGENCY: Coast Guard, Department of Homeland Security.

ACTION: Temporary final rule.

SUMMARY: The Coast Guard is establishing a temporary safety zone for navigable waters in San Pedro Channel and San Pedro Bay, CA. The safety zone is needed to protect personnel, vessels, and the marine environment from potential hazards associated with the presence and removal of damaged containers and cargo onboard the vessel OOCL SUNFLOWER. Entry of vessels or persons into this zone is prohibited unless specifically authorized by the Captain of the Port, Los Angeles—Long Beach, or their designated representative.

DATES: This rule is effective without actual notice from March 17, 2026, through April 30, 2026. For the purposes of enforcement, actual notice will be used from March 12, 2026, through March 17, 2026.

ADDRESSES: To view available documents, go to *https://www.regulations.gov* and search for USCG–2026–0292.

FOR FURTHER INFORMATION CONTACT: If you have questions about this rule, contact LCDR Kevin Kinsella, Sector Los Angeles—Long Beach Waterways Management Division, U.S. Coast Guard; telephone 310–521–3860, email *D11-SMB-SectorLALB-WWM@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
RFA Regulatory Flexibility Act
§ Section
U.S.C. United States Code

II. Background and Authority

The Coast Guard received notification that the container vessel OOCL SUNFLOWER would be transiting through San Pedro Channel and arriving in San Pedro Bay, CA on or about March 12, 2026, with damaged and potentially unsecured containers onboard. The Captain of the Port (COTP) Los Angeles—Long Beach has determined that the presence of damaged containers, some of which may contain hazardous materials, and operations to secure or remove these containers, may pose a safety risk to persons, vessels, and the marine environment within 500 yards. 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.

Because of the risks associated with these potential hazards, 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. The Coast Guard was notified of the damaged containers on March 4, 2026, but we must establish this safety zone by March 12, 2026, 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

This rule establishes a safety zone on March 12, 2026, through April 30, 2026. The date and time of actual enforcement will depend on the vessel's transit progress and arrival and will be announced to the public in advance. The safety zone will cover all navigable waters in San Pedro Channel and San Pedro Bay, encompassing a 500 yard radius around the vessel OOCL SUNFLOWER, IMO # 9949728. Vessels and persons will not be allowed to enter

the zone during this time, unless authorized by the Captain of the Port.

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– *et seq.*), 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; Department of Homeland Security Delegation No. 00170.1, Revision No. 01.4.

■ 2. Add § 165.T11–223 to read as follows:

§ 165.T11–223 Safety Zone; San Pedro Channel and San Pedro Bay, CA

(a) *Location.* The following area is a safety zone: All waters of San Pedro Channel and San Pedro Bay, from surface to bottom, encompassing a 500 yard radius of the vessel OOCL SUNFLOWER, IMO # 9949728.

(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 Los Angeles—Long Beach (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 by telephone at (310) 521–3801. 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 March 12, 2026, through April 30, 2026.

S.L. Crecy,

Captain, U.S. Coast Guard, Captain of the Port Sector Los Angeles—Long Beach.

[FR Doc. 2026–05216 Filed 3–16–26; 8:45 am]

BILLING CODE 9110–04–P

DEPARTMENT OF TRANSPORTATION

Great Lakes St. Lawrence Seaway Development Corporation

33 CFR Part 401

RIN 2135–AA59

Seaway Regulations and Rules: Periodic Update, Various Categories

AGENCY: Great Lakes St. Lawrence Seaway Development Corporation, DOT.

ACTION: Final rule.

SUMMARY: The Great Lakes St. Lawrence Seaway Development Corporation (GLS) and the St. Lawrence Seaway Management Corporation (SLSMC) of Canada, under international agreement, jointly publish and presently administer the St. Lawrence Seaway Regulations and Rules (Practices and Procedures in Canada) in their respective jurisdictions. Under agreement with SLSMC, GLS is amending the joint regulations by updating the regulations and rules in various categories. These changes are to clarify existing requirements in the regulations.

DATES: This rule is effective on March 17, 2026.

ADDRESSES: *Docket:* For access to the docket to read background documents or comments received, go to *https://www.Regulations.gov;* or in person at the Docket Operations Office; U.S. Department of Transportation, 1200 New Jersey Avenue SE, Suite W58–213,

Washington, DC 20590, between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays.

FOR FURTHER INFORMATION CONTACT: Donna O'Berry, Chief Counsel, Great Lakes St. Lawrence Seaway Development Corporation, 1200 New Jersey Ave. SE, Washington, DC 20590; (202) 366–6136.

SUPPLEMENTARY INFORMATION: The Great Lakes St. Lawrence Seaway Development Corporation (GLS) and the St. Lawrence Seaway Management Corporation (SLSMC) of Canada, under international agreement, jointly publish and presently administer the St. Lawrence Seaway Regulations and Rules (Practices and Procedures in Canada) in their respective jurisdictions. Under agreement with SLSMC, GLS is amending the joint regulations by updating the Regulations and Rules in various categories. The changes update the following sections of the Regulations and Rules: Condition of Vessels, Seaway Navigation, Dangerous Cargo, Toll Assessment and Payment, and Information and Reports. These changes are to clarify existing requirements in the regulations.

Regulatory Notices: 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 *https://www.Regulations.gov.*

The joint regulations will become effective in Canada in 2026 prior to the opening of the Seaway. For consistency, because these are joint regulations under international agreement, and to avoid confusion among users of the Seaway, GLS finds that there is good cause to make the U.S. version of the amendments effective upon the date of publication to ensure an effective date prior to the Seaway opening.

Regulatory Evaluation

This regulation involves a foreign affairs function of the United States and therefore, Executive Order 12866 does not apply and evaluation under the Department of Transportation's Regulatory Policies and Procedures is not required.

Regulatory Flexibility Act Determination

I certify that this regulation will not have a significant economic impact on a substantial number of small entities. The St. Lawrence Seaway Regulations and Rules primarily relate to commercial users of the Seaway, the vast majority of whom are foreign vessel operators. Therefore, any resulting costs will be borne mostly by foreign vessels.

Environmental Impact

This regulation does not require an environmental impact statement under the National Environmental Policy Act (49 U.S.C. 4321, *et seq.*) because it is not a major Federal action significantly affecting the quality of the human environment.

Federalism

GLS has analyzed this rule under the principles and criteria in Executive Order 13132, dated August 4, 1999, and has determined that this proposal does not have sufficient federalism implications to warrant a Federalism Assessment.

Unfunded Mandates

GLS has analyzed this rule under Title II of the Unfunded Mandates Reform Act of 1995 (Pub. L. 104–4, 109 Stat. 48) and determined that it does not impose unfunded mandates on State, local, and tribal governments and the private sector requiring a written statement of economic and regulatory alternatives.

Paperwork Reduction Act

This regulation has been analyzed under the Paperwork Reduction Act of 1995 and does not contain new or modified information collection requirements subject to the Office of Management and Budget review.

List of Subjects in 33 CFR Part 401

Hazardous materials transportation, Navigation (water), Penalties, Radio, Reporting and recordkeeping requirements, Vessels, Waterways.

Accordingly, the Great Lakes St. Lawrence Seaway Development Corporation is amending 33 CFR part 401 as follows:

PART 401—SEAWAY REGULATIONS AND RULES

Subpart A—Regulations

■ 1. The authority citation for subpart A of part 401 continues to read as follows:

Authority: 33 U.S.C. 983(a) and 984(a)(4), as amended; 49 CFR 1.101, unless otherwise noted.

■ 2. Amend § 401.9 by revising paragraph (a) introductory text to read as follows:

§ 401.9 Radio telephone and navigation equipment.

(a) Self-propelled vessels, other than pleasure craft of less than 20.0 m in overall length, shall be equipped with two VHF (very high frequency) radios.

* * * * *

■ 3. Amend § 401.29 by revising paragraphs (c) introductory text and (c)(4) to read as follows:

§ 401.29 Maximum draft.

* * * * *

(c) Any vessel will be permitted to load at an increased draught of not more than 7 cm above the maximum permissible draught in effect (also known as DIS draught) as prescribed under paragraph (b) of this section if it is equipped with a Draught Information System (DIS) and meets the following:

* * * * *

(4) A vessel already approved to use DIS to transit the Seaway and intending to use it must email a completed DIS Confirmation Checklist (found at *www.greatlakes-seaway.com*) to *slsmcmarineservices@seaway.ca* once per navigation season, at least 96 hours prior to its initial transit of the navigation season.

* * * * *

■ 4. Amend § 401.34 by adding paragraph (c) to read as follows:

§ 401.34 Vessels in tow.

* * * * *

(c) Every vessel in tow must be adequately manned for transit in the Seaway.

■ 5. Amend § 401.35 by adding paragraph (b)(2) to read as follows:

§ 401.35 Navigation underway.

* * * * *

(b) * * *

(2) For vessels equipped with the ability to shift upward the main engine limitation from the engine control station (*e.g.,* increase limitation button), all members of the bridge team must be aware of this functionality and be capable of activating it on request or if needed. The bridge team shall also ensure that the pilot onboard is advised of the system's existence and function.

* * * * *

■ 6. Amend § 401.37 by:
■ a. Adding paragraph (c); and
■ b. Removing the parenthetical authority at the end of the section.

The revision reads as follows:

§ 401.37 Mooring at tie-up walls.

* * * * *

(c) Should the situation arise where a tie up at an approach wall is provided by Seaway personnel at the Canadian

Locks, synthetic mooring lines should be used.

■ 7. Amend § 401.40 by:
■ a. Redesignating paragraph (d) as paragraph (e);
■ b. Adding a new paragraph (d); and
■ c. Removing the parenthetical authority citation at the end of the section.

The addition reads as follows:

§ 401.40 Entering, exiting or position in lock.

* * * * *

(d) Vessel Self Spotting (VSS) displays at the Canadian Locks are meant to assist vessels to spot positions of the vessel's stem in the lock. The VSS display does not relive the Master of the responsibility of ensuring that the vessel's stem does not pass the stop symbol marked on the Lock wall as required in paragraph (a) of this section by using its own spotting method such as visual sport by vessel's crew.

* * * * *

■ 8. Amend § 401.48 by:
■ a. Revising the table to the section; and
■ b. Removing the parenthetical authority citation at the end of the section.

The revision reads as follows:

§ 401.48 Maximum draft.

* * * * *

Table 1 to § 401.48

1.	South Shore Canal:
(a)	Turning Basin No. 1—Opposite Brossard.
(b)	Turning Basin No. 2—Immediately below Côte St. Catherine Lock.
2.	Welland Canal:
(a)	Turning Basin No. 1—Between Lock 7 and the Guard Gate Cut for vessels up to 180 m in overall length.
(b)	Turning Basin No.2—Immediately south of Port Robinson (mile 13).
(c)	Turning Basin No. 3—North of Lock No. 8 for vessels up to 140 m in overall length.
(d)	For vessels up to 80 m in overall length:
(1)	North end of Wharf No. 1.
(2)	Tie-up wall above Lock 1.
(2)	Tie-up wall below Lock 2.
(4)	Wharf No. 9.
(5)	Between the southerly extremities of Wharves 18–2 and 18–3.

■ 9. Revise § 401.49 to read as follows:

§ 401.49 Dropping anchor or tying to canal bank.

Except in an emergency, no vessel shall drop anchor in any canal or tie-up to any canal bank unless authorized to do so by the traffic controller. If the anchor is dropped, the Master of the vessel shall immediately report it to the nearest seaway station. Every anchor shall be suitably rigged for immediate release, holding and efficient retrieval.

■ 10. Amend § 401.73 by revising paragraphs (b) introductory text and (b)(1) introductory text to read as follows:

§ 401.73 Cleaning tanks–hazardous cargo vessels.

* * * * *

(b) *Acceptance of hot work.* Before any hot work, defined as any work that uses flame or that can produce a source of ignition, cutting or welding, is carried out by any vessel on any designated St. Lawrence Seaway Management Corporation (SLSMC) approach walls, Cote St. Catherine wharf or wharves in the Welland Canal, a written request must be sent to SLSMC, preferably 24 hours prior to the vessel's arrival on SLSMC approach walls or wharves. The hot work shall not commence until the hot work request is accepted and acknowledged by SLSMC Traffic Control Centre.

(1) The SLSMC Traffic Control Centre will accept the request to perform hot work under the following conditions:

* * * * *

■ 11. Revise § 401.74 to read as follows:

§ 401.74 Transit declarations.

(a) A Seaway e-business Transit Declaration (Cargo) shall be completed and submitted to the Manager by the representative of a vessel for each vessel that has an approved preclearance, except non-cargo vessels, within fourteen (14) days after the vessel enters the Seaway on any upbound ordown bound transit. The e-business Transit Declaration must be filed directly on the St. Lawrence Seaway website *www.greatlakes-seaway.com* via e-business. The use of the Harmonized System (HS Codes) and the UN Location Codes on the e-business Transit Declaration is mandatory to identify cargo and ports respectively.

(b) The loaded or manifest weight of cargo shall be shown on the Seaway e-business Transit Declaration, except in the case of petroleum products where gallonage meters are not available at the point of loading, in which case offloaded weights may be shown on the e-business Transit Declaration.

(c) Where a vessel carried cargo to or from an overseas port, an electronic copy of the cargo manifest, duly certified, shall be submitted with the Seaway e-business Transit Declaration.

(d) A Weight-Scale Certificate or similar document issued in the place of a cargo manifest or a bill of lading may be accepted in lieu thereof.

(e) Where a submitted Seaway e-business Transit Declaration is found to be inaccurate concerning the destination or cargo, the representative shall immediately forward to the Manager a revision of the submitted Declaration.

(f) Submitted Seaway e-business Transit Declarations shall be used in assessing fees in accordance with the St. Lawrence Seaway Schedule of Tolls, and fees invoices shall be forwarded to the representative or its designated agent.

(g) Where government aid cargo is declared, appropriate Canadian or U.S. customs form or a stamped and signed certification letter from the U.S. or Canada Customs must accompany the e-business Transit Declaration or notification must be made to the Manager.

■ 12. Amend § 401.79 by revising paragraphs (b) introductory text and (b)(1), (2), (4), (5), and (7) and adding paragraph (b)(8) to read as follows:

§ 401.79 Advance notice of arrival, vessels requiring inspection.

* * * * *

(b) For the Vessel Inspection Program:

(1) Foreign flagged vessels are subject to an Enhanced Ship Inspections (ESI)—physical ship inspection once every two navigation seasons. Agents must provide the Seaway Ship Inspectors via email an initial 120 hours' notice of inspection (ESI or self-inspection) prior to the vessel's arrival at CIP2. An

additional 24 hours' notice for an ESI (physical inspection) prior to the vessel arriving at CIP 2 is also required. (email to: *inspecteursvm@seaway.ca* and to *vtc@dot.gov*).

(2) Foreign flagged vessels may be permitted a Self-Inspection in the interim season subject to satisfactory performance. As such, vessels must complete and submit the ''Seaway Ship Inspection Report'' electronically to *inspecteursvm@seaway.ca* and to *vtc@dot.gov* 120 hours prior to transiting the Seaway.

* * * * *

(4) Inland domestic vessels which are approved by the Seaway for the ''Self-Inspection Program'' and are ISM certified and have a company quality management system, must submit the ''Seaway Ship Inspection Report'' every 2 navigation seasons and not later than 30 days after ''fit out''. A ''Seaway Ship Inspection Report'' must be submitted electronically to *nrshipinspectors@seaway.ca.*

(5) Inland domestic vessels not participating in the ''Self-Inspection Program'' are subject to a Seaway inspection every 2 navigation seasons.

* * * * *

(7) A tall vessel, passenger vessel, or vessel of an unusual design is subject to Seaway yearly ESI.

(8) The ESI or self-inspection is required on the first transit of the navigation season.

Issued at Washington, DC under authority delegated at 49 CFR 1.101.

Great Lakes St. Lawrence Seaway Development Corporation.

Donna O'Berry,

Chief Counsel.

[FR Doc. 2026–05161 Filed 3–16–26; 8:45 am]

BILLING CODE 4910–61–P

DEPARTMENT OF TRANSPORTATION

Great Lakes St. Lawrence Seaway Development Corporation

33 CFR Part 402

RIN 2135–AA60

Tariff of Tolls

AGENCY: Great Lakes St. Lawrence Seaway Development Corporation, DOT.

ACTION: Final rule.

SUMMARY: The Great Lakes St. Lawrence Seaway Development Corporation (GLS) and the St. Lawrence Seaway Management Corporation (SLSMC) of Canada, under international agreement, jointly publish and presently administer the St. Lawrence Seaway Tariff of Tolls in their respective jurisdictions. The Tariff sets forth the level of tolls assessed on all commodities and vessels transiting the facilities operated by GLS and SLSMC. GLS is revising its regulations to reflect the fees and charges levied by SLSMC in Canada starting in the 2026 navigation season, which are effective only in Canada.

DATES: This rule is effective March 17, 2026.

ADDRESSES: *Docket:* For access to the docket to read background documents or comments received, go to *https://www.Regulations.gov;* or in person at the Docket Management Facility; U.S. Department of Transportation, 1200 New Jersey Avenue SE, Suite W58–213, Washington, DC 20590, between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays.

FOR FURTHER INFORMATION CONTACT: Donna O'Berry, Chief Counsel, Great Lakes St. Lawrence Seaway Development Corporation, 1200 New Jersey Ave. SE, Washington, DC 20590; (202) 366–6136.

SUPPLEMENTARY INFORMATION: The Great Lakes St. Lawrence Seaway Development Corporation (GLS) and the St. Lawrence Seaway Management Corporation (SLSMC) of Canada, under international agreement, jointly publish and presently administer the St. Lawrence Seaway Tariff of Tolls (Schedule of Fees and Charges in Canada) in their respective jurisdictions.

The Tariff sets forth the level of tolls assessed on all commodities and vessels transiting the facilities operated by GLS and SLSMC. GLS is revising 33 CFR 402.12, ''Schedule of tolls'', to reflect the fees and charges levied by SLSMC in Canada beginning in the 2026 navigation season.

Regulatory Notices: 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 (Volume 65, Number 70; Pages 19477–78) or you may visit *https://www.Regulations.gov.*

Regulatory Evaluation

This regulation involves a foreign affairs function of the United States and therefore, Executive Order 12866 does not apply and evaluation under the Department of Transportation's Regulatory Policies and Procedures is not required.

Regulatory Flexibility Act Determination

I certify that this regulation will not have a significant economic impact on a substantial number of small entities. The St. Lawrence Seaway Regulations and Rules primarily relate to commercial users of the Seaway, the vast majority of whom are foreign vessel operators. Therefore, any resulting costs will be borne mostly by foreign vessels.

Environmental Impact

This regulation does not require an environmental impact statement under the National Environmental Policy Act (49 U.S.C. 4321, *et seq.*) because it is not a major Federal action significantly affecting the quality of the human environment.

Federalism

GLS has analyzed this rule under the principles and criteria in Executive Order 13132, dated August 4, 1999, and has determined that this proposal does not have sufficient federalism implications to warrant a Federalism Assessment.

Unfunded Mandates

GLS has analyzed this rule under Title II of the Unfunded Mandates Reform Act of 1995 (Pub. L. 104–4, 109 Stat. 48) and determined that it does not impose unfunded mandates on State, local, and tribal governments and the private sector requiring a written statement of economic and regulatory alternatives.

Paperwork Reduction Act

This regulation has been analyzed under the Paperwork Reduction Act of 1995 and does not contain new or modified information collection requirements subject to the Office of Management and Budget review.

List of Subjects in 33 CFR Part 402

Vessels, Waterways.

Accordingly, the Great Lakes St. Lawrence Seaway Development Corporation is amending 33 CFR part 402 as follows:

PART 402—TARIFF OF TOLLS

■ 1. The authority citation for part 402 continues to read as follows:

Authority: 33 U.S.C. 983(a), 984(a)(4), and 988, as amended; 49 CFR 1.101.

■ 2. Revise § 402.12 to read as follows:

§ 402.12 Schedule of tolls.

TABLE 1 TO § 402.12

Item	Column 1	Column 2	Column 3
	Description of charges	Rate ($) Montreal to or from Lake Ontario (5 locks)	Rate ($) Welland Canal—Lake Ontario to or from Lake Erie (8 locks)
1	Subject to item 3, for complete transit of the Seaway, a composite toll, comprising:		
	(1) a charge per gross registered ton of the ship, applicable whether the ship is wholly or partially laden, or is in ballast, and the gross registered tonnage being calculated according to prescribed rules for measurement or under the International Convention on Tonnage Measurement of Ships, 1969, as amended from time to time [1]		
	(a) all vessels excluding passenger vessels	0.1344	0.2150.
	(b) passenger vessels	0.4032	0.6450.
	(2) a charge per metric ton of cargo as certified on the ship's manifest or other document, as follows:		
	(*a*) bulk cargo	1.3933	0.9510.
	(*b*) general cargo	3.3572	1.5220.
	(*c*) domestic general cargo	1.3933	0.9510.
	(*d*) steel slab	3.0384	1.0896.
	(e) containerized cargo	1.3933	0.9510.
	(e) government aid cargo	n/a	n/a.
	(g) grain	0.8560	0.9510.
	(h) coal	0.8560	0.9510.
	(3) a charge per passenger per lock	0.0000	0.0000.
	(4) a lockage charge per Gross Registered Ton of the vessel, as defined in item 1(1), applicable whether the ship is wholly or partially laden, or is in ballast, for transit of the Welland Canal in either direction by cargo ships,	n/a	0.3582.
	Up to a maximum charge per vessel	n/a	5,011.00.
2	Subject to item 3, for partial transit of the Seaway	20 per cent per lock of the applicable charge under items 1(1), 1(2) and 1(4) plus the applicable charge under items 1(3).	13 per cent per lock of the applicable charge under items 1(1), 1(2) and 1(4) plus the applicable charge under items 1(3).
3	Minimum charge per vessel per lock transited for full or partial transit of the Seaway.	34.78 [2]	34.78.
4	A charge per pleasure craft per lock transited for full or partial transit of the Seaway, including applicable federal taxes [3].	25.00 [4]	25.00.
5	Under the New Business Initiative Program, for cargo accepted as New Business, a percentage rebate on the applicable cargo charges for the approved period.	20%	20%.
6	Under the Volume Rebate Incentive program, a retroactive percentage rebate on cargo tolls on the incremental volume calculated based on the pre-approved maximum volume.	10%	10%.
7	Under the New Service Incentive Program, for New Business cargo moving under an approved new service, an additional percentage refund on applicable cargo tolls above the New Business rebate.	20%	20%.

[1] Or under the US GRT for vessels prescribed prior to 2002.

[2] The applicable charged under item 3 at the Great Lakes St. Lawrence Seaway Development Corporation's locks (Eisenhower, Snell) will be collected in U.S. dollars. The collection of the U.S. portion of tolls for commercial vessels is waived by law (33 U.S.C. 988a(a)). The other charges are in Canadian dollars and are for the Canadian share of tolls.

[3] Includes a $5.00 discount per lock with use of online reservation and payment system for Canadian locks.

[4] The applicable charge at the Great Lakes St. Lawrence Seaway Development Corporation's locks (Eisenhower, Snell) for pleasure craft is $30 USD or $30 CAD per lock.

Issued at Washington, DC, under authority delegated at 49 CFR part 1.101.

Great Lakes St. Lawrence Seaway Development Corporation.

Donna O'Berry,

Chief Counsel.

[FR Doc. 2026–05162 Filed 3–16–26; 8:45 am]

BILLING CODE 4910–61–P

Proposed Rules

Federal Register
Vol. 91, No. 51
Tuesday, March 17, 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 39

[Docket No. FAA–2026–2714; Project Identifier MCAI–2025–00827–T]

RIN 2120–AA64

Airworthiness Directives; MHI RJ Aviation ULC (Type Certificate Previously Held by Bombardier, Inc.) Airplanes

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Notice of proposed rulemaking (NPRM).

SUMMARY: The FAA proposes to adopt a new airworthiness directive (AD) for all MHI RJ Aviation ULC Model CL–600–2C10 (Regional Jet Series 700, 701 & 702), CL–600–2C11 (Regional Jet Series 550), CL–600–2D15 (Regional Jet Series 705), and CL–600–2D24 (Regional Jet Series 900) airplanes. This proposed AD was prompted by a determination that new or more restrictive airworthiness limitations are necessary. This proposed AD would require revising the existing maintenance or inspection program, as applicable, to incorporate new or more restrictive airworthiness limitations. The FAA is proposing this AD to address the unsafe condition on these products.

DATES: The FAA must receive comments on this proposed AD by May 1, 2026.

ADDRESSES: You may send comments, using the procedures found in 14 CFR 11.43 and 11.45, by any of the following methods:

- *Federal eRulemaking Portal:* Go to *regulations.gov*. Follow the instructions for submitting comments.
- *Fax:* 202–493–2251.
- *Mail:* 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:* Deliver to Mail address above between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays.

AD Docket: You may examine the AD docket at *regulations.gov* under Docket No. FAA–2026–2714; or in person at Docket Operations between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays. The AD docket contains this NPRM, the mandatory continuing airworthiness information (MCAI), any comments received, and other information. The street address for Docket Operations is listed above.

Material Incorporated by Reference:

- For Transport Canada material identified in this proposed AD, contact Transport Canada, Transport Canada National Aircraft Certification, 159 Cleopatra Drive, Nepean, Ontario K1A 0N5, Canada; telephone 888–663–3639; email *TC.AirworthinessDirectives-Consignesdenavigabilite.TC@tc.gc.ca.* You may find this material on the Transport Canada website at *tc.canada.ca/en/aviation.* It is also available at *regulations.gov* under Docket No. FAA–2026–2714.
- You may view this material at the FAA, Airworthiness Products Section, Operational Safety Branch, 2200 South 216th St., Des Moines, WA. For information on the availability of this material at the FAA, call 206–231–3195.

FOR FURTHER INFORMATION CONTACT: Isabel Saltzman, Aviation Safety Engineer, FAA, 1600 Stewart Avenue, Suite 410, Westbury, NY 11590; phone: 516–228–7300; email: *9-avs-nyaco-cos@faa.gov.*

SUPPLEMENTARY INFORMATION:

Comments Invited

The FAA invites you to send any written relevant data, views, or arguments about this proposal. Send your comments using a method listed under the **ADDRESSES** section. Include ''Docket No. FAA–2026–2714; Project Identifier MCAI–2025–00827–T'' at the beginning of your comments. The most helpful comments reference a specific portion of the proposal, explain the reason for any recommended change, and include supporting data. The FAA will consider all comments received by the closing date and may amend this proposal because of those comments.

Except for Confidential Business Information (CBI) as described in the following paragraph, and other information as described in 14 CFR 11.35, the FAA will post all comments received, without change, to *regulations.gov*, including any personal information you provide. The agency will also post a report summarizing each substantive verbal contact received about this NPRM.

Confidential Business Information

CBI is commercial or financial information that is both customarily and actually treated as private by its owner. Under the Freedom of Information Act (FOIA) (5 U.S.C. 552), CBI is exempt from public disclosure. If your comments responsive to this NPRM contain commercial or financial information that is customarily treated as private, that you actually treat as private, and that is relevant or responsive to this NPRM, it is important that you clearly designate the submitted comments as CBI. Please mark each page of your submission containing CBI as ''PROPIN.'' The FAA will treat such marked submissions as confidential under the FOIA, and they will not be placed in the public docket of this NPRM. Submissions containing CBI should be sent to Isabel Saltzman, Aviation Safety Engineer, FAA, 1600 Stewart Avenue, Suite 410, Westbury, NY 11590; phone: 516–228–7300; email: *9-avs-nyaco-cos@faa.gov.* Any commentary that the FAA receives which is not specifically designated as CBI will be placed in the public docket for this rulemaking.

Background

Transport Canada, which is the aviation authority for Canada, has issued Transport Canada AD CF–2025–26, dated May 6, 2025 (Transport Canada AD CF–2025–26) (also referred to as the MCAI), to correct an unsafe condition for all MHI RJ Aviation ULC (Type Certificate previously held by Bombardier, Inc.) Model CL–600–2C10 (Regional Jet Series 700, 701 & 702), CL–600–2C11 (Regional Jet Series 550), CL–600–2D15 (Regional Jet Series 705), and CL–600–2D24 (Regional Jet Series 900) airplanes. The MCAI states that new or more restrictive airworthiness limitations have been developed. The manufacturer introduced changes to four airworthiness limitation items (ALIs) and added four new ALIs to Maintenance Requirements Manual (MRM) CSP B–053, Part 2, Section 2, ''Structural Inspections,'' and Section 3, ''Safe Life Components,'' Revision 28,

dated June 25, 2024. These changes are the result of the latest damage tolerance analyses that revealed the need for more restrictive inspections than initially assumed.

The FAA is proposing this AD to address new or more restrictive structural inspections and safe life limits. The unsafe condition, if not addressed, could result in the loss of structural integrity of the airplane.

You may examine the MCAI in the AD docket at *regulations.gov* under Docket No. FAA–2026–2714.

Other Related Rulemaking

The FAA issued AD 2025–25–03, Amendment 39–23211 (90 FR 57680, December 12, 2025) (AD 2025–25–03), which applies to all MHI RJ Aviation ULC Model CL–600–2C10 (Regional Jet Series 700, 701 & 702), CL–600–2C11 (Regional Jet Series 550), CL–600–2D15 (Regional Jet Series 705), CL–600–2D24 (Regional Jet Series 900), and CL–600–2E25 (Regional Jet Series 1000) airplanes. AD 2025–25–03 requires revising the existing maintenance or inspection program, as applicable, to incorporate new or more restrictive airworthiness limitations. Accomplishing the actions in this proposed AD would terminate the corresponding requirements of AD 2025–25–03 for the tasks identified in the material referenced in Transport Canada AD CF–2025–26 only.

Material Incorporated by Reference Under 1 CFR Part 51

The FAA reviewed Transport Canada AD CF–2025–26, which specifies new or more restrictive airworthiness limitations for airplane structures and safe life limits. This material is reasonably available because the interested parties have access to it through their normal course of business or by the means identified in the **ADDRESSES** section.

FAA's Determination

These products have been approved by the civil aviation authority of another country and are approved for operation in the United States. Pursuant to the FAA's bilateral agreement with this State of Design Authority, that authority has notified the FAA of the unsafe condition described in the MCAI referenced above. The FAA is issuing this NPRM after determining that the unsafe condition described previously is likely to exist or develop in other products of the same type design.

Proposed AD Requirements in This NPRM

This proposed AD would require revising the existing maintenance or inspection program, as applicable, to incorporate new or more restrictive airworthiness limitations, which are specified in Transport Canada AD CF–2025–26 described previously, as incorporated by reference. Any differences with Transport Canada AD CF–2025–26 are identified as exceptions in the regulatory text of this proposed AD.

This proposed AD would require revisions to certain operator maintenance documents to include new actions (*e.g.,* inspections). Compliance with these actions is required by 14 CFR 91.403(c). For airplanes that have been previously modified, altered, or repaired in the areas addressed by this proposed AD, the operator may not be able to accomplish the actions described in the revisions. In this situation, to comply with 14 CFR 91.403(c), the operator must request approval for an alternative method of compliance (AMOC) according to paragraph (k)(1) of this proposed AD.

Explanation of Required Compliance Information

In the FAA's ongoing efforts to improve the efficiency of the AD process, the FAA developed a process to use some civil aviation authority (CAA) ADs as the primary source of information for compliance with requirements for corresponding FAA ADs. The FAA has been coordinating this process with manufacturers and CAAs. As a result, the FAA proposes to incorporate Transport Canada AD CF–2025–26 by reference in the FAA final rule. This proposed AD would, therefore, require compliance with Transport Canada AD CF–2025–26 through that incorporation, except for any differences identified as exceptions in the regulatory text of this proposed AD. Material required by Transport Canada AD CF–2025–26 for compliance will be available at *regulations.gov* by searching for and locating Docket No. FAA–2026–2714 after the FAA final rule is published.

Airworthiness Limitation ADs Using the New Process

The FAA's process of incorporating by reference MCAI ADs as the primary source of information for compliance with corresponding FAA ADs has been limited to certain MCAI ADs (primarily those with service bulletins as the primary source of information for accomplishing the actions required by the FAA AD). However, the FAA is now expanding the process to include MCAI ADs that require a change to airworthiness limitation documents, such as airworthiness limitation sections.

For these ADs that incorporate by reference an MCAI AD that changes airworthiness limitations, the FAA requirements are unchanged. Operators must revise the existing maintenance or inspection program, as applicable, to incorporate the information specified in the new airworthiness limitation document. The airworthiness limitations must be followed according to 14 CFR 91.403(c) and 91.409(e).

The previous format of the airworthiness limitation ADs included a paragraph that specified that no alternative actions (*e.g.,* inspections) or intervals may be used unless the actions and intervals are approved as an AMOC in accordance with the procedures specified in the AMOC paragraph under ''Additional AD Provisions.'' This new format includes a ''Provisions for Alternative Actions and Intervals'' paragraph that does not specifically refer to AMOCs, but operators may still request an AMOC to use an alternative action or interval.

Costs of Compliance

The FAA estimates that this AD, if adopted as proposed, would affect 589 airplanes of U.S. registry. The FAA estimates the following costs to comply with this proposed AD:

The FAA has determined that revising the existing maintenance or inspection program takes an average of 90 work-hours per operator, although the agency recognizes that this number may vary from operator to operator. Since operators incorporate maintenance or inspection program changes for their affected fleet(s), the FAA has determined that a per-operator estimate is more accurate than a per-airplane estimate. Therefore, the agency estimates the average total cost per operator to be $7,650 (90 work-hours × $85 per work-hour).

Authority for This Rulemaking

Title 49 of the United States Code specifies the FAA's authority to issue rules on aviation safety. 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.

The FAA is issuing this rulemaking under the authority described in Subtitle VII, Part A, Subpart III, Section 44701: General requirements. Under that section, Congress charges the FAA

with promoting safe flight of civil aircraft in air commerce by prescribing regulations for practices, methods, and procedures the Administrator finds necessary for safety in air commerce. This regulation is within the scope of that authority because it addresses an unsafe condition that is likely to exist or develop on products identified in this rulemaking action.

Regulatory Findings

The FAA has determined that this proposed AD would not have federalism implications under Executive Order 13132. This proposed AD would not have a substantial direct effect on the States, on the relationship between the national government and the States, or on the distribution of power and responsibilities among the various levels of government.

For the reasons discussed above, I certify this proposed regulation:

(1) Is not a ''significant regulatory action'' under Executive Order 12866,

(2) Would not affect intrastate aviation in Alaska, and

(3) Would not have a significant economic impact, positive or negative, on a substantial number of small entities under the criteria of the Regulatory Flexibility Act.

List of Subjects in 14 CFR Part 39

Air transportation, Aircraft, Aviation safety, Incorporation by reference, Safety.

The Proposed Amendment

Accordingly, under the authority delegated to me by the Administrator, the FAA proposes to amend 14 CFR part 39 as follows:

PART 39—AIRWORTHINESS DIRECTIVES

■ 1. The authority citation for part 39 continues to read as follows:

Authority: 49 U.S.C. 106(g), 40113, 44701.

§ 39.13 [Amended]

■ 2. The FAA amends § 39.13 by adding the following new airworthiness directive:

MHI RJ Aviation ULC (Type Certificate Previously Held by Bombardier, Inc.): Docket No. FAA–2026–2714; Project Identifier MCAI–2025–00827–T.

(a) Comments Due Date

The FAA must receive comments on this airworthiness directive (AD) by May 1, 2026.

(b) Affected ADs

This AD affects AD 2025–25–03, Amendment 39–23211 (90 FR 57680, December 12, 2025) (AD 2025–25–03).

(c) Applicability

This AD applies to all MHI RJ Aviation ULC (Type Certificate previously held by Bombardier, Inc.) airplanes identified in paragraphs (c)(1) through (4) of this AD, certificated in any category.

(1) Model CL–600–2C10 (Regional Jet Series 700, 701 & 702) airplanes.

(2) Model CL–600–2C11 (Regional Jet Series 550) airplanes.

(3) Model CL–600–2D15 (Regional Jet Series 705) airplanes.

(4) Model CL–600–2D24 (Regional Jet Series 900) airplanes.

(d) Subject

Air Transport Association (ATA) of America Code 05, Time Limits/Maintenance Checks.

(e) Unsafe Condition

This AD was prompted by a determination that new or more restrictive airworthiness limitations are necessary. The FAA is issuing this AD to address new or more restrictive structural inspections and safe life limits. The unsafe condition, if not addressed, could result in the loss of structural integrity of the airplane.

(f) Compliance

Comply with this AD within the compliance times specified, unless already done.

(g) Requirements

Within 30 days after the effective date of this AD: Comply with all required actions specified in, and in accordance with, Transport Canada AD CF–2025–26, dated May 6, 2025 (Transport Canada AD CF–2025–26), except as specified in paragraph (h) of this AD.

(h) Exception to Transport Canada AD CF–2025–26

(1) Where the ''Corrective Actions'' section of Transport Canada AD CF–2025–26 specifies to ''Within the thresholds and repeat intervals identified within the tasks, or discard time, as applicable, complete the new or more restrictive limitations contained in the ALI sections of the MHIRJ MRM Part 2 publication identified in Table 1 below, as applicable to the aeroplane model and configuration.'', this AD requires replacing that text with ''Revise the existing maintenance or inspection program, as applicable, by incorporating the new and revised ALI tasks identified in Table 1 of Transport Canada AD CF–2025–26.''

(2) The initial compliance time for doing the tasks specified in Table 1 of Transport Canada AD CF–2025–26 is at the applicable threshold and discard time as specified in the material referenced in Transport Canada AD CF–2025–26, or within 30 days after the effective date of this AD, whichever occurs later.

(i) Provisions for Alternative Actions and Intervals

After the existing maintenance or inspection program has been revised as required by paragraph (g) of this AD, no alternative actions (*e.g.,* inspections) and intervals are allowed unless they are approved as specified in the provisions of the ''Corrective Actions'' section of Transport Canada AD CF–2025–26.

(j) Terminating Action for Certain Tasks Required by AD 2025–25–03

Accomplishing the actions required by this AD terminates the corresponding requirements of AD 2025–25–03 for the tasks identified in the material referenced in Transport Canada AD CF–2025–26 only.

(k) Additional AD Provisions

The following provisions also apply to this AD:

(1) *Alternative Methods of Compliance (AMOCs):* The Manager, International Validation Branch, FAA, has the authority to approve AMOCs for this AD, if requested using the procedures found in 14 CFR 39.19. In accordance with 14 CFR 39.19, send your request to your principal inspector or responsible Flight Standards Office, as appropriate. If sending information directly to the manager of the International Validation Branch, send it to the attention of the person identified in paragraph (l) of this AD and email to: *AMOC@faa.gov.* Before using any approved AMOC, notify your appropriate principal inspector, or lacking a principal inspector, the manager of the responsible Flight Standards Office.

(2) *Contacting the Manufacturer:* For any requirement in this AD to obtain instructions from a manufacturer, the instructions must be accomplished using a method approved by the Manager, International Validation Branch, FAA; or Transport Canada; or MHI RJ Aviation ULC's Transport Canada Design Approval Organization (DAO). If approved by the DAO, the approval must include the DAO-authorized signature.

(l) Additional Information

For more information about this AD, contact Isabel Saltzman, Aviation Safety Engineer, FAA, 1600 Stewart Avenue, Suite 410, Westbury, NY 11590; phone: 516–228–7300; email: *9-avs-nyaco-cos@faa.gov.*

(m) Material Incorporated by Reference

(1) The Director of the Federal Register approved the incorporation by reference of the material listed in this paragraph under 5 U.S.C. 552(a) and 1 CFR part 51.

(2) You must use this material as applicable to do the actions required by this AD, unless this AD specifies otherwise.

(i) Transport Canada AD CF–2025–26, dated May 6, 2025.

(ii) [Reserved]

(3) For Transport Canada material identified in this AD, contact Transport Canada, Transport Canada National Aircraft Certification, 159 Cleopatra Drive, Nepean, Ontario K1A 0N5, Canada; telephone 888–663–3639; email *TC.AirworthinessDirectives-Consignesdenavigabilite.TC@tc.gc.ca.* You may find this material on the Transport Canada website at *tc.canada.ca/en/aviation.*

(4) You may view this material at the FAA, Airworthiness Products Section, Operational Safety Branch, 2200 South 216th St., Des Moines, WA. For information on the availability of this material at the FAA, call 206–231–3195.

(5) You may view this material 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* or email *fr.inspection@nara.gov.*

Issued on March 12, 2026.

Steven W. Thompson,

Acting Deputy Director, Compliance & Airworthiness Division, Aircraft Certification Service.

[FR Doc. 2026–05224 Filed 3–16–26; 8:45 am]

BILLING CODE 4910–13–P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39

[Docket No. FAA–2026–2713; Project Identifier MCAI–2025–00708–T]

RIN 2120–AA64

Airworthiness Directives; Airbus SAS Airplanes

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Notice of proposed rulemaking (NPRM).

SUMMARY: The FAA proposes to adopt a new airworthiness directive (AD) for certain Airbus SAS Model A350–941 and –1041 airplanes. This proposed AD was prompted by reports of fractured lower attachment studs on certain galleys. This proposed AD would require a detailed inspection of all affected lower attachment studs on affected galleys installed forward of door 4 and applicable corrective actions, replacement of all affected lower attachment studs on all affected galleys, and reidentification of affected galleys. This proposed AD would also prohibit the installation of affected parts. The FAA is proposing this AD to address the unsafe condition on these products.

DATES: The FAA must receive comments on this proposed AD by May 1, 2026.

ADDRESSES: You may send comments, using the procedures found in 14 CFR 11.43 and 11.45, by any of the following methods:

- *Federal eRulemaking Portal:* Go to *regulations.gov*. Follow the instructions for submitting comments.
- *Fax:* 202–493–2251.
- *Mail:* 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:* Deliver to Mail address above between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays.

AD Docket: You may examine the AD docket at *regulations.gov* under Docket No. FAA–2026–2713; or in person at Docket Operations between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays. The AD docket contains this NPRM, the mandatory continuing airworthiness information (MCAI), any comments received, and other information. The street address for Docket Operations is listed above.

Material Incorporated by Reference:

- For European Union Aviation Safety Agency (EASA) material identified in this proposed AD, contact EASA, Konrad-Adenauer-Ufer 3, 50668 Cologne, Germany; telephone +49 221 8999 000; email *ADs@easa.europa.eu.* You may find this material on the EASA website at *ad.easa.europa.eu.* It is also available at *regulations.gov* under Docket No. FAA–2026–2713.
- You may view this material at the FAA, Airworthiness Products Section, Operational Safety Branch, 2200 South 216th St., Des Moines, WA. For information on the availability of this material at the FAA, call 206–231–3195.

FOR FURTHER INFORMATION CONTACT: Andrew Younglove, Aviation Safety Engineer, FAA, 2200 South 216th St., Des Moines, WA 98198; telephone 206–231–3644; email *Andrew.E.Younglove@faa.gov.*

SUPPLEMENTARY INFORMATION:

Comments Invited

The FAA invites you to send any written relevant data, views, or arguments about this proposal. Send your comments using a method listed under the **ADDRESSES** section. Include ''Docket No. FAA–2026–2713; Project Identifier MCAI–2025–00708–T'' at the beginning of your comments. The most helpful comments reference a specific portion of the proposal, explain the reason for any recommended change, and include supporting data. The FAA will consider all comments received by the closing date and may amend this proposal because of those comments.

Except for Confidential Business Information (CBI) as described in the following paragraph, and other information as described in 14 CFR 11.35, the FAA will post all comments received, without change, to *regulations.gov*, including any personal information you provide. The agency will also post a report summarizing each substantive verbal contact received about this NPRM.

Confidential Business Information

CBI is commercial or financial information that is both customarily and actually treated as private by its owner. Under the Freedom of Information Act (FOIA) (5 U.S.C. 552), CBI is exempt from public disclosure. If your comments responsive to this NPRM contain commercial or financial information that is customarily treated as private, that you actually treat as private, and that is relevant or responsive to this NPRM, it is important that you clearly designate the submitted comments as CBI. Please mark each page of your submission containing CBI as ''PROPIN.'' The FAA will treat such marked submissions as confidential under the FOIA, and they will not be placed in the public docket of this NPRM. Submissions containing CBI should be sent to Andrew Younglove, Aviation Safety Engineer, FAA, 2200 South 216th St., Des Moines, WA 98198; telephone 206–231–3644; email *Andrew.E.Younglove@faa.gov.* Any commentary that the FAA receives which is not specifically designated as CBI will be placed in the public docket for this rulemaking.

Background

EASA, which is the Technical Agent for the Member States of the European Union, has issued EASA AD 2025–0089, dated April 24, 2025; corrected June 2, 2025 (EASA AD 2025–0089) (also referred to as the MCAI), to correct an unsafe condition for certain Airbus SAS Model A350–941 and –1041 airplanes. The MCAI states that occurrences have been reported of fractured lower attachment studs on certain galleys installed forward of door 4. Further investigation results indicated that the fractured lower attachment studs resulted from a hydrogen-induced failure. This condition, if not addressed, could lead to galley module detachment, with consequent injury to airplane occupants, and could possibly result in reduced evacuation capacity from the airplane in case of an emergency.

The FAA is proposing this AD to address the unsafe condition on these products.

You may examine the MCAI in the AD docket at *regulations.gov* under Docket No. FAA–2026–2713.

Material Incorporated by Reference Under 1 CFR Part 51

EASA AD 2025–0089 specifies a detailed inspection for fractures of certain lower attachment studs on affected galleys installed forward of door 4 and replacement of fractured lower attachment studs, as applicable. EASA AD 2025–0089 also specifies replacement of all affected lower attachment studs on all affected galleys and reidentification of affected galleys

and specifies that replacement of all affected lower attachment studs on all affected galleys constitutes an acceptable alternative method to comply with the detailed inspection. EASA 2025–0089 also prohibits the installation of affected lower attachment studs on any airplane.

This material is reasonably available because the interested parties have access to it through their normal course of business or by the means identified in the **ADDRESSES** section.

FAA's Determination

These products have been approved by the civil aviation authority of another country and are approved for operation in the United States. Pursuant to the FAA's bilateral agreement with this State of Design Authority, that authority has notified the FAA of the unsafe condition described in the MCAI referenced above. The FAA is issuing this NPRM after determining that the unsafe condition described previously is likely to exist or develop in other products of the same type design.

Proposed AD Requirements in This NPRM

This proposed AD would require accomplishing the actions specified in EASA AD 2025–0089 described previously, except for any differences identified as exceptions in the regulatory text of this proposed AD.

Explanation of Required Compliance Information

In the FAA's ongoing efforts to improve the efficiency of the AD process, the FAA developed a process to use some civil aviation authority (CAA) ADs as the primary source of information for compliance with requirements for corresponding FAA ADs. The FAA has been coordinating this process with manufacturers and CAAs. As a result, the FAA proposes to incorporate EASA AD 2025–0089 by reference in the FAA final rule. This proposed AD would, therefore, require compliance with EASA AD 2025–0089 in its entirety through that incorporation, except for any differences identified as exceptions in the regulatory text of this proposed AD. Using common terms that are the same as the heading of a particular section in EASA AD 2025–0089 does not mean that operators need to comply only with that section. For example, where the AD requirement refers to ''all required actions and compliance times,'' compliance with this AD requirement is not limited to the section titled ''Required Action(s) and Compliance Time(s)'' in EASA AD 2025–0089. Material required by EASA AD 2025–0089 for compliance will be available at *regulations.gov* under Docket No. FAA–2026–2713 after the FAA final rule is published.

Costs of Compliance

The FAA estimates that this AD, if adopted as proposed, would affect 13 airplanes of U.S. registry. The FAA estimates the following costs to comply with this proposed AD:

ESTIMATED COSTS FOR REQUIRED ACTIONS

Labor cost	Parts cost	Cost per product	Cost on U.S. operators
Up to 55 work-hours × $85 per hour = $4,675.	Up to $44,536	Up to $49,211	Up to $639,743.

The FAA has included all known costs in its cost estimate. According to the manufacturer, however, some or all of the costs of this proposed AD may be covered under warranty, thereby reducing the cost impact on affected operators.

Authority for This Rulemaking

Title 49 of the United States Code specifies the FAA's authority to issue rules on aviation safety. 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.

The FAA is issuing this rulemaking under the authority described in Subtitle VII, Part A, Subpart III, Section 44701: General requirements. Under that section, Congress charges the FAA with promoting safe flight of civil aircraft in air commerce by prescribing regulations for practices, methods, and procedures the Administrator finds necessary for safety in air commerce. This regulation is within the scope of that authority because it addresses an unsafe condition that is likely to exist or develop on products identified in this rulemaking action.

Regulatory Findings

The FAA determined that this proposed AD would not have federalism implications under Executive Order 13132. This proposed AD would not have a substantial direct effect on the States, on the relationship between the national government and the States, or on the distribution of power and responsibilities among the various levels of government.

For the reasons discussed above, I certify this proposed regulation:

(1) Is not a ''significant regulatory action'' under Executive Order 12866,

(2) Would not affect intrastate aviation in Alaska, and

(3) Would not have a significant economic impact, positive or negative, on a substantial number of small entities under the criteria of the Regulatory Flexibility Act.

List of Subjects in 14 CFR Part 39

Air transportation, Aircraft, Aviation safety, Incorporation by reference, Safety.

The Proposed Amendment

Accordingly, under the authority delegated to me by the Administrator, the FAA proposes to amend 14 CFR part 39 as follows:

PART 39—AIRWORTHINESS DIRECTIVES

■ 1. The authority citation for part 39 continues to read as follows:

Authority: 49 U.S.C. 106(g), 40113, 44701.

§ 39.13 [Amended]

■ 2. The FAA amends § 39.13 by adding the following new airworthiness directive:

Airbus SAS: Docket No. FAA–2026–2713; Project Identifier MCAI–2025–00708–T.

(a) Comments Due Date

The FAA must receive comments on this airworthiness directive (AD) by May 1, 2026.

(b) Affected ADs

None.

(c) Applicability

This AD applies to Airbus SAS Model A350–941 and –1041 airplanes, certificated in any category, as identified in European Union Aviation Safety Agency (EASA) AD

2025–0089, dated April 24, 2025; corrected June 2, 2025 (EASA AD 2025–0089).

(d) Subject

Air Transport Association (ATA) of America Code 25, Equipment/furnishings.

(e) Unsafe Condition

This AD was prompted by reports of fractured lower attachment studs on certain galleys installed forward of door 4. The FAA is issuing this AD to address fractured lower attachment studs on galleys installed forward of door 4. The unsafe condition, if not addressed, could lead to galley module detachment, with consequent injury to airplane occupants, and could possibly result in reduced evacuation capacity from the airplane in case of an emergency.

(f) Compliance

Comply with this AD within the compliance times specified, unless already done.

(g) Requirements

Except as specified in paragraph (h) of this AD: Comply with all required actions and compliance times specified in, and in accordance with, EASA AD 2025–0089.

(h) Exceptions to EASA AD 2025–0089

(1) Where EASA AD 2025–0089 refers to its effective date, this AD requires using the effective date of this AD.

(2) Where paragraphs (1), (2), and (3) of EASA AD 2025–0089 specify ''in accordance with approved instructions issued by Airbus DOA'', this AD requires replacing that text with ''in accordance with a method approved by the Manager, AIR–520, Continued Operational Safety Branch, FAA; or EASA; or Airbus SAS's EASA Design Organization Approval (DOA). If approved by the DOA, the approval must include the DOA-authorized signature''.

(3) This AD does not adopt the ''Remarks'' section of EASA AD 2025–0089.

(i) Additional AD Provisions

The following provisions also apply to this AD:

(1) *Alternative Methods of Compliance (AMOCs):* The Manager, AIR–520, Continued Operational Safety Branch, FAA, has the authority to approve AMOCs for this AD, if requested using the procedures found in 14 CFR 39.19. In accordance with 14 CFR 39.19, send your request to your principal inspector or responsible Flight Standards Office, as appropriate. If sending information directly to the manager of AIR–520, Continued Operational Safety Branch, send it to the attention of the person identified in paragraph (j) of this AD and email to: *AMOC@faa.gov*. Before using any approved AMOC, notify your appropriate principal inspector, or lacking a principal inspector, the manager of the responsible Flight Standards Office.

(2) *Contacting the Manufacturer:* For any requirement in this AD to obtain instructions from a manufacturer, the instructions must be accomplished using a method approved by the Manager, AIR–520, Continued Operational Safety Branch, FAA; or EASA; or Airbus SAS's EASA DOA. If approved by the DOA, the approval must include the DOA-authorized signature.

(3) *Required for Compliance (RC):* Except as required by paragraph (i)(2) of this AD, if any material referenced in EASA AD 2025–0089 contains paragraphs that are labeled as RC, the instructions in RC paragraphs, including subparagraphs under an RC paragraph, must be done to comply with this AD; any paragraphs, including subparagraphs under those paragraphs, that are not identified as RC are recommended. The instructions in paragraphs, including subparagraphs under those paragraphs, not identified as RC may be deviated from using accepted methods in accordance with the operator's maintenance or inspection program without obtaining approval of an AMOC, provided the instructions identified as RC can be done and the airplane can be put back in an airworthy condition. Any substitutions or changes to instructions identified as RC require approval of an AMOC.

(j) Additional Information

For more information about this AD, contact Andrew Younglove, Aviation Safety Engineer, FAA, 2200 South 216th St., Des Moines, WA 98198; telephone 206–231–3644; email *Andrew.E.Younglove@faa.gov*.

(k) Material Incorporated by Reference

(1) The Director of the Federal Register approved the incorporation by reference of the material listed in this paragraph under 5 U.S.C. 552(a) and 1 CFR part 51.

(2) You must use this material as applicable to do the actions required by this AD, unless this AD specifies otherwise.

(i) European Union Aviation Safety Agency (EASA) AD 2025–0089, dated April 24, 2025; corrected June 2, 2025.

(ii) [Reserved]

(3) For EASA material identified in this AD, contact EASA, Konrad-Adenauer-Ufer 3, 50668 Cologne, Germany; telephone +49 221 8999 000; email *ADs@easa.europa.eu;* website *easa.europa.eu*. You may find this material on the EASA website at *ad.easa.europa.eu*.

(4) You may view this material at the FAA, Airworthiness Products Section, Operational Safety Branch, 2200 South 216th St., Des Moines, WA. For information on the availability of this material at the FAA, call 206–231–3195.

(5) You may view this material 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* or email *fr.inspection@nara.gov*.

Issued on March 12, 2026.

Lona C. Saccomando,

Acting Deputy Director, Integrated Certificate Management Division, Aircraft Certification Service.

[FR Doc. 2026–05223 Filed 3–16–26; 8:45 am]

BILLING CODE 4910–13–P

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 63

[EPA–HQ–OAR–2019–0178; FRL–7055.1–01–OAR]

RIN 2060–AW79

National Emission Standards for Hazardous Air Pollutants: Ethylene Oxide Emissions Standards for Sterilization Facilities Residual Risk and Technology Review Reconsideration

AGENCY: Environmental Protection Agency (EPA).

ACTION: Proposed rule; reconsideration of final rule.

SUMMARY: On April 5, 2024, the U.S. Environmental Protection Agency (EPA) published the National Emission Standards for Hazardous Air Pollutants (NESHAP): Ethylene Oxide Emissions Standards for Sterilization Facilities Residual Risk and Technology Review (2024 Final Rule). The 2024 Final Rule revised the Commercial Sterilization Facilities NESHAP based on a residual risk and technology review (RTR) pursuant to the Clean Air Act (CAA) sections. On March 12, 2025, the EPA announced that it was reconsidering the 2024 Final Rule. Based on its reconsideration of the RTR in the 2024 Final Rule, the EPA is proposing to amend the Commercial Sterilization Facilities NESHAP. The amendments would rescind the risk based standards, revise the standard for new aeration room vents that resulted from the technology review, revise the compliance demonstration requirements, and rescind a requirement related to permanent total enclosure (PTE). This proposal also includes technical corrections and clarifications to the Commercial Sterilization Facilities NESHAP and Performance Specification 19 to address erroneous cross-references, omissions of text, and typographical errors in the regulatory text that the EPA has identified after publication of the 2024 Final Rule.

DATES: Comments must be received on or before May 1, 2026. Under the Paperwork Reduction Act (PRA), comments on the information collection provisions are best assured of consideration if the Office of Management and Budget (OMB) receives a copy of your comments on or before April 16, 2026.

Public hearing: The EPA will hold a virtual public hearing on April 1, 2026. Please refer to the **SUPPLEMENTARY INFORMATION** section for information on registering for the public hearing.

ADDRESSES: You may send comments, identified by Docket ID No. EPA–HQ–OAR–2019–0178, by any of the following methods:

- *Federal eRulemaking Portal: https://www.regulations.gov/* (our preferred method). Follow the online instructions for submitting comments.
- *Email: a-and-r-docket@epa.gov.* Include Docket ID No. EPA–HQ–OAR–2019–0178 in the subject line of the message.
- *Fax:* (202) 566–9744. Attention Docket ID No. EPA–HQ–OAR–2019–0178.
- *Mail:* U.S. Environmental Protection Agency, EPA Docket Center, Docket ID No. EPA–HQ–OAR–2019–0178, Mail Code 28221T, 1200 Pennsylvania Avenue NW, Washington, DC 20460.
- *Hand/Courier Delivery:* EPA Docket Center, WJC West Building, Room 3334, 1301 Constitution Avenue NW, Washington, DC 20004. The Docket Center's hours of operation are 8:30 a.m.–4:30 p.m., Monday–Friday (except federal holidays).

Instructions: All submissions received must include the Docket ID No. for this rulemaking. Comments received may be posted without change to *https://www.regulations.gov/,* including any personal information provided. For detailed instructions on sending comments and additional information on the rulemaking process, see the **SUPPLEMENTARY INFORMATION** section of this document.

FOR FURTHER INFORMATION CONTACT: For questions about this proposed action, contact U.S. EPA, Attn: Brian Langloss, Mail Drop: D243–04, 109 T.W. Alexander Drive, P.O. Box 12055, Research Triangle Park, North Carolina 27711; telephone number: (919) 541–0675; and email address: *langloss.brian@epa.gov.*

SUPPLEMENTARY INFORMATION:

Participation in virtual public hearing. The hearing will be held via virtual platform on April 1, 2026. The EPA may close a session 15 minutes after the last pre-registered speaker has testified if there are no additional speakers. The EPA will announce further details at *https://www.epa.gov/stationary-sources-air-pollution/ethylene-oxide-emissions-standards-sterilization-facilities.*

The EPA will begin pre-registering speakers for the hearing no later than 1 business day after a request has been received. To register to speak at the virtual hearing, please use the online registration form available at *https://www.epa.gov/stationary-sources-air-pollution/ethylene-oxide-emissions-standards-sterilization-facilities* or contact the public hearing team at (888) 372–8699 or by email at *NRDpublichearing@epa.gov.* The last day to pre-register to speak at the hearing will be March 30, 2026. Prior to the hearing, the EPA will post a general agenda that will list pre-registered speakers at: *https://www.epa.gov/stationary-sources-air-pollution/ethylene-oxide-emissions-standards-sterilization-facilities.*

The EPA will make every effort to follow the schedule as closely as possible on the day of the hearing; however, please plan for the hearings to run either ahead of schedule or behind schedule.

Each commenter will have 4 minutes to provide oral testimony. The EPA encourages commenters to submit a copy of their oral testimony as written comments electronically to the rulemaking docket.

The EPA may ask clarifying questions during the oral presentations but will not respond to the presentations at that time. Written statements and supporting information submitted during the comment period will be considered with the same weight as oral testimony and supporting information presented at the public hearing.

Please note that any updates made to any aspect of the hearing will be posted online at *https://www.epa.gov/stationary-sources-air-pollution/ethylene-oxide-emissions-standards-sterilization-facilities.* While the EPA expects the hearing to go forward as set forth above, please monitor our website or contact the public hearing team at (888) 372–8699 or by email at *NRDpublichearing@epa.gov* to determine if there are any updates. The EPA does not intend to publish a document in the **Federal Register** announcing updates.

If you require the services of a translator or special accommodation such as audio description, please pre-register for the hearing with the public hearing team and describe your needs by March 24, 2026. The EPA may not be able to arrange accommodations without advanced notice.

Docket. The EPA has established a docket for this action under Docket ID No. EPA–HQ–OAR–2019–0178. All documents in the docket are listed in *https://www.regulations.gov/.* Although listed, some information is not publicly available, *e.g.,* Confidential Business Information (CBI) or other information whose disclosure is restricted by statute. Certain other material, such as copyrighted material, is not placed on the internet and will be publicly available only as pdf versions that can only be accessed on the EPA computers in the docket office reading room. Certain databases and physical items cannot be downloaded from the docket but may be requested by contacting the docket office at 202–566–1744. The docket office has up to 10 business days to respond to these requests. Except for such material, publicly available docket materials are available electronically at *https://www.regulations.gov.*

Instructions. Direct your comments to Docket ID No. EPA–HQ–OAR–2019–0178. The EPA's policy is that all comments received will be included in the public docket without change and may be made available online at *https://www.regulations.gov/,* including any personal information provided, unless the comment includes information claimed to be CBI or other information whose disclosure is restricted by statute. Do not submit electronically to *https://www.regulations.gov/* any information that you consider to be CBI or other information whose disclosure is restricted by statute. This type of information should be submitted as discussed below.

The EPA may publish any comment received to its public docket. Multimedia submissions (audio, video, *etc.*) must be accompanied by a written comment. The written comment is considered the official comment and should include discussion of all points you wish to make. The EPA will generally not consider comments or comment contents located outside of the primary submission (*i.e.,* on the Web, cloud, or other file sharing system). For additional submission methods, the full EPA public comment policy, information about CBI or multimedia submissions, and general guidance on making effective comments, please visit *https://www.epa.gov/dockets/commenting-epa-dockets.*

The *https://www.regulations.gov/* website allows you to submit your comment anonymously, which means the EPA will not know your identity or contact information unless you provide it in the body of your comment. If you send an email comment directly to the EPA without going through *https://www.regulations.gov/,* your email address will be automatically captured and included as part of the comment that is placed in the public docket and made available on the internet. If you submit an electronic comment, the EPA recommends that you include your name and other contact information in the body of your comment and with any digital storage media you submit. If the EPA cannot read your comment due to technical difficulties and cannot contact you for clarification, the EPA may not

be able to consider your comment. Electronic files should not include special characters or any form of encryption and should be free of any defects or viruses. For additional information about the EPA's public docket, visit the EPA Docket Center homepage at *https://www.epa.gov/dockets.*

Throughout this proposal, the EPA is soliciting comment on numerous aspects of the proposed rule. The EPA has indexed each comment solicitation with an identifier (*e.g.,* ''Question 1, Question 2, . . .) to provide a consistent framework for effective and efficient provision of comments. Accordingly, we ask that commenters include the corresponding identifier when providing comments relevant to that comment solicitation. We ask that commenters include the identifier in either a heading, or within the text of each comment (*e.g.,* ''In response to Question 1, . . .'') to make clear which comment solicitation is being addressed.

Submitting CBI. Do not submit information containing CBI to the EPA through *https://www.regulations.gov/.* Clearly mark the part or all the information that you claim to be CBI. For CBI information on any digital storage media that you mail to the EPA, note the docket ID, mark the outside of the digital storage media as CBI, and identify electronically within the digital storage media the specific information that is claimed as CBI. In addition to one complete version of the comments that includes information claimed as CBI, you must submit a copy of the comments that does not contain the information claimed as CBI directly to the public docket through the procedures outlined in *Instructions* above. If you submit any digital storage media that does not contain CBI, mark the outside of the digital storage media clearly that it does not contain CBI and note the docket ID. Information not marked as CBI will be included in the public docket and the EPA's electronic public docket without prior notice. Information marked as CBI will not be disclosed except in accordance with procedures set forth in 40 Code of Federal Regulations (CFR) part 2.

Our preferred method to receive CBI is for it to be transmitted electronically using email attachments, File Transfer Protocol (FTP), or other online file sharing services (*e.g.,* Dropbox, OneDrive, Google Drive). Electronic submissions must be transmitted directly to the Office of Clean Air Programs (OCAP) CBI Office at the email address *oaqps_cbi@epa.gov* and, as described above, should include clear CBI markings and note the docket ID. If assistance is needed with submitting large electronic files that exceed the file size limit for email attachments, and if you do not have your own file sharing service, please email *oaqps_cbi@epa.gov* to request a file transfer link. If sending CBI information through the postal service, please send it to the following address: OCAP Document Control Officer (C404–02), OCAP, U.S. Environmental Protection Agency, Research Triangle Park, North Carolina 27711, Attention Docket ID No. EPA–HQ–OAR–2019–0178. The mailed CBI material should be double wrapped and clearly marked. Any CBI markings should not show through the outer envelope.

Preamble acronyms and abbreviations. Throughout this preamble the use of ''we,'' ''us,'' or ''our'' is intended to refer to the EPA. We use multiple acronyms and terms in this preamble. While this list may not be exhaustive, to ease the reading of this preamble and for reference purposes, the EPA defines the following terms and acronyms here:

APCD air pollution control device
ARV aeration room vent
ASTM American Society for Testing and Materials
CAA Clean Air Act
CBI Confidential Business Information
CEMS continuous emission monitoring system
CEV chamber exhaust vent
CFR Code of Federal Regulations
CMS continuous monitoring system
EAV equivalent annualized values
EPA Environmental Protection Agency
EtO ethylene oxide
FTP File Transfer Protocol
FR Federal Register
HAP hazardous air pollutant
ICR information collection request
IRIS Integrated Risk Information System
NAICS North American Industry Classification System
NESHAP national emission standards for hazardous air pollutants
OCAP Office of Clean Air Programs
OMB Office of Management and Budget
ppm parts per million
PRA Paperwork Reduction Act
PTE permanent total enclosure
PS performance specification
PV present values
RFA Regulatory Flexibility Act
RGM Research Gas Mixture
RIA regulatory impact analysis
RTR risk and technology review
SCV sterilization chamber vent
SSM startup, shutdown, and malfunction
SWEL site wide emission limitation
TCEQ Texas Commission on Environmental Quality
tpy tons per year
VCS voluntary consensus standards

Table of Contents. The information in this preamble is organized as follows:

I. General Information
A. Executive Summary
B. Does this action apply to me?
C. Where can I get a copy of this document and other related information?
II. Background
A. What is the statutory authority for this proposed action?
B. What is the scope of this reconsideration proposal?
C. What is this source category and how does the current NESHAP regulate its EtO emissions?
D. What data collection activities were conducted to support this action?
E. What other relevant background information is available?
III. Reconsideration and Other Issues, Proposed Changes and Rationale
A. What changes are we proposing for the CAA section 112(f)(2) standards, and what is the rationale for those decisions?
B. What changes are we proposing for the CAA section 112(d)(6) standards, and what is the rationale for those decisions?
C. What changes are we proposing for initial and continual compliance with the emission reduction standards, and what is the rationale for those decisions?
D. What changes are we proposing to PTE requirements, and what is the rationale for those actions?
E. What technical corrections and amendments to the Commercial Sterilization Facilities NESHAP are we proposing, and what is the rationale for those actions?
F. What technical corrections and amendments to Performance Specification 19 are we proposing, and what is the rationale for those actions?
G. What compliance dates are we proposing, and what is the rationale for the proposed compliance dates?
IV. Severability
V. Summary of Cost, Environmental, and Economic Impacts
A. What are the affected sources?
B. What are the air quality impacts?
C. What are the cost impacts?
D. What are the economic impacts?
E. What are the benefits?
F. What analysis of children's environmental health did we conduct?
VI. Request for Comments
VII. Statutory and Executive Order Reviews
A. Executive Order 12866: Regulatory Planning and Review and Executive Order 13563: Improving Regulation and Regulatory Review
B. Executive Order 14192: Unleashing Prosperity Through Deregulation
C. Paperwork Reduction Act (PRA)
D. Regulatory Flexibility Act (RFA)
E. Unfunded Mandates Reform Act (UMRA)
F. Executive Order 13132: Federalism
G. Executive Order 13175: Consultation and Coordination With Indian Tribal Governments
H. Executive Order 13045: Protection of Children From Environmental Health Risks and Safety Risks
I. Executive Order 13211: Actions Concerning Regulations That Significantly Affect Energy Supply, Distribution, or Use

J. National Technology Transfer and Advancement Act (NTTAA)

I. General Information

A. Executive Summary

In this reconsideration action, the EPA is proposing, after consultation with U.S. Department of Health and Human Services, to rescind or revise certain amendments made to the Commercial Sterilization Facilities NESHAP in the 2024 Final Rule to adhere to the best reading of the statute. The Agency first promulgated standards for this source category in 1994. Under CAA section 112(f)(2), the EPA was required to review the standards within eight years to identify and address residual risk to human health and the environment. Under CAA section 112(d)(6), the EPA is also required to review and revise the standards ''as necessary'' at least every eight years to address developments in practices, processes, and control technologies. In 2006, the Agency discharged these obligations by completing the RTR for the Commercial Sterilization Facilities source category, finding that the existing standards adequately protected public health with an ample margin of safety and, separately, concluding that no further revisions were ''necessary'' at that time given the minimal emission reductions and high costs associated with available control strategies.

In 2024, however, the EPA for the first time implemented an interpretation of CAA section 112(f)(2) that authorizes the Agency to conduct additional discretionary residual risk reviews (after completing the mandatory residual risk review within eight years of promulgating MACT standards) and impose risk-based standards pursuant to a second risk review. We reasoned in the 2024 Final Rule and related actions that the Agency possesses this authority because nothing in the statute expressly precludes discretionary residual risk reviews. Upon reconsideration, the EPA proposes that the interpretation as finalized in the 2024 Final Rule is inconsistent with the best reading of the statute. We ''possess only the authority that Congress has provided,'' [1] and statutes have a ''single, best meaning'' that is '' 'fixed at the time of enactment.' '' [2] We propose that, read in context, CAA section 112(f)(2) explicitly authorizes a single residual risk review of the MACT standards within eight years, coupled with an express authority to review and revise the standards ''as necessary'' through a technology review at least every eight years under CAA section 112(d)(6). This interpretation better reflects the structure of CAA section 112, which Congress deliberately designed with detailed implementation timelines and requirements that cannot be squared with the assertion of authority to revisit residual risk reviews on an ad hoc, category-by-category basis. We propose to rescind the section 112(f)(2) standards imposed by the 2024 Final Rule on this basis, thereby returning the Commercial Sterilization Facilities source category to the generally applicable regulatory framework arising under section 112(d).

The EPA is also proposing relatively minor adjustments to the revised standards finalized in the 2024 Final Rule under CAA section 112(d)(6). We propose to reduce the emission standard for new ARVs at facilities with EtO use of at least 10 tpy, which would result in a single standard for both new and existing ARVs. This has the benefit of allowing facilities to share infrastructure, streamline facility operations, and reflect common practices at facilities. Finally, we are proposing several technical corrections and clarifications to the regulatory text identified after publication of the 2024 Final Rule, including erroneous cross-references, omissions, and typographical errors.

B. Does this action apply to me?

Table 1 of this preamble lists industrial categories potentially affected by this action. Table 1 is not intended to be exhaustive but rather provides a guide for readers regarding the entities that this proposed action is likely to affect. The proposed standards, once promulgated, will directly apply to the affected sources. Federal, state, local, and Tribal government entities would not be affected by this proposed action. As defined in the *Initial List of Categories of Sources Under Section 112(c)(1) of the Clean Air Act Amendments of 1990* and *Documentation for Developing the Initial Source Category List, Final Report,*[3] the Commercial Sterilization Facilities source category includes any facility engaged in the use of EtO as a sterilant and fumigant following the production of various products (*e.g.,* medical equipment and supplies) and in miscellaneous sterilization and fumigation operations at both major and area sources. These commercial sterilization facilities use EtO as a sterilant for heat- or moisture-sensitive materials and as a fumigant to control microorganisms. Facilities may sterilize materials produced on site, or contract sterilizers may sterilize products manufactured by other companies.

[1] *NFIB* v. *DOL,* 595 U.S. 109, 117 (2022).

[2] *Loper Bright Enters.* v. *Raimondo,* 603 U.S. 369, 400, 411 (2024) (quoting *Wis. Cent. Ltd.* v. *United States,* 585 U.S. 274, 284 (2018)).

[3] 57 FR 31576 (July 16, 1992) and EPA–450/3–91–030, July 1992, respectively.

Table 1. NESHAP and Industrial Categories Affected by This Proposed Action

INDUSTRIAL CATEGORY	NESHAP	NAICS CODE[1]
Surgical and Medical Instrument Manufacturing	40 CFR part 63, subpart O	339112
Surgical Appliance and Supplies Manufacturing	40 CFR part 63, subpart O	339113
Pharmaceutical Preparation Manufacturing	40 CFR part 63, subpart O	325412
Spice and Extract Manufacturing	40 CFR part 63, subpart O	311942
Dried and Dehydrated Food Manufacturing	40 CFR part 63, subpart O	311423
Packaging and Labeling Services	40 CFR part 63, subpart O	561910

[1] North American Industry Classification System.

C. Where can I get a copy of this document and other related information?

In addition to being available in the docket, an electronic copy of this action is available on the EPA website. Following signature by the EPA Administrator, the EPA will post a copy of this proposed action at *https://www.epa.gov/stationary-sources-air-pollution/ethylene-oxide-emissions-standards-sterilization-facilities.* Following publication in the **Federal Register**, the EPA will post the **Federal Register** version of the proposal and key technical documents on the same web page.

A memorandum showing the rule edits that would be necessary to incorporate the changes to 40 CFR part 63, subpart O proposed in this action is available in the docket (Docket ID No. EPA–HQ–OAR–2019–0178). Following signature by the EPA Administrator, the EPA also will post a copy of this document to *https://www.epa.gov/stationary-sources-air-pollution/ethylene-oxide-emissions-standards-sterilization-facilities.*

II. Background

A. What is the statutory authority for this proposed action?

The statutory authority for this action is provided by CAA section 112, as amended.[4] CAA section 112 establishes a multi-stage regulatory process to develop standards for emissions of HAP from stationary sources. Generally, the first stage involves establishing technology-based standards that reflect the maximum achievable control technology (MACT) or an appropriate alternative.[5] The second stage involves evaluating those standards within eight years under CAA section 112(f)(2) to determine whether additional standards are needed to address any remaining risk associated with HAP emissions.[6] This second stage is commonly referred to as the ''residual risk review.'' In addition to the residual risk review, CAA section 112(d)(6) also requires the EPA to review the standards every eight years and ''revise as necessary,'' taking into account ''developments in practices, processes, and control technologies.'' [7] This review is commonly referred to as the ''technology review.''

In the first stage of the CAA section 112 standard-setting process, the EPA promulgates technology-based standards under CAA section 112(d) for categories of sources identified as emitting one or more of the HAP listed in CAA section 112(b). Sources of HAP emissions are either major sources or area sources, and CAA section 112 establishes different requirements for major source standards and area source standards. The requirements for major sources are the relevant requirements for the present rulemaking. ''Major sources'' are those that emit or have the potential to emit 10 tons per year (tpy) or more of a single HAP or 25 tpy or more of any combination of HAP.[8] For major sources, CAA section 112(d)(2) provides that the technology-based NESHAP must reflect the maximum degree of reduction in emissions of HAP achievable (after considering cost, energy requirements, and non-air quality health and environmental impacts). These standards are commonly referred to as MACT standards. CAA section 112(d)(3) also establishes a minimum control level for MACT standards, known as the MACT ''floor,'' which is based on emission controls achieved in practice by a certain percentage of the best performing sources. The EPA also considers control options that are more stringent than the floor. Standards more stringent than the floor are commonly referred to as ''beyond-the-floor'' standards. The next stage in standard-setting focuses on identifying and addressing any remaining (*i.e.,* ''residual'') risk within eight years pursuant to CAA section 112(f)(2) and concurrently conducting a technology review pursuant to CAA section 112(d)(6). This latter provision requires the EPA to review standards promulgated under CAA section 112 and revise them ''as necessary (taking into account developments in practices, processes, and control technologies)'' no less often than every eight years. In conducting this review, which we call the ''technology review,'' the EPA is not required to recalculate the MACT floors that were established in earlier rulemakings.[9] The EPA considers cost in deciding whether to revise the standards pursuant to CAA section 112(d)(6).

The proposed amendments in this action result from the EPA's reconsideration of certain aspects of the 2024 Final Rule, including the interpretation of CAA section 112(f)(2)

[4] 42 U.S.C. 7412.

[5] 42 U.S.C. 7412(d)(1)–(3).

[6] 42 U.S.C. 7412(f)(2).

[7] 42 U.S.C. 7412(d)(6).

[8] 42 U.S.C. 7412(a)(1).

[9] *Ass'n of Battery Recyclers, Inc.* v. *EPA,* 716 F.3d 667 (D.C. Cir. 2013); *Natural Resources Def. Council (NRDC)* v. *EPA,* 529 F.3d 1077, 1084 (D.C. Cir. 2008).

adopted in the 2024 Final Rule to justify imposing additional risk-based standards rather than solely considering whether such standards were ''necessary'' under CAA section 112(d)(6). Specifically, the EPA took the position in the 2024 Final Rule (and again in two additional rules finalized the following month) that the Agency may, on a discretionary basis, utilize the risk-review process in CAA section 112(f)(2) to promulgate additional risk-based standards for a source category that has already undergone a residual risk review after promulgation of MACT standards.[10] As explained further below, the EPA now proposes to interpret CAA section 112(f)(2) as setting out a one-time authority and obligation to assess the residual risk remaining for the source category at issue within eight years of promulgating MACT standards.

Agencies have authority to reconsider prior policy and to revise, replace, or repeal prior actions to the extent permitted by the governing statute and supported by a reasoned explanation.[11] This is true when, as is the case here, an agency reconsiders a prior action after a change in administration.[12] As explained below, the EPA is proposing to repeal certain standards imposed in the 2024 Final Rule on the ground that the Agency erred in interpreting CAA section 112(f)(2) as authorizing the imposition of further rounds of risk-based standards in lieu of the ongoing authority and obligation at least every eight years to revise the standards ''as necessary'' under CAA section 112(d)(6). We are also proposing revisions to certain additional standards promulgated in the 2024 Final Rule under CAA section 112(d)(6). We propose that nothing in the relevant statutory language precludes or conditions the EPA's authority to repeal the CAA section 112(f)(2) standards based on new conclusions about the best reading of the statute or the EPA's authority to further revise prior standards adopted under CAA section 112(d)(6).

In doing so, the EPA acknowledges that this proposed action would, if finalized, change the position taken in the 2024 Final Rule with respect to CAA section 112(f)(2) and, at a more granular level, change several of the Agency's conclusions with respect to standards adopted in the 2024 Final Rule under CAA section 112(d)(6). The rationale for each of these changes is described in the relevant section of this document. We do not believe that the standards or supporting interpretations adopted in the 2024 Final Rule have generated significant and cognizable reliance interests, including because the standards have not yet gone fully into effect. With respect to questions of statutory interpretation, we do not believe any such reliance interests could support retaining an action that is inconsistent with the best reading of the statute. Nevertheless, we seek comment on whether the 2024 Final Rule and underlying interpretations have generated such reliance interests and, if so, how the EPA should consider them in any final action (Question 1).

B. What is the scope of the reconsideration proposal?

On March 12, 2025, the EPA announced that it is reconsidering the 2024 Final Rule.[13] Subsequently, in a letter dated March 21, 2025, the EPA provided further details on the reconsideration, indicating that we would reexamine our authority and decision to undertake a second residual risk review pursuant to CAA section 112(f)(2), the standards promulgated pursuant to CAA section 112(d)(6), and the requirement to demonstrate compliance using a continuous emission monitoring system (CEMS).[14] This action is consistent with Executive Order 14192 which promotes prudent financial management and alleviates unnecessary regulatory burdens.

In this action, based on the EPA's reconsideration of the 2024 Final Rule, we are proposing amendments to the Commercial Sterilization Facilities NESHAP. Specifically, the EPA is proposing to rescind the standards that were established under CAA section 112(f)(2), to amend the standard promulgated under section 112(d)(6) for new aeration room vents (ARVs) where EtO use is at least 10 tons per year (tpy), to amend the compliance demonstration requirements to allow facilities to choose between annual performance testing and parametric monitoring or operation of a CEMS, and to rescind the requirement that PTE be used to ensure complete capture of EtO. This proposal also includes technical corrections and clarifications to the Commercial Sterilization Facilities NESHAP and Performance Specification 19 (PS 19). Any other issues or any other provisions of the 2024 Final Rule not specifically addressed in this proposed rulemaking are not within the scope of this proposal, and the EPA reserves the right to respond to such comments as out of scope.

C. What is this source category and how does the current NESHAP regulate its EtO emissions?

1. Regulatory Background

The Commercial Sterilization Facilities source category consists of major and area sources that use EtO to sterilize or fumigate materials, including medical equipment and supplies, certain spices, and other miscellaneous products and items. Generally speaking, these facilities use chambers or sealed pouches to disinfect materials through exposure to EtO gas at predetermined concentrations (including materials not amenable to other sterilization techniques, such as high temperatures), which is then evacuated from the chamber or pouch prior to retrieving the sterilized materials.[15] Sources in this category provide essential sterilization services at scale for hospitals, clinics, and other medical locations that lack capacity to sterilize equipment at the volume and regularity required to maintain safe and efficient operations.

The EPA promulgated the initial Commercial Sterilization Facilities NESHAP on December 6, 1994.[16] The standards are codified at 40 CFR part 63, subpart O. The original 1994 rulemaking for this source category set standards for EtO emissions originating from three emission points: sterilization chamber vents (SCVs), ARVs, and chamber exhaust vents (CEVs). The SCV evacuates EtO from the sterilization

[10] *See New Source Performance Standards for the Synthetic Organic Chemical Manufacturing Industry and National Emission Standards for Hazardous Air Pollutants for the Synthetic Organic Chemical Manufacturing Industry and Group I & II Polymers and Resins Industry,* 89 FR 42932 (May 16, 2024) (finalizing NESHAP amendments for two source categories in same **Federal Register** notice). The Agency proposed to apply this interpretation to a third source category in a December 2024 proposed rule on which we have not yet taken final action. *See Review of National Emission Standards for Hazardous Air Pollutants for Polyether Polyols Production Industry,* 89 FR 105986 (Dec. 27, 2024).

[11] *FDA* v. *Wages & White Lion Invs., L.L.C.,* 604 U.S. 542, 567 (2025); *FCC* v. *Fox Television Stations, Inc.,* 556 U.S. 502, 515 (2009); *Motor Vehicle Mfrs. Ass'n, Inc.* v. *State Farm Mutual Auto. Ins. Co.,* 463 U.S. 29, 42 (1983).

[12] *See Nat'l Ass'n of Home Builders* v. *EPA,* 682 F.3d 1032, 1038, 1043 (D.C. Cir. 2012) (explaining that an agency's ''reevaluation of which policy would be better in light of the facts'' is ''well within'' its discretion and that a change in administration is a ''perfectly reasonable basis for an executive agency's reappraisal of the costs and benefits of its programs and regulations'' (internal quotation marks omitted)).

[13] U.S. EPA, Trump EPA Announces Reconsideration of Air Rules Regulating American Energy, Manufacturing, Chemical Sectors (NESHAPs), (March 12, 2025) [Press Release].

[14] Letter from U.S. EPA to Ethylene Oxide Sterilization Association, (March 21, 2025), *https://www.epa.gov/system/files/documents/2025-03/revised-epa-response-to-meibao-zhuang-eto-sterilizers-reconsideration.pdf.*

[15] For more information, *see* 88 FR 22796–97 (Apr. 13, 2023).

[16] 59 FR 62585 (Dec. 6, 1994).

chamber following sterilization, fumigation, and any subsequent gas washes before the chamber door is opened. The ARV evacuates EtO-laden air from the aeration room or chamber that is used to facilitate off-gassing of the sterile product and packaging. The CEV evacuates EtO-laden air from the sterilization chamber after the chamber door is opened for product unloading following the completion of sterilization and associated gas washes.

In 2006, the EPA finalized the RTR for the Commercial Sterilization Facilities NESHAP under CAA section 112(f)(2) and CAA section 112(d)(6), respectively.[17] With respect to the residual risk review, we concluded that the MACT standards protected public health and the environment with an ample margin of safety by reducing maximum individual cancer risk, as well as chronic noncancer and acute risks, below the levels generally considered acceptable for purposes of CAA section 112(f)(2).[18] With respect to the technology review, we concluded that additional standards ''would achieve, at best, minimal emission and risk reductions at a very high cost.'' [19] No changes were made in the RTR to MACT standards given these findings. In responding to comments on the residual risk review, we explained that the Agency considered a California EPA cancer risk estimate as the best available estimate, for reasons including because it built upon our own 1985 EtO health assessment. We noted that the Agency was working on an updated cancer assessment for EtO that was not yet complete.[20] Finally, we disagreed with comments arguing that the residual risk review should ''account for reasonably foreseeable changes that could result in increased risk, such as new residences being built closer to the facility, or increases in actual emissions within the current permit limitations.'' Specifically, we stated that risk assessments need not consider such foreseeable changes because we ''have the authority to revisit (and revise, if necessary) any rulemaking if there is sufficient evidence'' for doing so, citing to CAA section 301.[21]

[17] 71 FR 17712 (Apr. 7, 2006).

[18] *Id.* at 17713.

[19] *Id.* at 17714.

[20] *Id.* at 17715–16.

[21] *Id.* (citing 42 U.S.C. 7601).

In 2022, several environmental groups filed a mandatory duty suit against the EPA under CAA section 304(a)(2).[22] The groups alleged that the EPA failed to perform its non-discretionary duty under CAA section 112(d)(6) to review, and as necessary revise, the Commercial Sterilization Facilities NESHAP every eight years. The parties resolved the lawsuit through a consent decree, which required the EPA to sign a final rule completing the CAA section 112(d)(6) review by March 1, 2024. The consent decree did not speak to or reference CAA section 112(f)(2).

2. 2024 Final Rule

In April 2023, the EPA proposed ''decisions concerning'' the completed RTR, including certain amendments resulting from a second residual risk review for EtO and additional amendments resulting from a technology review.[23] With respect to the second residual risk review, the Agency proposed to rely on the Integrated Risk Information System (IRIS) value for EtO issued by the EPA in December 2016 [24] and, in ''deciding whether to conduct a second residual risk review,'' considered ''the advantages of EtO reductions and the distribution of those reductions consistent with the clear goal of CAA section 112(f)(2) to protect the most exposed and susceptible populations, which in this case include communities with EJ [environmental justice] concerns.'' [25] We acknowledged at the time that ''CAA section 112(f)(2) requires only a one-time risk review, which is to be conducted within eight years of the date the initial standards are promulgated.'' However, we asserted that the provision ''does not limit the EPA's discretion or authority to conduct another risk review'' and identified a ''discretionary authority to conduct another CAA section 112(f)(2) analysis'' at will separate and apart from the review and revision authority provided in CAA section 112(d)(6).[26]

The 2024 Final Rule amended 40 CFR part 63, subpart O pursuant to CAA sections 112(d)(2) and (3), 112(d)(5), 112(d)(6), and 112(f)(2).[27] That action established standards for unregulated sources of emissions (CEV,[28] Group 1 [29] and Group 2 [30] room air emissions) under the authority of CAA section 112(d)(2) and (3) for major sources and CAA section 112(d)(5) for area sources. The EPA also revised the existing standards in response to a technology review under CAA section 112(d)(6). The EPA for the first time implemented an interpretation that CAA section 112(f)(2) authorizes the imposition of new standards based on additional discretionary residual risk reviews and finalized new risk-based standards after conducting a second risk review based largely on the 2016 EtO IRIS value. The 2024 Final Rule also finalized other changes to the NESHAP, including adding requirements and clarifications for periods of startup, shutdown, and malfunction (SSM); requiring the use of CEMS to demonstrate compliance for facilities where EtO use is at least 100 pounds per year (lb/yr); adding provisions for electronic reporting of performance test results and reports, performance evaluation reports, and compliance reports; and other minor editorial and technical changes.

Table 2 shows a summary of the 2024 emission standards for commercial sterilizers facilities in 40 CFR part 63, subpart O. Footnote 1 of Table 2 shows the standards subject to reconsideration.

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[22] *Cal. Communities Against Toxics* v. *Regan,* No. 1:22–cv–03724 (D.D.C).

[23] 88 FR 22790 (Apr. 13, 2023).

[24] *Evaluation of the Inhalation Carcinogenicity of Ethylene Oxide,* December 2016, EPA/635/R–16/350Fc.

[25] *Id.* at 22793.

[26] *Id.* at 22794.

[27] 89 FR 24090 (Apr. 5, 2024).

[28] The standards for CEVs were originally promulgated on December 6, 1994. Following promulgation of the rule, the EPA suspended certain compliance deadlines and ultimately removed the standards for CEVs due to safety concerns. In the late 1990s, there were multiple explosions at EtO commercial sterilization facilities using oxidizers to control emissions from CEVs. It was determined that the primary contributing issue leading to the explosions was that EtO concentrations were above a safe level (*i.e.,* above the lower explosive limit (LEL)) within the CEV gas streams. The EPA could not conclude at the time that the CEVs could be safely controlled, so the standards for CEVs were removed on November 2, 2001 (66 FR 55583).

[29] Group 1 room air emissions mean emissions from indoor EtO storage, EtO dispensing, vacuum pump operations, and pre-aeration handling of sterilized material.

[30] Group 2 room air emissions mean emissions from post-aeration handling of sterilized material.

Table 2. 2024 Ethylene Oxide Standards for Commercial Sterilization Facilities

Emission Source	Existing or New	EtO Use	Standards	CAA section
SCV	Existing and new	At least 30 tpy	99.99 percent emission reduction[1]	112(f)(2)
		At least 10 tpy but less than 30 tpy	99.9 percent emission reduction[1]	112(f)(2)
		At least 10 tpy	99.9 percent emission reduction	112(d)(6)
		At least 1 but less than 10 tpy	99.8 percent emission reduction	112(f)(2) and (d)(6)
		Less than 1 tpy	99 percent emission reduction	112(d)(5)
ARV	Existing	At least 30 tpy	99.9 percent emission reduction[1]	112(f)(2)
		At least 10 tpy but less than 30 tpy	99.6 percent emission reduction[1]	112(f)(2)
		At least 10 tpy	99.6 percent emission reduction	112(d)(6)
		At least 1 but less than 10 tpy	99 percent emission reduction	112(d)(5)
		Less than 1 tpy	99 percent emission reduction	112(d)(5)
	New	At least 30 tpy	99.9 percent emission reduction[1]	112(f)(2)
		At least 10 tpy	99.9 percent emission reduction[1]	112(d)(6)
		At least 1 but less than 10 tpy	99 percent emission reduction	112(d)(5)
		Less than 1 tpy	99 percent emission reduction	112(d)(5)
CEVs at major source facilities	Existing and new	N/A	99.94 percent emission reduction	112(d)(2) and (3)
CEVs at area source facilities	Existing and new	At least 400 tpy	99.9 percent emission reduction[1]	112(f)(2)
		At least 60 but less than 400 tpy	99.9 percent emission reduction[1]	112(f)(2)
		Less than 60 tpy	99 percent emission reduction	112(d)(5)
Group 1 room air emissions at major sources	Existing and new	N/A	97 percent emission reduction and PTE[1]	112(d)(2) and (3)

Group 1 room air emissions at area sources	Existing and new	At least 40 tpy	98 percent emission reduction and PTE[1]	112(f)(2)
		Less than 40 tpy	80 percent emission reduction and PTE[1]	112(d)(5)
Group 2 room air emissions at major sources	Existing and new	N/A	86 percent emission reduction and PTE[1]	112(d)(2) and (3)
Group 2 room air emissions at area sources	Existing	At least 20 tpy	98 percent emission reduction and PTE[1]	112(f)(2)
		At least 4 but less than 20 tpy	80 percent emission reduction and PTE[1]	112(f)(2)
		Less than 4 tpy	Lower the EtO concentration within each sterilization chamber to 1 part per million (ppm) before the chamber can be opened.	112(d)(5)
	New	At least 20 tpy	98 percent emission reduction and PTE[1]	112(f)(2)
		At least 4 but less than 20 tpy	80 percent emission reduction and PTE[1]	112(f)(2)
		Less than 4 tpy	80 percent emission reduction and PTE[1]	112(d)(5)

[1] Standards subject to reconsideration.

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For more information on the commercial sterilization industry and the 2024 standards under 40 CFR part 63, subpart O see the 2024 Final Rule preamble.[31]

D. What data collection activities were conducted to support this action?

The EPA used data collected during the rulemaking for the 2024 Final Rule for this reconsideration. The EPA began with the facility list used during the 2024 Final Rule. For details on the data collected for the 2024 Final Rule, see section II.C of the 2023 proposal preamble.[32] Since the promulgation of the 2024 Final Rule, the EPA identified two facilities that have opened and one facility that has decommissioned its use of EtO, resulting in a final facility list of 89 commercial sterilization facilities. A complete list of known commercial sterilization facilities is available in the document titled *2024 Facility List,* which is available in the docket for this rulemaking.

In addition to the information obtained during the investigation for the 2024 Final Rule, the EPA held meetings with industry and trade association representatives to discuss the 2024 Final Rule and the implementation issues, unintended impacts, and challenges that have resulted from the rule. Summaries of these meetings can be found in the docket for this action (Docket ID No. EPA–HQ–OAR–2019–0178).

E. What other relevant background information is available?

On June 5, 2024, the Ethylene Oxide Sterilization Association (EOSA) and various environmental and community groups, including California Communities Against Toxics, Clean Power Lake County, Comité Diálogo Ambiental, Rio Grande International Study Center, Sierra Club, and the Union of Concerned Scientists, brought separate judicial challenges to the 2024 Final Rule. The cases were consolidated and are currently being held in abeyance pending the EPA's reconsideration of the rule.

On July 17, 2025, President Trump signed the Proclamation, ''Regulatory Relief for Certain Stationary Sources to Promote American Security With Respect to Sterile Medical Equipment''

[31] 89 FR 24090 (Apr. 5, 2024).

[32] 88 FR 22790 (Apr. 13, 2023).

(90 FR 34747, July 23, 2025).[33] This Proclamation exempted certain facilities, identified in Annex 1 of the Proclamation, from compliance with the 2024 Final Rule. The Presidential exemption is for a period of 2 years beyond the 2024 Final Rule's compliance dates. During the exemption period, facilities identified in Annex 1 that were subject to the Commercial Sterilization Facilities NESHAP, 40 CFR part 63, subpart O, in effect prior to the issuance of the 2024 Final Rule must continue to comply with those standards.

III. Reconsideration and Other Issues, Proposed Changes and Rationale

The EPA is proposing amendments to the Commercial Sterilization Facilities NESHAP. Specifically, the EPA is proposing to rescind standards promulgated under CAA section 112(f)(2), to revise the standard promulgated under CAA section 112(d)(6) for new ARVs at facilities using at least 10 tpy of EtO, to amend the compliance demonstration requirements to allow facilities to choose between parametric monitoring or CEMS, and to rescind the requirement that PTE be used to ensure complete capture of EtO. The EPA is also proposing technical corrections and clarifications to the Commercial Sterilization Facilities NESHAP and PS 19. The subsequent sections of this preamble describe these changes in detail as well as provide the EPA's reasoning for the proposed changes. Table 3 summarizes the proposed changes to emission limits that would result from this reconsideration. Specifically, the table shows the proposed rescission of CAA section 112(f)(2) standards and the resulting changes in applicable standards affected by this rescission. It also shows the proposed revised standard for new ARVs at facilities using at least 10 tpy of EtO (*i.e.,* 99.6 percent reduction).

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Table 3. Emission Standards After Incorporating the Proposed Changes

Emission Source	Existing or New	EtO Use	2024 Final Rule Standard (% reduction)	Emission Standard (% reduction) After Proposed Amendments	CAA Section
SCV	Existing and New	At least 30 tpy	99.99	-	112(f)(2)
		At least 10 tpy but less than 30 tpy	99.9	-	112(f)(2)
		At least 10 tpy	99.9	99.9	112(d)(6)

[33] A copy of the Presidential Proclamation and Annex 1 are available in the rulemaking docket (Docket ID No. EPA–HQ–OAR–2019–0178).

		At least 1 but less than 10 tpy	99.8	99.8	112(d)(6)
		Less than 1 tpy	99	99	112(d)(5)
ARV	Existing	At least 30 tpy	99.9	-	112(f)(2)
		At least 10 tpy but less than 30 tpy	99.6	-	112(f)(2)
		At least 10 tpy	99.6	99.6	112(d)(6)
		At least 1 but less than 10 tpy	99	99	112(d)(5)
		Less than 1 tpy	99	99	112(d)(5)
	New	At least 30 tpy	99.9	-	112(f)(2)
		At least 10 tpy	99.9	99.6	112(d)(6)
		At least 1 but less than 10 tpy	99	99	112(d)(5)
		Less than 1 tpy	99	99	112(d)(5)
CEVs at major sources	Existing and New	N/A	99.94	99.94	112(d)(2) and (3)
	Existing and New	At least 400 tpy	99.9	-	112(f)(2)

CEVs at area sources		At least 60 but less than 400 tpy	99.9	-	112(f)(2)
		Less than 60 tpy	99	99[1]	112(d)(5)
Group 1 room air at major sources	Existing and New	N/A	97 and PTE	97	112(d)(2) and (3)
Group 1 room air at area sources	Existing and New	At least 40 tpy	98 and PTE	-	112(f)(2)
		Less than 40 tpy	80 and PTE	80[1]	112(d)(5)
Group 2 room air at major sources	Existing and New	N/A	86 and PTE	86	112(d)(2) and (3)
Group 2 room air at area sources	Existing	At least 20 tpy	98 and PTE	-	112(f)(2)
		At least 4 but less than 20 tpy	80 and PTE	-	112(f)(2)
		Less than 4 tpy	Lower EtO concentration to 1	Lower Concentration to 1ppm	112(d)(5)

			ppm before opening chamber	before opening chamber[1] or 80[1]	
	New	At least 20 tpy	98 and PTE	-	112(f)(2)
		At least 4 but less than 20 tpy	80 and PTE	-	112(f)(2)
		Less than 4 tpy	80 and PTE	80[1]	112(d)(5)

[1] With the removal of CAA section 112(f)(2) standards, this CAA section 112(d)(5) standard would apply to all facilities regardless of the amount of EtO used.

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A. What changes are we proposing for the CAA section 112(f)(2) standards, and what is the rationale for those decisions?

The EPA is proposing to rescind the risk-based standards promulgated in 2024 pursuant to CAA section 112(f)(2) for the reasons explained below.

In 2006, the EPA finalized the RTR for the Commercial Sterilization Facilities source category pursuant to CAA sections 112(f)(2) and 112(d)(6), consisting of both the eight-year residual risk review under section 112(f)(2) and the first technology review of the NESHAP for this source category pursuant to section 112(d)(6).[34] The EPA determined that the MACT standards protected public health and welfare with an ample margin of safety and that any revisions would achieve minimal emissions reductions at high cost, such that no revisions were necessary under CAA section 112(f)(2) or CAA section 112(d)(6). For purposes of the risk review, the EPA relied on evidence and assessments available at that time, including a cancer risk evaluation developed by California EPA that was informed by a prior evaluation developed by the EPA. Since the 2006 RTR, the EPA was subject to a mandatory duty suit in connection with the ongoing obligation to review the standards under CAA section 112(d)(6) but did not seek to revisit the residual risk review until the rulemaking that resulted in the 2024 Final Rule.

In the 2024 Final Rule, the EPA for the first time implemented an interpretation of CAA section 112(f)(2) that allowed the Agency to conduct another residual risk review for this source category and promulgate additional risk-based standards. In doing so, we acknowledged that ''CAA section 112(f)(2) requires only a one-time risk review, which is to be conducted within eight years of the date the initial standards are promulgated.'' [35] However, we also concluded that ''[CAA section 112(f)(2)] does not limit our discretion or authority to conduct another risk review should we consider that such review is warranted.'' [36] The EPA has since revisited the explanation for this interpretation and proposes that it is incorrect for the following reasons.[37]

First, in 2024, the EPA concluded that the CAA authorizes additional, discretionary risk reviews because the statute ''does not *prohibit* the EPA from revisiting standards promulgated under . . . CAA section 112(f)(2).'' [38] However, the EPA did not consider at the time that a limitation on authority must sometimes be inferred from the structure of the provision and surrounding statutory language. ''[W]here Congress includes particular language in one section of a statute but omits it in another section of the same Act, it is generally presumed that Congress acts intentionally and purposely in the disparate inclusion or exclusion.'' [39] Here, Congress enacted a detailed process and timeline for developing and revising HAP emission standards under CAA section 112(d), including the general authority and obligation to promulgate regulations for each listed source category under section 112(d)(1), the development of MACT standards under section 112(d)(2)–(3), the health-threshold and area-source regulatory alternatives under section 112(d)(4) and (5), respectively, and the ongoing obligation to review and revise standards ''as necessary'' every eight years under section 112(d)(6). In contrast, CAA section 112(f) sets out a one-time obligation and authority to conduct a risk review for each source category within eight years of promulgating MACT standards, including a requirement to promulgate additional standards if the MACT standards-setting process did not adequately address residual risk and provide an ample margin of safety. One can infer from the explicit requirement to conduct subsequent technology reviews in CAA section 112(d)(6), and the absence of such a requirement in section 112(f)(2),

[34] 71 FR 17712 (Apr. 7, 2006).

[35] 89 FR 24090 (Apr. 5, 2024).

[36] *Id.*

[37] *See Summary of Public Comments and Responses for Risk and Technology Review for Ethylene Oxide Sterilization Facilities* (February 2024) (2024 Rule RTC) (Document ID No. EPA–HQ–OAR–2019–0178–1595), 229–33.

[38] *Id.* at 229.

[39] *Nken* v. *Holder,* 556 U.S. 418, 430 (2009) (quoting *INS* v. *Cardoza-Fonseca,* 480 U.S. 421, 432 (1987)); *see also Russello* v. *United States,* 464 U.S. 16, 23 (1983).

that Congress did not authorize multiple risk reviews under section 112(f)(2).

Second, the EPA's prior interpretation did not fully consider the overall statutory framework of CAA section 112. ''It is a fundamental canon of statutory construction that the words of a statute must be read in their context and with a view to their place in the overall statutory scheme.'' [40] Here, Congress explicitly set forth a system of recurring technology reviews every eight years under CAA section 112(d)(6) and a one-time risk review under section 112(f). In addition, Congress stated twice in section 112(f)(2) that any required standard must be promulgated within 8 years of promulgating section 112(d) standards.[41] Reading section 112(f)(2) to allow more than one residual risk review that could result in additional risk standards long after the eight-year statutory deadline, in this case twenty years after section 112(d) standards were promulgated in 1994, ''would effectively gut Congress's carefully articulated existing system.'' [42] Moreover, Congress enacted the detailed regulatory scheme in CAA section 112 with the express goal of achieving rapid regulation of the HAP identified in CAA section 112(b) across all relevant source categories.[43] An implied authority to conduct discretionary risk reviews on an ad hoc basis disrupts the statutory scheme by eliminating the finality of residual risk reviews, undermining certainty for regulated industry and the public, and placing certain source categories on a different trajectory from the rest, all without providing a standard for the use of such implied discretion. This approach is also inconsistent with CAA section 112(f) itself, which envisions potential further action from Congress to address residual risk. CAA section 112(f)(1) required the Agency to develop a report on the calculation of residual risk, the impacts of such risk, including the costs of control, and recommendations for further legislation. CAA section 112(f)(2) required the one-time residual risk within eight years only if ''Congress does not act on any recommendation submitted under paragraph (1).'' In this way, CAA section 112 contemplates a one-time residual risk review, followed by ongoing reductions achieved, when ''necessary,'' through the promulgation of additional standards under CAA section 112(d)(6).

Third, the EPA did not appropriately grapple with relevant regulatory history. The 2024 Final Rule, together with a handful of actions issued several months later, marked the first time that the Agency had completed a second, ''discretionary'' residual risk review and imposed corresponding standards under CAA section 112(f)(2). The novelty of this approach presents an additional reason to proceed with caution. In prior actions, including the Benzene NESHAP incorporated by reference into the statute in CAA section 112(f)(2)(B), the EPA had acknowledged that residual risk reviews entail significant uncertainty accounted for, in part, by providing an ample margin of safety, and had not taken the position that follow-on risk reviews under CAA section 112(f)(2) were the appropriate mechanism to address new information. Rather, the EPA has reviewed and revised ''as necessary'' under CAA section 112(d)(6), including by evaluating the cost-effectiveness of potential developments by reference to the nature of the risk posed by the particular HAP at issue (*i.e.,* by accepting higher values for cost-per-ton of emission reduction for extremely dangerous HAP).[44] We propose that contrary statements made in the 2024 Final Rule, including the statement that ''the EPA's discretion to revise prior standards where the statute does not contain limiting language . . . has been implemented without controversy,'' misapprehended the nature of the cited actions and did not account for the mine run of consistent regulatory practice.[45] We further propose that the 2024 Final Rule overread the statement in the 2006 RTR that, in response to a comment suggesting residual risk reviews should account for future uncertainties, the Agency may ''revisit (and revise, if necessary) any rulemaking if there is sufficient evidence'' for doing so, citing to CAA section 301.[46] Read in context, this statement is better understood as a general reference to the EPA's authority to reconsider and revise under CAA section 112(d)(6), which is where the operative term ''necessary'' appears in the statute. In any event, that statement does not stand for the proposition that the Agency anticipated finalizing an entirely new residual risk review and associated standards nearly 20 years later based on a new record and new considerations, nor did it grapple with the text and structure of the statute as we propose to do in this action.

Lastly, the EPA cited CAA section 307(d)(1)(C) as supporting the EPA's authority to conduct a discretionary risk review. The EPA concluded that this provision ''assumes the EPA might review standards set under 112(f)(2) and imposes CAA section 307(d) rulemaking processes on such revisions, when conducted.'' [47] Section 307(d)(1)(C), which references ''the promulgation or revision of . . . any standard under section [112(f)(2)],'' acknowledges that there are situations where section 112(f)(2) standards might be revised, not that the EPA has the discretion to revise such standards when it chooses. For example, the EPA might have to revise a section 112(f)(2) standard as the result of an adverse judicial decision or mandatory administrative reconsideration under CAA section 307(d)(7)(B). Under those scenarios, the EPA would be required to reconsider a prior risk review. However, because the EPA may be required to reconsider and revise section 112(f)(2) standards in certain limited circumstances does not speak to whether the EPA may conduct a discretionary second risk review.

For these reasons, the EPA proposes to find that the CAA does not authorize the discretionary second risk review that the Agency conducted for this source category in 2024. The EPA is therefore proposing to rescind the risk

[40] *West Virginia* v. *EPA,* 597 U.S. 697, 721 (2022) (internal quotations omitted).

[41] *See* CAA sections 112(f)(2)(A) and (C).

[42] *Loving* v. *I.R.S.,* 742 F.3d 1013, 1020 (D.C. Cir. 2014) (finding IRS's regulations of tax preparers to be invalid because, among other factors, the overall statutory framework did not support IRS's interpretation of the statute to encompass authority to regulate those entities); *see also Natural Resources Def. Council* v. *Regan,* 67 F.4th 397, 404 (D.C. Cir. 2023) (''Regardless of how serious the purported problem an administrative agency seeks to address, it may not exercise its authority in a manner that is inconsistent with the administrative structure that Congress enacted into law.'' (citation modified)).

[43] Per CAA section 112(e), Congress required the Agency to promulgate MACT standards for all listed source categories by 2000, with intervening milestones in 1992, 1994, and 1997. Initial source categories and subcategories were to be listed by 1990 under CAA section 112(c). The RTRs for those source categories were to be completed within eight years of the initial standards, meaning that by approximately 2008, all source categories would be regulated under standards that provide an ample margin of safety. The periodic, eight-year technology review under CAA section 112(d)(6) is the only ongoing review-and-revise obligation for a provision consciously designed to achieve protections for the HAPs Congress listed for regulation in the 1990 CAA Amendments.

[44] *See National Emission Standards for Hazardous Air Pollutants: Coal- and Oil-Fired Electric Utility Steam Generating Units: Final Repeal,* 91 FR 9088, 9099 (Feb. 24, 2026) (''2026 MATS Repeal'') (explaining that ''the statutory benchmarks for risk provide relevant guidance on whether additional regulation is 'necessary' under CAA section 112(d)(6)'').

[45] 2024 Rule RTC at 229–33. For example, the EPA cited at that time a prior action to revise new locomotive and engine standards under CAA section 213(a)(5) without acknowledging the substantially different text and structure of that provision. *Id.* Similarly, the EPA cited prior actions to remove standards or revise a MACT floor that did not involve the imposition of new standards under CAA section 112(f)(2). *Id.*

[46] 71 FR 17715–16 (citing 42 U.S.C. 7601).

[47] *See id.*

standards promulgated in the 2024 rule. These standards can be seen in table 3 and are as follows:

- 99.99 percent reduction for new and existing SCVs where EtO use is at least 30 tpy
- 99.9 percent reduction for new and existing SCVs where EtO use is at least 10 but less than 30 tpy
- 99.9 percent reduction for new and existing ARVs where EtO use is at least 30 tpy
- 99.6 percent reduction for existing ARVs where EtO use is at least 10 but less than 30 tpy
- 99.9 percent reduction for area source CEVs where EtO use is at least 60 tpy
- 98 percent reduction for new and existing Group 1 room air emissions where EtO use is at least 40 tpy
- 98 percent reduction for new and existing Group 2 room air emissions where EtO use is at least 20 tpy
- 80 percent reduction for new and existing Group 2 room air emissions where EtO use is at least 4 but less than 20 tpy

After the proposed removal of these risk-based standards, affected sources would be required to comply with their section 112(d)(2) and (3) or 112(d)(5) standards; if such standards have been revised pursuant to section 112(d)(6), affected sources would comply with their section 112(d)(6) standards. Additionally, the EPA proposes that for existing source Group 2 room air emissions, facilities may choose to comply with either the existing source standard (lower EtO concentration to 1 ppm before opening the aeration chamber) or the new source standard (80 percent reduction of EtO). The EPA is proposing this change to address concerns that the existing source standard may impact the supply chain of medical equipment. Table 3 above identifies the applicable standards for these affected sources with the removal of the section 112(f)(2) standards.

The proposed amendments would remove the EtO-usage based subcategories that resulted from the section 112(f)(2) standards, and facilities that would have been subject to those standards would instead be subject to the appropriate subcategories as promulgated by the 2024 Final Rule under section 112(d)(2), (3), (5), or (6). For instance, for both new and existing SCVs, EtO use categories for facilities where EtO use is at least 30 tpy, and for facilities where EtO use is at least 10 tpy but less than 30 tpy under CAA section 112(f)(2), would also be removed in conjunction with the proposed rescission of section 112(f)(2) standards. As a result, these facilities will all be in the subcategory of facilities where EtO use is at least 10 tpy. Similarly, for new and existing ARVs, with the removal of subcategories established under section 112(f)(2) for facilities where EtO use is at least 30 tpy and facilities where EtO use is at least 10 tpy but less than 30 tpy, these facilities would all comprise a single subcategory of facilities where EtO use is at least 10 tpy.

Additionally, area sources of CEVs, Group 1 room air emissions, existing Group 2 room air emissions, and new Group 2 room air emissions would each have a single standard rather than different risk-based standards due to subcategorization based on a facility's EtO use under section 112(f)(2). The EPA is proposing amendments to the applicable standards in tables 1 to 5 to subpart O of part 63 to address these changes. The EPA is soliciting comment on the proposed removal of the CAA section 112(f)(2) emission standards and all related questions of statutory interpretation, including any additional regulatory history or case law bearing on the best reading of CAA section 112 and the Agency's rationale for changing the position taken in the 2024 Final Rule and related actions (Question 2).

Separate from the EPA's position on the Agency's authority to conduct a second CAA section 112(f)(2) risk review described above, we are proposing that significant uncertainties regarding the magnitude of EtO's carcinogenic potency, particularly at low concentrations, would be an additional reason for rescinding the EtO standards in the 2024 Rule and seeking detailed comment on this issue from interested stakeholders. Specifically, we propose that it would not be appropriate to rely on the 2016 EtO IRIS value in setting standards. If this position is finalized, the EPA would evaluate as necessary and appropriate in future regulatory actions other EtO risk values, ranges, or additional means to assess risk when relevant to the statutory scheme.

Because such comment submissions will be essential to informing whether this proposed rationale is an appropriate basis for taking final action, we request that interested stakeholders provide relevant data, studies, and analyses to support any claims made about the adequacy or inadequacy of the 2016 EtO IRIS value and any alternative values the commenter believes would be more appropriate and consistent with the statutory framework. If commenters believe a range or multiple potential values would be appropriate or wish to opine on the breadth of the Agency's discretion to select among values, we ask that the commenter support such assertions with appropriate citations. Although the EPA will respond to all significant comments received, we view such information as critical to ensuring that the record reflects all perspectives and relevant information given the highly technical nature of issue and the breadth of potentially relevant scientific and other literature.

The EPA previously acknowledged that uncertainties regarding the magnitude of EtO's carcinogenic potency could materially affect risk estimates, thereby substantially informing the risk evaluation as a whole and any resulting standards. As discussed in a 2019 technical memorandum,[48] the EPA identified two key sources of uncertainty in the 2016 EtO IRIS value: dose-response model selection and the use of the statistical upper confidence limit. Regarding the former, during the development of the 2016 EtO IRIS value, the EPA considered many different dose-response models to describe the available lymphoid cancer data. Several of these models, including the one the EPA ultimately selected, fit the exposure data well. However, the EPA estimated that choosing one of the alternative viable models could have resulted in an EtO IRIS value up to two times lower than the final 2016 EtO IRIS value. Regarding the latter, while the EPA chose to focus on the statistical upper confidence limit of the cancer value, the Agency later estimated that using the statistical central estimate instead could have resulted in an EtO IRIS value up to three times lower than the final value. The technical memo concluded that, if combined, these two factors could have resulted in an EtO IRIS value that was up to five times lower (*i.e.,* EtO is five times safer than the 2016 EtO IRIS value provided). The analysis in the technical memorandum demonstrates that both model selection and the underlying cancer data (in this case epidemiological studies of cancer in humans exposed to EtO) can greatly influence the resulting risk estimate. It is important to note that the analysis in the technical memorandum relies entirely on results and equations presented in the final EtO IRIS assessment, which was peer reviewed by EPA's Science Advisory Board.

The EPA recognizes that the Agency defended its use of the 2016 EtO IRIS value in *Huntsman Petrochemical LLC*

[48] Sensitivity of Ethylene Oxide Risk Estimates to Dose-Response Model Selection. Memorandum drafted by EPA's Office of Research and Development, docketed in the Miscellaneous Organic Chemical Manufacturing NESHAP Proposed Rule, 84 FR 69182 (Dec. 17, 2019).

v. *EPA*.[49] In that case, industry groups challenged the EPA's 2020 Miscellaneous Organic Chemical Manufacturing NESHAP (MON) rule[50] and the EPA's 2022 reconsideration of that rule.[51] The main issues raised in industry's reconsideration petition and the resulting consolidated litigation were whether the EPA acted reasonably in using the 2016 EtO IRIS value and rejecting the Texas Commission on Environmental Quality's (TCEQ) alternative value. Industry challenged numerous technical decisions made by the EPA in the course of developing the 2016 EtO IRIS value, including but not limited to, model selection and choice of underlying epidemiological studies and exposure estimates.[52] Ultimately, the U.S. Court of Appeals for the D.C. Circuit denied the petitions for review of the 2020 MON Rule and the 2022 reconsideration, finding that Petitioners failed to show that EPA had acted arbitrarily and capriciously in using the 2016 EtO IRIS value.[53]

While the EPA defended its use of the 2016 EtO IRIS value in the 2020 MON rule and subsequent reconsideration action, the Agency acknowledged at the time it issued the rule that significant uncertainties remained regarding the magnitude of EtO's carcinogenic potency, as discussed above. It is known that EtO can be produced within the body (endogenously) via normal metabolic processes and that tobacco smoke is a source of EtO exposure. However, the EPA recognized that uncertainties remained regarding the quantity and relative contribution of endogenous, tobacco smoke, and background EtO levels from non-industrial sources. Furthermore, the EPA recognizes that new empirical data may trigger a need to reevaluate toxicity values. For example, prior to 2016, the EPA used a toxicity value derived in 1985 to estimate the cancer risk from EtO and, in rulemakings including the 2006 RTR for the Commercial Sterilization Facilities NESHAP, used assessments that were informed by and built upon that value (including an analysis issued by the California EPA). Such values reflected the best evidence available at that time, but newer epidemiological studies later prompted both the EPA and TCEQ to produce updated assessments.[54] Since the EPA defended the use of the 2016 EtO IRIS value in *Huntsman,* new scientific evidence has continued to emerge.[55] [56] While it is not entirely clear how many new studies or methodological advancements have developed in recent years, given the sensitivity of EtO risk estimates at low concentrations to both model selection and the underlying cancer data, it is plausible that any new information could change the EPA's understanding of EtO's carcinogenic potency. Therefore, the EPA is proposing that the significant uncertainties in the 2016 EtO IRIS value are an additional reason to support reconsideration and repeal of the 2024 Final Rule, separate and apart from the limits on our authority to conduct a residual risk review under CAA section 112(f)(2), and seeking detailed comment on that issue as indicated throughout this section.

Specifically, the EPA is soliciting comment on any new information related to the underlying cancer data, such as epidemiological studies of cancer in humans exposed to EtO or advancements relevant to analyzing the relationship between occupational human exposure to EtO and the development of cancer not yet considered by the Agency (Question 3). Given the acknowledged impact of model selection, the EPA is also soliciting comment on any new or updated information relevant to dose-response model selection such as consideration of statistical analyses, visual model fit, or biological plausibility (Question 4). Further, the EPA is soliciting comment on any new or updated studies on human exposure to EtO, including information on occupational, smoking, background, or endogenous exposures not yet considered by the Agency (Question 5). The EPA anticipates that such information would be useful for updating the Agency's understanding of EtO exposure and toxicity and determining whether the 2016 EtO IRIS value remains suitable for estimating risk to inform regulatory decision-making. Finally, acknowledging that the EPA has received additional comments on the 2016 EtO IRIS value in the context of other rulemaking proposals issued after the 2024 Commercial Sterilizers final rule, the EPA is soliciting comment on the information provided in those comments; this includes information provided by commenters in the context of the more recent proposed Chemical Manufacturing Area Sources NESHAP (January 22, 2025) (see Docket ID EPA–HQ–OAR–2024–0303, comment numbers 0060, 0061, 0068, 0076, and 0079) (Question 6). As noted previously, we ask that commenters support claims with respect to the 2016 EtO IRIS value, any alternative value, or any alternative range or approach to determining risk with relevant data, studies, analyses, and other citations that the commenter believes should be considered in tandem with, or instead of, the previously recognized uncertainties in the IRIS methodology.

B. What changes are we proposing for the CAA section 112(d)(6) standards, and what is the rationale for those decisions?

The 2024 Final Rule also included a technology review pursuant to CAA section 112(d)(6) for the Commercial Sterilization Facilities source category that resulted in revisions to certain standards. Among these revisions were emission standards for both new and existing ARVs at facilities where EtO use is at least 10 tpy. The standard for new ARVs at facilities using at least 10 tpy of EtO was 99.9 percent reduction, and the standard for existing ARVs at facilities using at least 10 tpy of EtO was 99.6 percent reduction. The EPA established the new source standard based on the conclusion that it achieved greater reduction and was more cost-effective than the two options considered (the other option being 99.6 percent reduction). The EPA set the existing source standard at a level that the Agency determined to be achievable by all sources.[57]

The EPA continues to believe that the standard for existing ARVs at facilities using at least 10 tpy of EtO is reasonable. The data provided by industry when developing the 2024 Final Rule demonstrates that 75 percent of facilities already achieve 99.6 percent reduction, and 50 percent already achieve 99.9 percent reduction of EtO from ARVs, demonstrating for purposes

[49] 114 F.4th 727 (D.C. Cir. 2024).

[50] 85 FR 49,084 (Aug. 12, 2020).

[51] 87 FR 77,985 (Dec. 21, 2022).

[52] *See Huntsman,* 114 F.4th at 737–40.

[53] *Id.* at 742.

[54] Both the 2016 EtO IRIS and the 2020 EtO TCEQ assessments have undergone expert peer review by authoritative bodies. *See* Science Advisory Board (SAB). 2015. *Science Advisory Board Review of the EPA's Evaluation of the Inhalation Carcinogenicity of Ethylene Oxide (Revised External Review Draft—August 2014).* EPA–SAB–15–012.; and National Academies of Sciences, Engineering, and Medicine. 2025. Review of Texas Commission on Environmental Quality's Ethylene Oxide Development Support Document. Washington, DC: The National Academies Press.

[55] Kelly-Reif K., Bertke S.J., Stayner L., Steenland K. Exposure to Ethylene Oxide and Relative Rates of Female Breast Cancer Mortality: 62 Years of Follow-Up in a Large US Occupational Cohort. Environ Health Perspect. 2025 May;133(5):57013. doi: 10.1289/EHP15566. Epub 2025 May 22. PMID: 40168621; PMCID: PMC12097532.

[56] Valdez-Flores C, Li A.A., Bender T.J., Teta M.J. Use of updated mortality study of ethylene oxide manufacturing workers to inform cancer risk assessment. Risk Anal. 2025 Sep;45(9):2822–2837. doi: 10.1111/risa.70057. Epub 2025 Jun 3. PMID: 40458005; PMCID: PMC12474530.

[57] 89 FR 24090 (Apr. 5, 2024).

of relevant considerations under CAA section 112(d)(6) that the enhanced standard is reasonable and properly considered ''necessary'' as a revision.[58] However, for the reasons explained below, the EPA is proposing to amend the standard for new ARVs at facilities using at least 10 tpy of EtO to 99.6 percent reduction.

During the development of the 2024 Final Rule, for new ARVs at facilities where EtO use is at least 10 tpy, the EPA evaluated the cost-effectiveness of two options: 99.6 percent EtO reduction and 99.9 percent reduction.[59] When preparing cost-effectiveness calculations for new sources, the EPA based the calculations on a model plant for new ARVs reflecting the average number of ARVs, EtO use, and operating hours as an existing facility.[60] This resulted in the following cost-effectiveness values for the two options: $2.2 million per ton at a 99.9 percent EtO reduction and $2.6 million at a 99.6 percent EtO reduction. As a result, the EPA promulgated the 99.9 percent EtO reduction standard for new ARVs at facilities where EtO use is at least 10 tpy because it would achieve greater emission reductions and be more cost-effective than a 99.6 percent reduction standard.[61] However, upon reconsideration, the EPA realizes that our cost-estimate approach did not accurately reflect the costs of new ARVs installed at existing facilities. Specifically, the EPA did not consider that, under the 99.6 percent reduction option, which would result in the same standards for both new and existing ARVs, a new ARV could share and make use of ductwork, control devices, and other existing infrastructure for the ARVs already in place at the facility; therefore, the expected capital and annual costs for the 99.6 percent reduction option would be much lower than the estimate in the 2024 Final Rule. Sharing controls would also reduce the amount of auxiliary fuel burned in combustion-type control devices. Further, it is common practice for facilities to share ductwork or control devices across multiple sources, and the 99.6 percent reduction option, which would result in a single standard for both new and existing ARVs at facilities using at least 10 tpy of EtO, has the benefit of allowing facilities to share infrastructure, streamline facility operations, and reduce costs.

For the reasons explained above, the EPA is proposing to change from 99.9 to 99.6 percent reduction for new ARVs at facilities with EtO use of at least 10 tpy, resulting in a single uniform standard for both new and existing ARVs at these facilities. This standard reflects the level already achieved by 75 percent of ARVs for which the EPA has data. The EPA is soliciting comment on this proposed emission standard, the approach by which the EPA arrived at this decision, and data regarding the costs of installing ARVs at existing facilities versus new facilities (Question 7).

Additionally, some industry representatives have suggested that the ARV standards be based on manufacturer guaranteed levels for emission reductions. This issue was also raised during the rulemaking that led up to the 2024 Final Rule.[62] At that time, industry concerns regarding this topic were focused on the requirement to use CEMS for demonstrating compliance. However, as discussed in the following section of this document, the EPA is proposing to revise the standards so that the use of CEMS is no longer mandatory. In any case, while the EPA is significantly concerned about setting standards more stringent than manufacturer certifications, the Agency does not have data on the manufacturer's guaranteed levels for reducing ARV emissions. As such, the EPA is also soliciting comment on whether there is still a concern that would necessitate considering setting ARV standards based on manufacturer guaranteed levels and, if so, what the manufacturer guaranteed level of EtO reduction is for ARVs (Question 8).

C. What changes are we proposing for initial and continual compliance with the emission reduction standards, and what is the rationale for those decisions?

The 2024 Final Rule requires compliance demonstration using EtO CEMS for all facilities except those using less than 100 lb/year ''because risk remains at acceptable levels for these facilities even when considering uncontrolled emissions.'' [63] The 2024 Final Rule allows these facilities with ''acceptable [risk] levels'' the option of using either parametric monitoring and performance testing or CEMS to demonstrate compliance with the promulgated emission standards. The EPA acknowledged that ''in the majority of instances, parametric monitoring is used to good effect as an ongoing means of ensuring that the control devices continue to get necessary emission reductions.'' [64] The EPA is proposing to provide all facilities, including those using at least 100 lb/yr of EtO, the option of using either parametric monitoring and performance testing or CEMS to demonstrate compliance for the following reason.

Under the 2024 Final Rule, whether EtO CEMS is required is based on facility risks, which were derived from a second residual risk assessment the EPA conducted for this source category under CAA section 112(f)(2). However, for the reasons explained in section III.A of this preamble, the EPA is proposing that CAA section 112(f)(2) does not authorize the EPA to conduct a second residual risk review and promulgate associated risk-based standards when the RTR has already been completed and the ongoing review-and-revise obligation and authority arises only under CAA section 112(d)(6). Because the EtO CEMS requirement was based on the results of an unauthorized second residual risk assessment and risk-based standards-setting for this source category, the EPA is proposing to amend the 2024 Final Rule to remove EtO CEMS as a requirement for facilities using at least 100 lb/yr of EtO and instead allow all facilities, regardless of the amount of EtO used, the option to choose between parametric monitoring or CEMS for demonstrating compliance. As proposed, both demonstration options would be available for all facilities. The EPA thus proposes revisions to 40 CFR 63.363(a), (b), (d), (e), and (f)(2) and to 63.365(a), (b), (c), and (d) to allow initial and continuous compliance with annual performance testing and parameter monitoring, and to allow EtO CEMS as an alternative compliance option. The EPA is soliciting comment on allowing all facilities the option to choose between parametric monitoring or CEMS for demonstrating compliance (Question 9).

In addition, the EPA is proposing amendments to the parametric monitoring provisions in the 2024 Final Rule. In reconsidering the compliance demonstration requirements in the 2024 Final Rule, the EPA noticed that the parametric monitoring provisions, which were promulgated in the original Commercial Sterilization Facilities NESHAP in 1994, with technical corrections in the 2001 amendments, do not reflect the current understanding of air pollution control devices (APCDs) or the sterilization process(es). The EPA is

[58] Although rates of achievement by individual sources are often an indicator that revisions to a standard are ''necessary,'' that is not always the case, particularly when the costs of controls are very high and the remaining risks are very low. *See, e.g.,* 2026 MATS Repeal, 91 FR 9088 (Feb. 7, 2026).

[59] For a detailed discussion of cost-effectiveness, see section III.F.3 of the 2023 proposal preamble, 88 FR 22790 (Apr. 13, 2023).

[60] 88 FR 22790 (Apr. 13, 2023).

[61] 88 FR 22841 (Apr. 13, 2023).

[62] 88 FR 24090 (Apr. 5, 2024).

[63] 89 FR 24132 (Apr. 5, 2024).

[64] *Id.*

thus proposing to update the monitoring parameters for APCDs in 40 CFR 63.361, 63.363(c), and 63.364(b), (c), and (d). In addition, the EPA is proposing revisions to the procedures for establishing operating parameter limits during the performance test in 40 CFR 63.365(e). The EPA is also proposing clarifying language that describes where the performance testing should be conducted in 40 CFR 63.365(b)(1), providing for the myriad of APCD configurations expected from this source category. The proposed amendments for parametric monitoring are described in the following paragraphs.

For those facilities that use acid-water scrubbers, thermal oxidizers, catalytic oxidizers, gas-solid reactors, or other control devices, the EPA is proposing they demonstrate compliance with the emission reduction standard through initial and annual performance testing and establish parametric operating limits. The EPA is also proposing to allow continuous compliance through parametric monitoring using a continuous parametric monitoring system. The EPA is proposing that facilities must determine compliance with the operating limits continuously on a 1-hour block basis instead of the current 3-hour block. Sterilization is an irregular process where the EtO emissions may fluctuate greatly with different steps in the process, some of which are less than three hours. Longer averaging times could mask how the emission controls operate and achieve the required control efficiency during operational periods immediately before or after higher EtO loading to the control devices (*e.g.,* during SCV exhaust cycles).

For facilities that use an acid-water scrubber, the current monitoring parameters are ethylene glycol concentration, scrubber liquid tank level, and scrubber liquid pH. Based on EPA's current understanding of acid-water scrubbers, the EPA believes that scrubber liquid-to-gas ratio and scrubber liquid temperature are more accurate indicators of compliance than ethylene glycol concentration and scrubber liquor tank level. The EPA believes this because they are direct indicators that EtO will be captured in the scrubbing columns and the parameters can be monitored in real-time to ensure continuous operation. The EPA is therefore proposing to require continuous monitoring of scrubber liquid-to-gas ratio, scrubber liquid temperature, and scrubber liquid pH. The Agency is proposing that during each annual performance test, the owner or operator determines the average scrubber liquid-to-gas ratio, average inlet scrubber temperature, and average scrubber liquid pH. The EPA is proposing these parameter test averages would be the operating limit for the minimum scrubber liquid-to-gas ratio, maximum temperature of the scrubber liquid, and the maximum scrubber liquid pH.

For facilities that use thermal oxidizers, the current monitoring parameter in the rule is the temperature in or immediately downstream of the firebox. The EPA is proposing to require continuous monitoring of the combustion chamber temperature and flue gas flow rate. First, the Agency is proposing to replace the term ''firebox'' with ''combustion chamber'' as the latter is a more commonly used term in the industry. Second, the EPA is proposing monitoring the combustion chamber temperature (instead of allowing the option of monitoring immediately downstream) at a location designated by pollution control manufacturers to ensure proper control and operation. Third, the Agency is also proposing to monitor flue gas flow rate. The flue gas flow rate provides an indication of the thermal oxidizer residence time, which is a critical operating parameter because it will ensure proper flow rate through the thermal oxidizer is being maintained to ensure the continued removal efficiency of any EtO in the sample stream sent to the oxidizer. The EPA is proposing that during each annual performance test facilities determine the average combustion chamber temperature and average flue gas flow rate. The EPA is proposing these parameter test averages would be the operating limit for the minimum combustion temperature and maximum flue gas flow rate.

For facilities that use a catalytic oxidizer, the current parameters are the temperature at the inlet to the catalyst bed and the temperature difference across the catalyst bed, which requires monitoring the inlet temperature to the catalyst bed and the outlet temperature to the catalyst bed. The EPA is proposing to also require continuous monitoring of flue gas flow rate. The flue gas flow rate parameter would provide an indication of the catalytic oxidizer residence time, which is a critical operating parameter because it will ensure that proper flow rate through the catalytic oxidizer is being maintained to ensure the continued removal efficiency of any EtO in the sample stream sent to the oxidizer. Thus, the Agency is proposing to require continuous monitoring of the inlet and outlet temperatures and flue gas flow rate. The EPA is proposing that during each annual performance test, facilities determine the average inlet temperature to the catalyst bed, the average temperature difference between the inlet and the outlet of the catalyst bed, and average flue gas flow rate. The EPA is proposing these parameter test averages would be the operating limit for the minimum temperature at the inlet to the catalyst bed, the minimum temperature difference across the catalyst bed, and the maximum flue gas flow rate.

For facilities that use a gas-solid reactor, the current parameters include bed media analysis (*i.e.,* sample the bed media and analyze for activity) and the pressure drop across the media beds. In its place, the EPA is proposing that facilities must determine the average pressure drop across the reactor during each annual performance test and for this test average to be the operating limit for the maximum gas-solid reactor pressure drop. The EPA is also proposing that when a gas-solid reactor is used as the last air pollution control device prior to exhausting to the atmosphere, facilities must determine the EtO average mass emission sent to the pollution control and the outlet flow rate during the annual performance test. Using this information and the applicable emission reduction standard, facilities must calculate the upper gas-solid reactor outlet EtO concentration operating limit. The EPA is also proposing that compliance with the outlet EtO concentration operating limit must be measured and recorded weekly. Compared to the current media analysis, this proposed parameter monitoring provides a direct assessment of ongoing performance and will ensure that the control device is optimized, and that the applicable emission reduction standard is being met by meeting the set operating limit.

To maximize flexibility in conducting parametric monitoring, the 2024 Final Rule allows facilities to apply to the EPA Administrator for approval of alternative monitoring requirements for the typical APCDs. The EPA is proposing to provide the requirements to be included in the application for alternative monitoring parameters in 40 CFR 63.365(e)(6).

For those facilities using performance testing and a control device other than acid-water scrubbers, catalytic or thermal oxidizers, or gas-solid reactors, the 2024 Final Rule requires that facilities must establish operating limits and appropriate monitoring parameters that are approved by the EPA Administrator for that specific control device. In this action, the EPA is proposing that facilities must develop a

monitoring plan for their chosen continued compliance option (parametric monitoring or CEMS); see proposed rule text in 40 CFR 63.364(a)(6) and (7).

The EPA is proposing to update the reporting and recordkeeping requirements of the Commercial Sterilization Facilities NESHAP in 40 CFR 63.366 and 63.367 to reflect the revised parametric monitoring discussed above. As required by the 2024 Final Rule, if there are deviations from the established operating parameter limits, facilities must report the deviation in the quarterly compliance report. Facilities must take corrective actions to minimize emissions and return the unit to normal operations. If the established operating parameters cannot be met after the corrective action, the facility must reset the operating parameters with a performance test.

The EPA is soliciting comment on these proposed changes to the performance testing, parametric monitoring, and reporting requirements (Question 10).

D. What changes are we proposing to PTE requirements, and what is the rationale for those actions?

The EPA is proposing to rescind the requirement to use PTE to ensure capture of EtO to comply with the emission reduction standards. In the 2024 Final Rule, the EPA finalized requirements to operate PTE in accordance with the requirements of Method 204 as a compliance assurance measure. In the proposal to the 2024 Final Rule, the EPA noted that these requirements were ''consistent with what has been applied to many of the commercial sterilizers that have installed PTEs, through permit conditions.'' [65] In this reconsideration, we are reevaluating this approach. Based on our review of state permits for sterilization facilities, we note that some permits require PTE while others do not. We further note that configuration and design of sterilization facilities vary widely. The above observations suggest that whether PTE would be necessary to assure compliance with an emission standard could depend on a facility's design and configuration. The EPA has historically left such case-by-case reviews of facility design to the states to decide as part of their permitting process.

The EPA is proposing in the alternative to rescind the requirement for PTE on the following bases. First, we propose that the EPA did not account for the impacts of facilities shutting down due to this variation. If the facility is unable to establish a PTE and meet the other requirements, then the facility would be required to shut down thus significantly raising the costs and making it not cost-effective to establish PTE. The feasibility of PTE has been raised by stakeholders over time with respect to this NESHAP, and we seek comment on this potential alternative basis (Question 11).

Second, the EPA is proposing in the alternative that the PTE requirement is not compelled by the D.C. Circuit's decision in *Louisiana Environmental Action Network* v. *Environmental Protection Agency* (*LEAN*),[66] meaning that, at minimum, the Agency has discretion whether to remove the PTE requirement as a compliance mechanism. In previous rules, the EPA has stated or suggested that *LEAN* requires the Agency, as part of the technology review process under CAA section 112(d)(6), not only to regulate previously unregulated pollutants, but also to prescribe additional standards for already regulated pollutants emitted in a manner (*i.e.,* from points or fugitive) not expressly contemplated under the existing standards. In *LEAN,* the D.C. Circuit discussed its view of the Agency's obligation to regulate previously unregulated (*i.e.,* unaddressed) pollutants when conducting a technology review and revising standards ''as necessary'' under CAA section 112(d)(6). In context, the court analyzed the statute with respect to, and referred specifically to, different types of air toxics (*i.e.,* previously regulated and previously unregulated pollutants).[67] In certain actions since that decision, however, the EPA has sometimes suggested that this holding includes not only previously unregulated pollutants, but also additional emission points within an already regulated source (*e.g.,* an additional point or fugitive) that emit pollutants already captured by the NESHAP. We now propose to clarify that when conducting a CAA section 112(d)(6) review, the EPA is not obligated under the interpretation adopted in *LEAN* to prescribe particular standards for emission points with respect to pollutants already regulated under the NESHAP. If finalized, this proposed position would mean that the EPA's rationale for adopting the PTE requirement—*i.e.,* that such a requirement was necessary to assure compliance with additional standards mandated by *LEAN*—is no longer operative, and we would decline to adopt such a requirement as a discretionary matter for the reasons discussed previously. The EPA requests comments on all aspects of these alternative proposals, including with respect to the scope of the interpretation adopted by the D.C. Circuit in *LEAN* and the scope of the Agency's obligation and statutory authority to impose additional standards under the CAA section 112(d)(6) process for particular emission points not previously regulated (Question 12).

In light of the above, we propose to rescind the requirement to use PTE as a compliance assurance measure. The proposed change would not affect the permitting process for any state, which could continue to decide on a case-by-case basis, deferring to States to make the determination as States are in better positioned to determine whether PTE is required for any given sterilization facility. We solicit comment on this approach (Question 13).

E. What technical corrections and amendments to the Commercial Sterilization Facilities NESHAP are we proposing, and what is the rationale for those actions?

After the publication of the 2024 Final Rule, the EPA discovered, through internal reassessment of the regulatory text and through communications with stakeholders, erroneous cross-references and typographical errors within the regulatory text. Through those same processes, the EPA also identified erroneous language in the regulatory text (or in some cases, erroneous omissions) requiring minor wording changes to conform with the 2024 Final Rule preamble and other parts of the regulatory text. The technical corrections and amendments identified here in subsection III.E.1 of this preamble are separate from the proposed substantive changes that resulted from reconsideration; the proposed technical changes and amendments address unintended errors in the 2024 Final Rule. The EPA is proposing these corrections and clarifications to the regulatory text so that the regulated community can rely on regulatory text that is accurate and complete and avoid confusion about how to comply with the Commercial Sterilization Facilities NESHAP. This action addresses the technical errors in the 2024 Final Rule identified to date by stakeholders and the EPA.

[65] *See* 88 FR 22819 (Apr. 13, 2023).

[66] 955 F.3d 1088 (D.C. Cir. 2020)

[67] *See id.* at 1096.

1. Technical Corrections to the Commercial Sterilization Facilities NESHAP

a. Cross-Reference and Typographical Errors

Following promulgation of the 2024 Final Rule, both the EPA and stakeholders identified inadvertent errors in the regulatory text of the Commercial Sterilization Facilities NESHAP, including cross-reference and typographical errors. Table 4 includes the section and paragraph of each identified error, the corrections being proposed in this action, and the reasoning for the corrections. The EPA is not soliciting comment on these corrections.

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Table 4. Cross-Reference and Typographical Technical Corrections to 40 CFR part 63, subpart O

Section and paragraph	Proposed technical correction and reason for change
63.361 Continuous monitoring system (CMS)	a. Replace "samples" with "sample" to correct an inadvertent typographical error; b. Replace "evaluates" with "evaluate" to correct an inadvertent typographical error; and c. Replace "computes and records" with "compute and record" to correct an inadvertent typographical error.
63.361 Sterilization operation	a. Replace "chamber exhaust vent" with "CEV" to correct an inadvertent typographical error; and b. Replace "aeration room vent" with "ARV" to correct an inadvertent typographical error.
63.362(i) introductory text	a. Replace "affected source" with "affected sources" to correct an inadvertent typographical error; and b. Replace "as" with "a" to correct an inadvertent typographical error.
63.362(i)(1) introductory text	Replace "mass inlet" with "inlet mass" to correct an inadvertent typographical error.
63.362(i)(1), equation 1	Replace "Equation 1 to paragraph (i)(2)(i)" with "Equation 1 to paragraph (i)(1)(i)" to correct an inadvertent typographical error.
63.362(i)(2) introductory text	Add "the" between "determine" and "30-operating" to correct an inadvertent typographical error.
63.362(i)(2)(i), equation 2	a. Add ", in decimal format," between "subpart" and "to"; and b. Replace "equation 10 in § 63.364(f)(1)(i)(C)(*1*)" with "equation 7 in § 63.364(f)(1)(i)(C)(*1*)" to correct an inadvertent cross-reference error.
63.362(i)(2)(ii)	Add "in" between "calculated" and "paragraph" to correct an inadvertent typographical error.
63.362(j)(1)(i), equation 3	Replace "equation 11 of § 63.364(i)(2)" with "equation 8 of § 63.364(i)(2)" to correct an inadvertent cross-reference error.
63.362(j)(1)(ii)	Add "The term "$E_{o,i}$" as used in this equation is equivalent to the term "E_{30day}" as designated in equation A-3." After "to this subpart." to correct in inadvertent omission of text.
63.362(j)(1)(iii)	a. Add "$_{Fac}$" as a subscript to SWEL in "below the SWEL" to correct an inadvertent typographical error; and b. add "in"

	between "calculated" and "paragraph" to correct an inadvertent typographical error.
63.362(j)(2)(i), equation 5	a. Replace "tables 1 through 5 of this subpart" with "tables 2 through 5 of this subpart" to correct an inadvertent cross-reference error; and b. Replace "equation 10 in § 63.364(f)(1)(i)(C)(*1*)" with "equation 7 in § 63.364(f)(1)(i)(C)(*1*)" to correct an inadvertent cross-reference error.
63.363(a)	Add "(PS 19)" after "Performance Specification 19" to correct an inadvertent typographical error.
63.363(b) introductory text	a. Change paragraph designation to "63.363(e)"; and b. Replace "part 40 of this chapter" with "part 60 of this chapter" to correct an inadvertent cross-reference error.
63.363(c) introductory text	Change paragraph designation to "63.363(b)".
63.363(d)	Change paragraph designation to "63.363(c)".
63.363(d)(1)	a. Change paragraph designation to "63.363(c)(1)"; and b. Replace "§ 63.365(d)(1)" with "§ 63.365(d)" to correct an inadvertent cross-reference error.
63.363(e)	Change paragraph designation to "63.363(d)".
63.363(f)(2)	Replace "§ 63.365(d)(1)" with "§ 63.365" to correct an inadvertent cross-reference error.
63.364(f)(1)(i)(A)(*1*) introductory text	Replace "M_c" with "$M_{SCV,n}$" to correct an inadvertent typographical error.
63.364(f)(1)(i)(B) introductory text	a. Replace "f" with "f_{det}" to correct an inadvertent typographical error; and b. Replace "equation 8 to this paragraph" with "equation 3 to this paragraph" to correct an inadvertent cross-reference error.
63.364(f)(1)(i)(B), equations 3 and 4	a. Replace "f" with "f_{det}" to correct an inadvertent typographical error; and b. Replace "equation 11 of § 63.364(i)(2)" with "equation 6 of § 63.364(i)(2)" to correct an inadvertent cross-reference error.
63.364(f)(1)(i)(C)(1), equation 5	Replace "f" with "f_{det}" to correct an inadvertent typographical error.
63.364(f)(2)(iv)(D)	Replace "paragraph (f)(2)(I)(C) of this section" with "paragraph (f)(2)(iv)(C) of this section" to correct an inadvertent cross-reference error.
63.364(h) introductory paragraph	a. Replace "EtO sterilization" with "sterilization" to correct an inadvertent typographical error; and b. Add "end-cycle EtO" between "chamber" and "concentration" to correct an inadvertent typographical error.
63.364(h)(1) introductory text	Delete "of" to remove an inadvertent typographical error.
63.364(h)(2) introductory text	a. Replace "chamber" with "sterilization chamber end-cycle" to correct an inadvertent typographical error; and b. Replace "calibrations" with "concentrations" to correct an inadvertent typographical error.
63.364(i)(1)	Replace "§ 63.365(c)(1)(i) and (ii)" with "§ 63.365(c)(1)(i) or (ii)" to correct an inadvertent cross-reference error.
63.365(b)(5)(i)(C)	Replace "if" with "of" to correct an inadvertent typographical error.

[Previously Redesignated 63.365(b)(5)(i)(C) to 63.365(b)(6)(i)(C)]	
63.365(b)(6), equations 2 and 3 [Previously Redesignated 63.365(b)(6) to 63.365(b)(7)]	a. Replace "$M_{APCD, i}$" with "$M_{APCD,in}$" to correct an inadvertent typographical error; b. Replace "Qi" with "Q_i" to correct an inadvertent typographical error; and c. Replace "$E_{APCD, o}$" with "$E_{APCD,o}$" to correct an inadvertent typographical error.
63.365(c)(2), equation 6	Replace "f" with "$f_{default}$" to correct inadvertent typographical error.
63.365(e)(3)(i)	Replace "correction" with "corrective" to correct an inadvertent typographical error.
63.366(b)(5)(vi)	Replace "or with" with "or in accordance with SWEL in" to correct an inadvertent typographical error.
63.366(b)(7)	Replace "§ 63.362(h)" with "§ 63.364(h)" to correct an inadvertent cross-reference error.
63.366(c)(1)	Add "to be" between "needs" and "reported" to correct an inadvertent typographical error.
63.366(c)(3)	Replace "then" with "the" to correct an inadvertent typographical error.
63.366(c)(5)	Replace "paragraphs (b)(5)(i) through (vi) of this section" with "paragraphs (b)(5)(i) through (vii) of this section" to correct an inadvertent cross-reference error.
63.366(c)(7)	Replace "§ 63.362(h)" with "§ 63.364(h)" to correct an inadvertent cross-reference error.
63.366(d)(1)(ii)	Replace "paragraphs (b)(2) and (3) of this section" with "paragraphs (d)(2) and (3) of this section" to correct an inadvertent cross-reference error.
63.366(d)(2)	Replace "paragraph (b)(3) of this section" with "paragraph (d)(3) of this section" to correct an inadvertent cross-reference error.
63.366(d)(3) introductory text	Replace "paragraph (b)(3) of this section" with "paragraph (d)(3) of this section" to correct an inadvertent cross-reference error.
63.366(d)(3)(i)(A)	Replace "paragraph (b)(2) of this section" with "paragraph (d)(2) of this section" to correct an inadvertent cross-reference error.
63.366(d)(3)(i)(B)(*9*)	Replace "paragraph (b)(3)(ii) of this section" with "paragraph (d)(3)(ii) of this section" to correct an inadvertent cross-reference error.
63.366(d)(3)(i)(C)	a. Replace "paragraphs (b)(3)(i)(B)(*8*) and (b)(3)(ii) of this section" with "paragraphs (d)(3)(i)(B)(*8*) and (d)(3)(ii) of this section" to correct an inadvertent cross-reference error; and b. Replace "paragraph (c)(2) of this section" with "paragraph (e)(2) of this section" to correct an inadvertent cross-reference error.
63.366(d)(3)(ii)	a. Replace "paragraph (b)(3)(i)(B) of this section" with "paragraph (d)(3)(i)(B) of this section" to correct an inadvertent cross-reference error; b. Replace "paragraph (b)(3) of this

	section" with "paragraph (d)(3) of this section" to correct an inadvertent cross-reference error; and c. Replace "paragraph (b)(3)(i)(C) of this section" with "paragraph (d)(3)(i)(C) of this section" to correct an inadvertent cross-reference error.
63.366(d)(4)(i) introductory text	Replace "paragraphs (b)(2) and (3) of this section" with "paragraphs (d)(2) and (3) of this section" to correct an inadvertent cross-reference error.
63.366(d)(4)(ii)	Replace "paragraph (b)(3)(i) of this section" with "paragraph (d)(3)(i) of this section" to correct an inadvertent cross-reference error.
63.366(e)(2)	Replace "paragraphs (d)(3)(i)(B)(*8*) and (b)(3)(ii) of this section" with "paragraphs (d)(3)(i)(B)(*8*) and (d)(3)(ii) of this section" to correct an inadvertent cross-reference error.
63.366(e)(4)	Replace "formatto" with "format to" to correct an inadvertent typographical error.
63.366(g)(3)	a. Replace "paragraph (g)(1)(i) or (ii) of this section" with "paragraph (g)(1) or (2) of this section" to correct an inadvertent cross-reference error; and b. Replace "paragraphs (g)(1)(i) and (ii) of this section" with "paragraphs (g)(1) and (2) of this section" to correct an inadvertent cross-reference error.
63.367(l) introductory text	Replace "paragraph (g)(1) through (4) of this section" with "paragraph (f)(1) through (4) of this section" to correct an inadvertent cross-reference error.
table 2 to Subpart O, note 2	Replace "a rolling 30-operating day average" with "the previous 30 operating days of data" to correct an inadvertent typographical error.
table 3 to Subpart O, note 1	Replace "a rolling 30-operating day average" with "the previous 30 operating days of data" to correct an inadvertent typographical error.
table 4 to Subpart O, note 1	Replace "a rolling 30-operating day average" with "the previous 30 operating days of data" to correct an inadvertent typographical error.
table 5 to Subpart O, note 1	Replace "a rolling 30-operating day average" with "the previous 30 operating days of data" to correct an inadvertent typographical error.
table 6 to Subpart O, Applies to Subpart O Entry for "§ 63.5(a)"	Replace "§ 63.366(b)(1)" with "§ 63.366(d)(1)" to correct an inadvertent cross-reference error.
table 6 to Subpart O, Applies to Subpart O Entry for "§ 63.5(b)(3)"	Replace "§ 63.366(b)(2)" with "§ 63.366(d)(2)" to correct an inadvertent cross-reference error.
table 6 to Subpart O, Applies to Subpart O Entry for "§ 63.5(d)(1)-(2)"	Replace "§ 63.366(b)(3)." with "§ 63.366(d)(3)." to correct an inadvertent cross-reference error.
table 6 to Subpart O, Applies to Subpart O Entry for "§ 63.5(f)(1)-(2)"	Replace "§ 63.366(b)(4)." with "§ 63.366(d)(4)." to correct an inadvertent cross-reference error.
table 6 to Subpart O, Applies to Subpart O Entry for "§ 63.8(c)(4)-(5)"	Replace "§ 63.364" with "§ 63.363" to correct an inadvertent cross-reference error.

table 6 to Subpart O, Applies to Subpart O Entry for "§ 63.9(b)(1)(ii)-(iii)"	Replace "§ 63.366(c)(1)(i)" with "§ 63.366(e)(1)(i)" to correct an inadvertent cross-reference error.
table 6 to Subpart O, Applies to Subpart O Entry for "§ 63.9(b)(2)-(3)"	a. Replace "§ 63.366(c)(3)" with "§ 63.366(e)(3)" to correct an inadvertent cross-reference error; and b. Replace "report" with "notification" to correct an inadvertent typographical error.
table 6 to Subpart O, Applies to Subpart O Entry for "§ 63.9(b)(4)-(5)"	Replace "§ 63.366(c)(1)(ii) and (iii)" with "§ 63.366(e)(1)(ii) and (iii)" to correct an inadvertent cross-reference error.
table 6 to Subpart O, Applies to Subpart O Entry for "§ 63.9(h)(1)-(3)"	Replace "§ 63.366(c)(2)" with "§ 63.366(e)(2)" to correct an inadvertent cross-reference error.
Appendix A to Subpart O, 10.1	Replace "paragraphs 10.1.1 through 10.1.8 of this section" with "sections 10.1.1 through 10.1.5" to correct an inadvertent cross-reference error.
Appendix A to Subpart O, 10.1.3.2	Replace "part 75 of this chapter" with "§ 63.364(g)(2) and (3)" to correct an inadvertent cross-reference error.
Appendix A to Subpart O, 10.1.5.1.2	Replace "or" with "For" to correct an inadvertent typographical error.
Appendix A to Subpart O, 11.1.1 through 11.1.4, and 11.3.2	First a. Replace "section" to "appendix"; and then b. Replace "paragraph" to "section".
Appendix A to Subpart O, 11.4.3	Replace "measurement error (ME)" with "ME".
11.4.5.9	Replace "measurement error (ME)" with "ME".
11.4.5.14	Replace "measurement error (ME)" with "ME".
11.4.8	Replace "measurement error (ME)" with "ME".
Appendix A to Subpart O, 11.4.10	Replace "section 10.1.8.2 of this appendix" with "section 10.1.5.2 of this appendix" to correct an inadvertent cross-reference error.
Appendix A to Subpart O, 11.5.3.4	Replace "section 10.1.8.1.1 of this appendix" with "section 10.1.5.1.1 of this appendix" to correct an inadvertent cross-reference error.

BILLING CODE 6560–50–C

b. Clarifying Technical Corrections

This action proposes technical corrections to clarify language in the regulatory text of the Commercial Sterilization Facilities NESHAP that was erroneously included (or in some cases, erroneously omitted) in the 2024 Final Rule. Table 5 includes the sections and paragraphs of the identified errors, the corrections being proposed, and the reasoning for the corrections.

Table 5. Clarifying Technical Corrections to 40 CFR part 63, subpart O

Section and paragraph	Proposed technical correction and reason for change
63.361 Acid-water scrubber	Replace "liquor" with "liquid" to streamline term use across rule.
63.361 Maximum scrubber liquor pH	Replace "liquor" with "liquid" to streamline term use across rule.
63.361 Minimum stack volumetric flow rate	Delete "corrected" between "flow rate" and "established" and add ", corrected to 20°C and 101.325 kilopascals," after "demonstration" to clarify requirements.
63.363(b)(1)(i)(A) [Previously Redesignated 63.363(b) to 63.363(e) under Reconsideration in Table 4.]	a. Add "and/or the response times are approximately the same" after "CEMS" to clarify requirements; b. Incorporate text of 363(b)(1)(i) as part of redesignated 363(e)(1); and c. Redesignate 363(b)(1)(i)(A) through (D) as 363(e)(1)(i) through (iv).
63.363(f)(2)	a. Add "and are demonstrating continuous compliance through annual performance testing, " between "subpart, " and "you"; and b. Replace "§ 63.365(d)(1)" with "§ 64.365" to correct an inadvertent cross-reference error.
63.366(b)(7)	Replace "§ 63.362(h)." with "and "§ 63.364(h)." to clarify requirements.
63.366(c)(7)	Replace "§ 63.362(h)." with "and "§ 63.364(h)." to clarify requirements.
63.366(d)	Replace "facility" with "major source facility" to clarify that this paragraph, including all its subordinate paragraphs, apply only to major source facilities. 40 CFR 63.366(d)(1)(i) Final Rule regulatory language states that "This paragraph (d) and § 63.5 implement the preconstruction review requirements of section 112(i)(1) for facilities subject to these emissions standards." (89 FR 24189). In the general provisions, 40 CFR 63.5(a)(1) similarly states that "This section implements the preconstruction review requirements of section 112(i)(1)." CAA section 112(i) states that: "After the effective date of any emission standard, limitation, or regulation under subsection (d), (f) or (h), no person may construct any new major source or reconstruct any existing major source subject to such emission standard, regulation or limitation unless the Administrator (or a State with a permit program approved under subchapter V) determines that such source, if properly constructed, reconstructed and operated, will comply with the standard, regulation or limitation." Finally, 40 CFR 63.5(b)(3) clarifies that the approval requirement is for construction/reconstruction of a "major-emitting" affected source.
63.366(d)(2)	a. Delete "whether or not an approved permit program is effective in the jurisdictional authority in which a facility is (or would be) located, "; and b. Replace "Administrator" with "jurisdictional authority". Approval of a preconstruction permit does not need to come from the EPA. In section II.B.1 of a 2002 final rule amending the NESHAP general provisions (67 FR 16585, April 5, 2002), the EPA stated that "We agree that a State or local agency that has taken delegation of part 63 standards has already

	demonstrated that their preconstruction review process is substantially equivalent to the Federal requirements. When a State is the delegated authority, the State implements 40 CFR 63.5; we do not require two preconstruction review processes." The purpose of 40 CFR 63.366(d)(2) is to implement CAA section 112(i), which states that "After the effective date of any emission standard, limitation, or regulation under subsection (d), (f) or (h), no person may construct any new major source or reconstruct any existing major source subject to such emission standard, regulation or limitation unless the Administrator (or a State with a permit program approved under subchapter V) determines that such source, if properly constructed, reconstructed and operated, will comply with the standard, regulation or limitation". Therefore, CAA section 112(i) authority is not limited to just the EPA Administrator. Under subpart E of 40 CFR part 63, which specifies the subparts (or specific sections) that the EPA has delegated to jurisdictions, the Agency occasionally delegate the entire NESHAP general provisions to a jurisdiction. If the EPA wishes to preserve a specific section, the Agency specifies that section. The Agency did not do so with the relevant § 63.5 subsections here.
63.366(e)(1)(ii)	Replace "facility" with "major source facility" to clarify that this paragraph, including all its subordinate paragraphs, apply only to major source facilities. See reasons discussed above.
63.366(e)(1)(iii)	a. Replace each instance of "facility" with "major source facility" to indicate that this paragraph only applies to major source facilities; b. Delete "whether or not an approved permit program is effective in the jurisdictional authority in which a facility subject to these emissions standards is (or would be) located"; and c. Replace "Administrator" with "jurisdictional". See reasons discussed above.
Appendix A to Subpart O, 8.2.3	To clarify the process operating time requirement and periods of data unavailability, add new section 8.2.3 which will read "EtO emissions data must be collected over at least 90 percent of the process operating time. Periods associated with normal quality assurance activities, such as daily calibrations, do not count as periods of data unavailability. Periods of out-of-control monitor operation or when the EtO CEMS is unable to provide quality-assured data, such as those periods associated with monitor or data acquisition and handling system failure, are periods of data unavailability."

[1] *See* Document ID No. EPA-HQ-OAR-2019-0178-0486.

BILLING CODE 6560–50–C

A redline strike-out version of the proposed corrected regulatory language for the Commercial Sterilization Facilities NESHAP is available in Docket ID No. EPA–HQ–OAR–2019–0178.

2. Proposed Amendments to the Commercial Sterilization Facilities NESHAP

In addition to the technical corrections discussed above, the EPA is proposing additional amendments to the Commercial Sterilization Facilities NESHAP that are more substantive in nature.

a. Definition of Operating Day

Currently, 40 CFR 63.361 defines an ''*Operating day*'' as ''any day that a facility is engaged in a sterilization operation.'' The EPA is proposing to define an ''operating day'' as ''any day that an affected source is engaged in a sterilization operation'' for the following reason. ''*Sterilization operation*'' is defined in 40 CFR 63.361 as ''any time when EtO is removed from the sterilization chamber through the SCV or the CEV, when EtO is removed from the aeration room through the aeration room vent, when EtO is stored within the building, when EtO is dispensed from a container to a chamber, when material is moved from sterilization to aeration, or when materials are handled post-aeration.'' The EPA's intent with this definition was to make sure no EtO emissions from sterilization and related processes go unchecked; however, one company has indicated that the operating day definition may inadvertently include facility operation emission streams from a non-operating vent in the compliance determination because the definition implies that if any affected source at a facility is engaged in a sterilization operation then all affected sources are engaged in a sterilization operation, regardless of whether or not they are actually in use. As an example, suppose a facility is engaged in a sterilization operation, but the aeration room does not contain any sterilized material. Because the operating day is currently defined by the facility itself being engaged in operation (as opposed to the affected source), the ARV (and its control device) would need to be included in the compliance analysis even when no aeration is occurring. If this example site was using CEMS for compliance, the site would be forced to report EtO mass emissions for this ARV, which result from the minimal background values from the CEMS, which do not reflect EtO use, and the flowrate from the aeration room vent.

The EPA is proposing to modify the definition of operating day so that it applies to when an affected source is engaged in a sterilization operation, as opposed to the entire facility, and the EPA solicits comment on this proposed modification to the definition (Question 14).

b. Definitions of Single-Item Sterilization and Sterilization Operation

The EPA reviewed the use of the terms ''container,'' ''EtO non-cartridge storage media,'' and ''pouch'' within five definitions in 40 CFR 63.361 and is proposing to modify two of the definitions for consistency.

The definition of ''Sterilization operation'' uses the term ''container'' to refer to EtO storage vessels. However, in other definitions, the different term ''non-cartridge storage media (*e.g.,* drums, cylinders)'' is used to refer to EtO storage vessels. For example, ''non-cartridge storage media (*e.g.,* drums, cylinders)'' is used in the definition of ''EtO dispensing''. In order to be consistent in referring to EtO storage vessels, the EPA is proposing to change the definition of ''Sterilization operation'' by replacing the term ''container'' with ''non-cartridge storage media'' to read as ''any time when EtO is removed from the sterilization chamber through the SCV or the CEV, when EtO is removed from the aeration room through the ARV, when EtO is stored within the building, when EtO is dispensed from a non-cartridge storage media (*e.g.,* drums, cylinders) to a chamber, when material is moved from sterilization to aeration, or when materials are handled post-aeration.''

The definition for ''Single-item sterilization'' uses the term ''pouch'' to refer to the containers used to hold the single items to be sterilized; however, other definitions use the different term ''container (*e.g.,* bags, pouches)'' to refer to a container to hold single items. For example, ''container (*e.g.,* bags, pouches)'' is used in the definitions of ''Injection room'' and ''Post-injection handling of containers.'' For consistency, the EPA is proposing to change the definition for ''Single-item sterilization'' by replacing the term ''pouch'' with ''container'' to read as ''a process in which one or more items are placed in a container (*e.g.,* bags, pouches), EtO is injected into the container, and the sealed container is placed in a vessel to allow sterilization to occur.'' The EPA solicits comment on the proposed modifications to these definitions (Question 15).

c. Definition of Indoor EtO Storage

In the 2024 Final Rule, Group 1 room air emissions, which include indoor EtO storage, are subject to either 112(f)(2) or section 112(d) standards, both of which require operation in accordance with PTE requirements to assure compliance.[34] 40 CFR 63.361 states, ''*Indoor EtO storage* means the storage of EtO within non-cartridge media (*e.g.,* drums, cylinders) inside a sterilization building.'' However, this definition does not distinguish between EtO calibration gas cylinders that are only being used to evaluate the performance of EtO CEMS and are not used for sterilization and the EtO used for sterilization. Since promulgation of the 2024 Final Rule, the EPA has been asked to clarify whether the definition of indoor EtO storage includes those EtO calibration gas cylinders that are being used to evaluate the performance of EtO CEMS. The EPA had not intended to include in the definition of ''indoor EtO storage'' EtO gas calibrations cylinders, which are used for verifying EtO CEMS performance, because properly stored and handled cylinders should not leak, and even if the cylinders were to leak, the EPA expects any EtO released would be negligible in light of the very small amount kept in these cylinders for EtO CEMS performance evaluation only. As such, the EPA is proposing to modify the definition of ''indoor EtO storage'' to exclude the EtO calibration gas cylinders stored or used only to verify the performance of EtO CEMS. The EPA proposes to modify the definition of indoor EtO storage to state ''*Indoor EtO storage* means the storage of EtO within non-cartridge media (*e.g.,* drums, cylinders) inside a sterilization building to be used in the sterilization process (excluding EtO storage media of calibration gas cylinders that is only used to verify the performance of EtO CEMS).'' The EPA solicits comment on this proposed modification to the definition (Question 16).

d. EtO CEMS Inlet Time-Sharing

40 CFR 63.363(e)(1) states that facilities may time-share their EtO CEMS provided that, among other things, the measurement points are equidistant. Some facilities have provided input that this requirement is impractical for systems with many measurement points (particularly inlet measurement systems). Similarly, facilities have noted that it may be impractical to retrofit these systems to comply with the equidistance requirement at 40 CFR 63.363(e)(1)(A). This requirement ensured similar response times between sources sharing

the CEMS; however, the EPA has learned that CEMS manufacturers have developed systems that are able to maintain similar response times despite different distances in sampling lines, rendering the equidistance requirement unnecessary when such systems are used.[68] The EPA therefore proposes to revise the regulatory text in 40 CFR 63.363(b)(1)(i)(A)[69] to read ''The measurement points are approximately equidistant from the CEMS or the response times are approximately the same under the system design'' to account for those systems designed to ensure similar response times between shared systems.[70] The EPA solicits comment on this proposed change (Question 17).

e. Requirements for Flow Rate Monitors in EtO CEMS Applications

The 2024 Final Rule requires the use of a flow rate monitor to demonstrate compliance with the use of EtO CEMS. Flow rate monitoring is an essential component of EtO CEMS. However, in the 2024 Final Rule, the EPA incorporated two different sets of requirements for flow rate monitors as an oversight. At 40 CFR 63.364(g)(3), the EPA provided the requirements for flow rate monitors that are used to verify the performance of PTEs; these requirements are the correct requirements. Appendix A to subpart O provides a different and incorrect set of flow rate monitoring requirements. The requirements included in Appendix A to subpart O were modelled after and referenced those found in Appendix B to 40 CFR part 63, subpart UUUUU, which includes requirements relating to the monitoring of hydrochloric acid. Sterilization facilities do not use hydrochloric acid and as such, these requirements are not applicable to the subpart O NESHAP. Because the EPA is proposing to rescind the PTE requirements, we propose to update 40 CFR 63.364(g) to remove references to PTE while retaining the appropriate flow rate monitoring requirements, which would be needed should a facility choose to utilize CEMS. Additionally, the EPA is proposing revisions to Appendix A to replace any reference to the incorrect flow rate requirements with references to the updated 40 CFR 63.364(g)(2) to ensure that the flow rate monitoring requirements in Appendix A to subpart O are appropriate for sterilization facilities. The EPA is also proposing to remove additional unnecessary references found in Appendix A as a result of this oversight.

In conjunction with this proposed change, there are several sections of the regulatory text within Appendix A to the Commercial Sterilization Facilities NESHAP that would change because they would become irrelevant. Table 6 includes the sections of each correction, the correction that would need to be made should the change discussed above be finalized, and the reasoning for the correction

BILLING CODE 6560–50–P

[68] 89 FR 24090 (Apr. 5, 2024).

[69] Redesignated to 40 CFR 63.353(e)(1)(i) in this reconsideration. See the redline strikeout of the regulatory text in the docket for this rule.

[70] *See* PS–19 in Appendix B to 40 CFR part 60 for response time testing requirements.

Table 6. Proposed Flow Rate Monitoring Corrections for Appendix A to the Commercial Sterilization Facilities NESHAP

Section	Proposed correction and reason for change
3.2	Replace "part 75 of this chapter" with "§ 63.364(g)(2) of this chapter" to correct an inadvertent cross-reference error.
5.2	For the reason specified above, revise entire section to state: Diluent gas and moisture monitoring systems must meet the applicable ongoing QA test requirements of part 75 of this chapter. Stack gas flow rate must meet the QA requirements in § 63.364(g)(2) of this chapter.
5.2.2.1	Given the correction to 5.2 above, text on linearity checks and part 75 is no longer necessary. Delete "a 168 unit or stack operating hour grace period is available for quarterly linearity checks, and" and ", as provided, respectively, in sections 2.2.4 and 2.3.3 of appendix B to part 75 of this chapter."
5.3.2.1	For the reason specified above, revise entire section to state: "For stack gas flow rate monitoring systems, a 720 unit or stack operating hour grace period is available for RATAs. For diluent gas and moisture monitoring systems, a 168 unit or stack operating hour grace period is available for quarterly linearity checks, and a 720 unit or stack operating hour grace period is available for RATAs, as provided, respectively, in sections 2.2.4 and 2.3.3 of appendix B to part 75 of this chapter."
8 introductory text	Replace last sentence with "The QA/QC program requirements for stack gas flow rate monitoring systems are specified in § 63.364(g)(2) of this chapter. The QA/QC program requirements for diluent gas and moisture monitoring systems are specified in section 1 of appendix B to part 75 of this chapter."
10.1.1.2	a. 40 CFR 63.364(g)(2) does not contain monitoring plan requirements, therefore Delete "stack gas flow rate, " and the comma proceeding "diluent gas"; and b. Replace "evaluated" with "submitted".
10.1.3.2	a. Replace "part 75 of this chapter" with "§§ 63.364(g)(1) and (2) of this chapter" to correct an inadvertent cross-reference error; and b. Delete ", as specified in § 75.57(c)(2) of this chapter."
10.1.4.4	a. Redesignate 10.1.4.4 as 10.1.4.3; and b. Delete "required under part 75 of this chapter."
10.1.5.2	Replace "§ 75.59(a) of this chapter" with "§ 63.364(g)(2) of this chapter" to correct an inadvertent cross-reference error.
11.3.1	Replace 75.53(g) with "§63.364(a)(6) of this chapter" to correct an inadvertent cross-reference error.
11.5.3.5	Interference checks are not required under 40 CFR 63.364(g)(2). Remove entire section.

BILLING CODE 6560–50–C

The EPA solicits comment on the proposal to remove all references to 40 CFR part 75 for flow rate monitors within Appendix A to the Commercial Sterilization Facilities NESHAP, with references to 40 CFR 63.364(g)(2), as well as the corrections described in table 6 that would result from this change (Question 18).

f. Other Proposed Corrections

In addition to the proposed amendments described above, the EPA is also proposing, and solicits comment on, the following correction to add text regarding the timing requirements for RATA testing consistent with other performance specifications that was inadvertently omitted from the 2024 Final Rule:

- In section 2.2.4.3 of Appendix A to subpart O, add ''RATA test runs must be at least 21 minutes in length'' at the end (Question 19).

A redline strike-out version of the proposed regulatory language for the Commercial Sterilization Facilities NESHAP is available in Docket ID No. EPA–HQ–OAR–2019–0178.

F. What technical corrections and amendments to Performance Specification 19 are we proposing, and what is the rationale for those actions?

The 2024 Final Rule introduced a new performance specification for EtO CEMS (PS 19) and an associated quality assurance procedure that are applicable not just to Commercial Sterilization Facilities but for any facility that chooses to continuously monitor its EtO

emissions. After the publication of the 2024 Final Rule, the EPA discovered, through its own internal reassessment of the regulatory text as well as through communications with stakeholders, erroneous cross-references and typographical errors within PS 19. This action addresses the technical errors in PS 19 identified to date by stakeholders and the EPA.

1. Technical Corrections for PS 19

The EPA has identified inadvertent errors in the regulatory text of PS 19, including cross-reference and typographical errors. Table 7 includes the sections of each identified error, the corrections being made by this action, and the reasoning for the corrections.

Table 7. Cross-Reference and Typographical Technical Corrections to PS 19 of 40 CFR part 60, Appendix B

Section	Technical correction and reason for change
1.1	Delete “,” after “lbs/hr” to correct an inadvertent punctuation error.
3.13	Add “material” after “zero air” to correct language to be consistent with the term defined in 40 CFR 72.2.
3.17	Add “indicate” between “and” and “the” to correct an inadvertent typographical error.
7.1	Add “material” after “zero air” to correct language to be consistent with the term defined in 40 CFR 72.2.
11.3.1	Delete “ a change” to remove an inadvertent typographical error.
11.5.3	Replace “section 11.7 of this PS” with “section 11.4 of this PS” to correct an inadvertent cross-reference error.
11.6.7	Replace “equations 9 through 14 in section 12.6” with “equations 6 through 11 in section 12.6” to correct an inadvertent cross-reference error and inadvertent typographical errors.
13.1	Delete “ as required in section 11.7” to correct an inadvertent cross-reference error.
13.4.1	Replace “equation 14” with “equation 11” to correct an inadvertent cross-reference error.
13.4.2	Replace “equation 14” with “equation 11” to correct an inadvertent cross-reference error.
table 1	Replace both instances of “H_2 O” with “H_2O” to correct inadvertent typographical errors.

This action proposes technical corrections to clarify language in the regulatory text that was erroneously included (or in some cases, erroneously omitted). First, in section 3.1, the EPA is proposing to revise the definition of ‘‘Calibration drift’’ to delete everything from ‘‘Calibration Span’’ to the end of section 3.1. Then, the Agency is proposing to add section 3.2 to define ‘‘Calibration Span’’, which includes all the text that was deleted from section 3.1. Second, in section 3.18, the EPA is proposing to revise the definition of ‘‘Standard addition’’ by adding ‘‘to the actual measurement path or’’ between ‘‘dynamically)’’ and ‘‘measured’’ to clarify that the term applies to both the measurement path and the measured sample gas stream. Also, through this correction, the definition of ‘‘Standard addition’’ will be consistent with how that term is defined in PS 18, which was the model for PS 19. A redline strike-out version of the proposed corrected regulatory language for PS 19 is available in Docket ID No. EPA–HQ–OAR–2019–0178.

2. Technical Corrections for PS 19 Appendix A

Following signature of the 2024 Final Rule, the EPA identified inadvertent errors in the regulatory text of PS 19 Appendix A, including cross-reference and table designation errors. In section 8.1.4, the Agency is proposing to replace ‘‘section 8.2 or 8.3’’ with ‘‘section 8.2’’ to correct an inadvertent cross-reference error. In section 13.0, the Agency is proposing to redesignate ‘‘Table A13—1’’ to ‘‘Table A1’’. A redline strike-out version of the proposed corrected regulatory language for PS 19 Appendix A is available in Docket ID No. EPA–HQ–OAR–2019–0178.

3. Technical Corrections for PS 19 Appendix B

Following signature of the 2024 Final Rule, the EPA identified inadvertent errors in the regulatory text of PS 19 Appendix B, including cross-reference and typographical errors. Table 8 includes the sections of each identified error, the proposed corrections being made by this action, and the reasoning for the proposed corrections.

BILLING CODE 6560–50–P

Table 8. Cross-Reference and Typographical Technical Corrections to PS 19 Appendix B of 40 CFR part 60, Appendix B

Section	Proposed technical correction and reason for change
3.5	Replace "document The protocol" with "protocol that" to correct an inadvertent typographical error
3.13	a. Replace "*Materials*" with "*Material"* to correct an inadvertent typographical error; and b. Add "that " between "composition" and "is" to correct an inadvertent typographical error.
3.15	a. Replace "*RGMs*" with "*RGM"* to correct an inadvertent typographical error; and b. Delete ", are called Research Gas Mixtures (RGMs)" to correct an inadvertent typographical error.
8.1(b)	Add "*Gravimetric*" between "*GMPS*" and "*Cylinder*" for consistency with section 8.1.2.
8.1(e)	Add "*Testing*" after "*Stability*" for consistency with section 8.1.5.
8.1.3	a. Add "*Cylinder*" between "*GMPS*" and "*Independent*" for consistency with 8.1(c); and b. Replace "com" with "component" to correct an inadvertent typographical error.
8.1.4	Add "*Cylinder*" between "*GMPS*" and "*Certification*" for consistency with 8.1(d).
8.1.4.1	Replace "equation B-1" with "equation B1" to correct an inadvertent cross-reference error.
8.1.4.2	Replace "equation B-2" with "equation B2" to correct an inadvertent cross-reference error.
8.1.4.3	a. Replace "section 8.1.5.3" with "section 8.1.4.1" to correct an inadvertent cross-reference error; and b. Replace "section 8.1.5.4" with "section 8.1.4.2" to correct an inadvertent cross-reference error.
8.1.4.4	a. Replace "SGMs" with "SGM" to correct an inadvertent typographical error; and b. Replace "section 8.1.5.1 or 8.1.5.2" with "section 8.1.4.1 or 8.1.4.2" to correct an inadvertent cross-reference error.
8.1.5	Add "*Cylinder*" between "*GMPS*" and "*Stability*" for consistency with 8.1(e).
8.1.5.2	Replace "section 8.1.4" with "section 8.1.3" to correct an inadvertent cross-reference error.
8.1.6	Add "Cylinder" between "GMPS" and "Expiration" for consistency with 8.1(f).
8.1.7	a. Replace "is" with "in" to correct an inadvertent typographical error; b. Replace "section 8.1.8.1 and 8.1.8.2" with "section 8.1.7.1 and 8.1.7.2" to

	correct an inadvertent cross-reference error; and c. Replace "section 8.1.8.3" with "section 8.1.7.3" to correct an inadvertent cross-reference error.
8.2.1	Replace "section 8.1.8.1" with "section 8.1.7.1" to correct an inadvertent cross-reference error.
8.2.2	a. Replace "section 8.1.5.3" with "section 8.1.4.1" to correct an inadvertent cross-reference error; and b. Replace "section 8.1.5.4" with "section 8.1.4.2" to correct an inadvertent cross-reference error.
8.2.3	Replace "section 8.1.6" with "section 8.1.5" to correct an inadvertent cross-reference error.
8.2.5	Replace "section 8.1.8" with "section 8.1.7" to correct an inadvertent cross-reference error.
8.2.6(k)	Replace "section 14 of this appendix" with "section 16 of this appendix" to correct an inadvertent cross-reference error.
10.0	Delete " and develop" to correct an inadvertent typographical error.

A redline strike-out version of the proposed corrected regulatory language for PS 19 Appendix B is available in Docket ID No. EPA–HQ–OAR–2019–0178.

4. Technical Corrections for Procedure 7 of 40 CFR 60 Appendix F

Following signature of the 2024 Final Rule, the EPA identified inadvertent errors in the regulatory text of Procedure 7 of 40 CFR 60 Appendix F, including cross-reference, section designation, and typographical errors. Table 9 includes the section of each identified error, the corrections being proposed in this action, and the reasoning for the corrections.

Table 9. Cross-Reference, Section Designation, and Typographical Technical Corrections to Procedure 7 of 40 CFR part 60, Appendix F

Section	Proposed technical correction and reason for change
Heading	Replace "Exide" with "Oxide" to correct an inadvertent typographical error.
3.2	Replace "section 5.4" with "section 5.3" to correct an inadvertent cross-reference error.
4.1.1	Replace "section 11.3 of PS-19 in appendix B to this part" with "section 11.5 of PS-19 in appendix B to this part" to correct an inadvertent cross-reference error.
5.1.1	Replace "sections 5.1.5 or 5.5 of this procedure" with "sections 5.1.5 or 5.4 of this procedure" to correct an inadvertent cross-reference error.
5.1.4.1	Replace "section 11.8 of PS-19 in appendix B of this part" with "section 11.5 of PS-19 in appendix B of this part" to correct an inadvertent cross-reference error.
5.2.4.3	Replace "RMavg" with "RM_{avg}" to correct an inadvertent typographical error.
5.5.1	Change section designation to "5.4.1".
5.5.2	Change section designation to "5.4.2".
5.5.3	Change section designation to "5.4.3".
Newly designated 5.4.3	Replace "section 5.5" with "section 5.4" to conform cross-reference with corrected section designation (see above).
6.1	Replace "equations 9 through 14 in section 12 of PS-19 in appendix B to this part" with "equations 6 through 11 in section 12 of PS-19 in appendix B to this part" to correct an inadvertent cross-reference error.

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This action also proposes technical corrections to clarify language in the regulatory text that was erroneously included. First, in section 5.1.3.2, the EPA is proposing to delete ''5.2.3.3 Calculate results as described in section 6.3.'' and add a new section 5.1.3.3 which will read ''Calculate results as described in section 6.3''. This language was clearly meant to be its own section, but due to an inadvertent typographical error, it was made part of section 5.1.3.2. Second, in section 7.1.1, the EPA is proposing to delete '' 7.1.2 If the accuracy audit results show the CEMS to be out-of-control, you must report both the audit results showing the CEMS to be out-of-control and the results of the audit following corrective action showing the CEMS to be operating within specifications.'', as this language is already present in section 7.1.2.

A redline strike-out version of the proposed corrected regulatory language for Procedure 7 is available in Docket ID No. EPA–HQ–OAR–2019–0178.

G. What compliance dates are we proposing, and what is the rationale for the proposed compliance dates?

The 2024 Final Rule includes standards promulgated under CAA section 112(d)(2) and (3), (d)(5), and (d)(6), and existing sources must comply within three years, the maximum time allowed under CAA section 112(i)(3)(A).[71] In addition, the 2024 Final Rule includes more stringent risk-based standards for some affected sources pursuant to CAA section 112(f)(2), and existing sources must comply within two years, as required by CAA section 112(f)(4).[72] Accordingly, under the 2024 Final Rule, the compliance deadlines for existing sources are April 6, 2026, for the section 112(f)(2) standards, and April 5, 2027, for the section 112(d) standards. For all standards, new sources must comply by the effective date of the 2024 Final Rule (*i.e.,* April 5, 2024) or upon startup, whichever is later. See 40 CFR 63.360(j) and tables 1 through 5 to subpart O of part 63; see also CAA sections 112(i)(3)(A) and 112(f)(4).

As discussed in section III.A of this document, the EPA is proposing to remove the CAA section 112(f)(2) standards. As a result, existing sources that currently are subject to both section 112(d) standards and section 112(f)(2) standards promulgated in the 2024 Final Rule would only be subject to the applicable section 112(d) standards. As mentioned above, the compliance deadline for section 112(d) standards for existing sources is April 5, 2027.[73] For new sources (as defined under the 2024 Final Rule) subject to section 112(f)(2) standards that have already started up, because the section 112(f)(2) standards in the 2024 Final Rule are more stringent than section 112(d) standards (with several that are the same as section 112(d)(6) standards), compliance with section 112(f)(2) standards would also mean compliance with section 112(d) standards. For the reasons stated above, the EPA believes that sources can still meet the current compliance deadlines with the removal of the section 112(f)(2) standards.

In addition to proposing removal of the CAA section 112(f)(2) standards, the EPA is proposing to amend the section 112(d)(6) standard for new ARVs at facilities where EtO usage is at least 10 tpy. For the reasons explained in section III.B, the EPA is proposing to change this standard from 99.9 percent reduction to 99.6 percent reduction. Because new ARVs (as defined in the 2024 Final Rule) that already started up are currently operating under the more stringent 99.9 percent reduction standard in the 2024 Final Rule, they are already meeting the less stringent proposed standard of 99.6 percent reduction. The EPA does not foresee problems with new ARVs (as defined by the 2024 Final Rule) at facilities where EtO usage is at least 10 tpy complying with the proposed revised standard by the current deadlines in the 2024 Final Rule (*i.e.,* upon startup or by April 5, 2024, whichever is later).[74]

The EPA considered whether the proposed changes to the methods for demonstrating compliance could impact facilities' ability to demonstrate compliance with existing source standards under the current deadline. This reconsideration proposes to remove the requirement that CEMS be used for demonstrating compliance; thus, industry will not need time to comply with this requirement. However, this change represents a return to the compliance demonstration practice currently used by industry. While the EPA is proposing to amend the specific requirements and details of the parametric monitoring and performance testing approach, these changes do not represent a substantial change in methods and should not present a substantial burden to industry. As such, the EPA does not anticipate these changes to need more time than provided by the compliance deadline already in place.

For these reasons, the EPA is proposing to retain the compliance dates for existing and new sources in 40 CFR 63.360 and in tables 1 to 5 to subpart O of part 63. The EPA is soliciting comment on compliance deadlines (Question 20).

IV. Severability

This proposed rule contains several discrete components, which the EPA views as severable as a practical matter—*i.e.,* they are functionally independent and operate in practice independently of the other components. These discrete components are generally delineated by the section headings and subheadings of this preamble. For example, the proposed rescission of the risk-based standards based on the best reading of CAA section 112(f)(2) is severable from the proposed revision to the new source standard for ARV at facilities using at least 10 tpy based on EPA's reconsideration of this standard under section 112(d)(6). The final rule also includes other revisions to the Sterilization Facilities NESHAP that generally function independently of one another (*e.g.,* revisions to the compliance demonstration requirements to allow facilities to choose between parametric monitoring or using CEMS, rescission of the requirement to use PTE to ensure complete capture of EtO).

V. Summary of Cost, Environmental, and Economic Impacts

A. What are the affected sources?

There are 89 facilities in the Commercial Sterilization Facilities source category that are currently operating. A complete list of facilities that are currently subject to the NESHAP is available in the document ''2024 Facility List,'' which is available in the docket for this rulemaking.

B. What are the air quality impacts?

For the standards that the EPA is proposing, there is an estimated EtO emissions increase of 7.8 tpy for the total source category because of the removal of CAA section 112(f)(2) standards and revision of the section 112(d)(6) standards for new ARVs at facilities where EtO use is at least 10 tpy. See the memorandum titled *Regulatory Impact Analysis for the Proposed Reconsideration of the 2024 National Emission Standards for Hazardous Air Pollutants: Ethylene*

[71] 89 FR 24090 (Apr. 5, 2024).

[72] *Id.*

[73] As discussed in section II.D of this preamble, this compliance deadline is now extended to April 5, 2029, for facilities granted a two-year waiver via Presidential Proclamation, ''Regulatory Relief for Certain Stationary Sources to Promote American Security With Respect to Sterile Medical Equipment,'' 90 FR 34747 (July 23, 2025).

[74] *Supra* n.10.

Oxide Commercial Sterilization and Fumigation Operations, which is available in the docket for this rulemaking.

C. What are the cost impacts?

The nationwide costs of the proposed amendments are presented in table 10 of this preamble. As described in this preamble, the EPA is removing the CAA section 112(f)(2) standards and revising the section 112(d)(6) standards for new ARVs at facilities where EtO use is at least 10 tpy. As a result, industry will see overall cost savings in comparison to the 2024 Final Rule. The total savings for capital investment for the proposal is estimated to be about $280 million in 2024 dollars. The Agency estimates the total annual compliance cost savings of the proposal, compared to the estimated costs associated with the 2024 Final Rule, to be approximately $50 million.

Table 10. Total Capital Investment Cost Savings and Total Annual Compliance Cost Savings (millions of 2024$)

Requirement	Number of Impacted Facilities	Total Capital Investment Cost Savings	Total Annual Cost Savings
PTE	28	$88.1	$9.4
Additional Control Technologies	82	$130.4	$29.1
Monitoring and Testing	88	$58.1	$18.1
Recordkeeping and Reporting	89		-$0.2
Cycle Revalidations	86		-$6.3
Total	**89**	**$276.6**	**$50.1**

Note: Total annualized compliance costs include annualized capital costs, annual operating and maintenance costs, and one-time costs. Dollar values are presented to one decimal place.

D. What are the economic impacts?

The present value (PV) of the estimated compliance cost savings from 2026 to 2045 for the proposed reconsideration is $630 million in 2024 dollars, discounted at a 3 percent rate. The equivalent annualized value (EAV) of the estimated cost savings is $43 million, using a 3 percent discount rate. Using a 7 percent discount rate, the PV and EAV of the cost savings are estimated to be $510 million and $48 million, respectively. This proposed reconsideration is estimated to result in net compliance cost savings for the impacted source category.

The EPA conducted economic impact analyses for this proposal, as detailed in the memorandum titled *Regulatory Impact Analysis for the Proposed Reconsideration of the 2024 National Emission Standards for Hazardous Air Pollutants: Ethylene Oxide Commercial Sterilization and Fumigation Operations,* which is available in the docket for this action. For the proposed reconsideration, the EPA performed a screening analysis which compared facility-level annualized compliance costs to annual revenues of the ultimate owner of the facility (or facilities), known as the ultimate parent company. These cost-to-sales ratios (CSRs) underpin the ''sales test'' methodology the EPA uses to assess small business impacts for a rulemaking.

There are 89 facilities, owned by 49 ultimate parent companies, affected by the proposed amendments. Of these 89 facilities, 23 facilities (26 percent), are owned by a total 19 ultimate parent companies that are small entities. The Agency calculated the CSRs for all affected parent companies to assess the magnitude of the costs of the proposed amendments and determine whether there is potential for significant impacts on small entities. As shown in table 10, this proposed reconsideration does incur cost increases related to one-time costs for cycle revalidations and recordkeeping and reporting costs. However, these cost increases are less than the net cost savings for 16 of the affected 19 small entities. The 16 small entities estimated to experience net cost savings under this proposed reconsideration are expected to have lower CSRs relative to the 2024 Final Rule. Of the 3 small entities projected to incur additional requirement costs relative to 2024 Final Rule, one has an estimated CSR above 3 percent. The average annualized cost savings for small entities is about $0.68 million and about $0.35 million for the remaining entities. The average annual sales for the 19 small entities is $38 million, while the remaining 30 entities have average annual sales of $15 billion. Relative to the 2024 Final Rule, the average CSR for all firms decreased by 4.3 percent, down to approximately 3.8 percent. Similarly, the CSRs for large and small firms decreased by 0.26 percent (down to approximately 0.11 percent) and by 10.6 percent (down to approximately 10 percent), respectively. Large firms incur most of the total costs estimated for the proposed rule and they incur higher total annual costs per firm on average than small firms. However, when estimated costs are examined relative to revenues, large firms are less affected by the proposed rule than small firms.

EtO sterilization services are a critical input in the provision of safe medical devices. According to the U.S. Food and Drug Administration (FDA), more than 20 billion medical devices used in the U.S. every year are sterilized with EtO, accounting for approximately 50 percent of medical devices that require sterilization. In the 2024 Final Rule regulatory impact analysis (RIA), the industry profile in section 2 discusses the role of EtO in providing a significant number of healthcare products to the

public and why it is often the only sterilization method that can be used for a wide variety of common medical devices.[75] The EPA was not able to quantitatively assess potential market impacts for this proposed rule. However, it is likely that this proposed reconsideration would reduce the risk of capacity constraints in the sterilization sector. In the 2024 Final Rule RIA, the EPA examined a scenario where the 2024 Final Rule requirements lead to facilities needing to temporarily reduce their capacity and thus lose revenue during that time. The EPA requests comment on whether the proposed standards would result in a similar risk of capacity constraints in the sterilization sector (Question 21). To the extent that this proposed reconsideration avoids the need for facilities to reduce capacity, the cost savings of this action are estimated to be higher than the estimates of the examined scenario in the 2024 Final Rule RIA.

E. What are the benefits?

Being unable to adequately supply sterilized medical equipment to our medical personnel to safely treat patients in hospitals, operating rooms, and other medical facilities would undermine our national security. This rule, if finalized, would help ensure a secure medical supply chain as it would decrease the probability of commercial sterilizers shuttering and the United States having to rely on other countries to sterilize medical devices. While the EPA acknowledges significant national security benefits if this rule is finalized, the Agency is unable to monetize these national security benefits Consistent with longstanding practice, the EPA did not monetize the foregone benefits from the estimated emission changes in HAP associated with this proposed reconsideration. The EPA currently does not have sufficient methods to monetize benefits associated with HAP. This does not imply that there are no impacts associated with the EtO emission increases estimated for this proposed rule. Non-monetized health disbenefits are expected under this proposed reconsideration from estimated increases of 7.8 tons of EtO annually relative to the 2024 Final Rule. A qualitative discussion of the health effects associated with EtO exposure is provided in the memorandum titled *Regulatory Impact Analysis for the Proposed Reconsideration of the 2024 National Emission Standards for Hazardous Air Pollutants: Ethylene Oxide Commercial Sterilization and Fumigation Operations,* which is available in the docket for this rulemaking.

[75] U.S. EPA. (2024). *Regulatory Impact Analysis for the Final National Emission Standards for Hazardous Air Pollutants: Ethylene Oxide Commercial Sterilization and Fumigation Operations.* Available at: *https://www.regulations.gov/document/EPA-HQ-OAR-2019-0178-1557.*

VI. Request for Comments

We solicit comment on all aspects of this proposed action. In addition to general comments on this proposed action, we are also interested in additional data that may improve the analyses.

Throughout this proposal, the EPA is soliciting comment on numerous aspects of the proposed rule. The EPA has indexed each comment solicitation with an identifier (*e.g.,* ''Question 1, Question 2, . . .) to provide a consistent framework for effective and efficient provision of comments. Accordingly, we ask that commenters include the corresponding identifier when providing comments relevant to that comment solicitation. We ask that commenters include the identifier in either a heading, or within the text of each comment (*e.g.,* ''In response to Question 1, . . .'') to make clear which comment solicitation is being addressed. Below, we list the questions for which the EPA invites comment.

Question #1: Has the 2024 Final Rule and underlying interpretations generated reliance interests and, if so, how should the EPA consider them in any final action?

Question #2: Should the EPA rescind the standards set under CAA section 112(f)(2) in the 2024 Final Rule, as proposed, based on the proposed finding that the discretionary second risk review conducted as part of the 2024 Final Rule was not authorized under the CAA?

Question #3: Is there new information that could be used in dose-response modeling, such as epidemiological studies of cancer in humans exposed to EtO?

Question #4: Is there any new information relevant to dose-response model selection such as consideration of statistical analyses, visual model fit, or biological plausibility?

Question #5: Is there new information related to human exposure to EtO, including information on occupational, smoking, background or endogenous exposures that may be relevant to estimating the dose-response relationship of EtO carcinogenicity?

Question #6: Is there additional information on the comments of the 2016 IRIS value provided by commenters in the context of the more recent proposed CMAS NESHAP (January 22, 2025) (see Docket ID EPA–HQ–OAR–2024–0303, comment numbers 0060, 0061, 0068, 0076, and 0079)?

Question #7: Should the EPA modify the emission reductions levels for new ARVs at facilities where EtO use is at least 10 tpy from 99.9 to 99.6 percent reduction, as proposed?

Question #8: Should the EPA consider manufacturer guarantee levels of EtO reduction for ARVs, and if so, what are these levels?

Question #9: Should facilities have the option of using either parametric monitoring and performance testing or CEMS to demonstrate initial and continuous compliance with the Commercial Sterilization Facilities NESHAP, as proposed?

Question #10: Should the EPA finalize the proposed changes to performance testing, parametric monitoring, and reporting requirements as proposed?

Question #11: Is PTE cost effective and feasible?

Question #12: Should the EPA not be allowed to treat unregulated sources of regulated pollutants the same as unregulated pollutants?

Question #13: Should the EPA remove PTE requirements?

Question #14: Should the EPA modify the definition of ''Operating day'' so that it applies to when an affected source is engaged in a sterilization operation, as opposed to the entire facility, as proposed?

Question #15: Should the EPA modify the definitions of ''Sterilization operation'' and ''Single-item sterilization'' be modified as proposed?

Question #16: Should the EPA modify the definition of ''Indoor EtO storage'' to clarify that EtO storage media of calibration gas cylinders that is only used to verify the performance of EtO CEMS is excluded, as proposed?

Question #17: Should the EPA modify 40 CFR 63.363(b)(1) to indicate that CEMS measurement points do not need to be equidistant so long as the response times are similar, as proposed?

Question #18: Should the EPA remove all references to 40 CFR part 75 for flow rate monitors within Appendix A to the Commercial Sterilization Facilities NESHAP and should we make the corrections described in table 6 be made, as proposed?

Question #19: Should the EPA add the phrase ''RATA test runs must be at least 21 minutes in length'' to the end of section 2.2.4.3 of Appendix A to subpart O, as proposed?

Question #20: Should the EPA retain the compliance deadlines promulgated

in the 2024 Final Rule for the section 112(d) standards as proposed?

Question #21: Would the proposed standards result in a similar risk of capacity constraints as the 2024 Final Rule in the sterilization sector?

VII. Statutory and Executive Order Reviews

A. Executive Order 12866: Regulatory Planning and Review and Executive Order 13563: Improving Regulation and Regulatory Review

This action is a significant regulatory action and therefore, the EPA submitted this action to the Office of Management and Budget (OMB) for Executive Order 12866 review. Any changes made in response to E.O 12866 review have been documented in the docket. The EPA has prepared an analysis of the potential costs and benefits associated with this action. This analysis, *Regulatory Impact Analysis for the Proposed Reconsideration of the 2024 National Emission Standards for Hazardous Air Pollutants: Ethylene Oxide Commercial Sterilization and Fumigation Operations,* is available in the docket. A summary of the costs and economic impacts is included in section IV of this preamble.

B. Executive Order 14192: Unleashing Prosperity Through Deregulation

This action is expected to be an Executive Order 14192 deregulatory action. Details on the estimated cost savings of this proposed rule can be found in the EPA's analysis of the potential costs and benefits associated with this action.

C. Paperwork Reduction Act (PRA)

The information collection activities in this proposed rule have been submitted for approval to OMB under the PRA. The information collection request (ICR) document that the EPA prepared has been assigned EPA ICR number 1666.12. You can find a copy of the ICR in the docket for this rulemaking, and it is briefly summarized here.

The EPA is proposing amendments that change the reporting and recordkeeping requirements for several emission sources at commercial sterilization facilities (*e.g.,* SCV, ARV, CEV and room air emissions). This information would be collected to assure compliance with 40 CFR part 63, subpart O.

Respondents/affected entities: Owners or operators of commercial sterilization facilities.

Respondent's obligation to respond: Mandatory (40 CFR part 63, subpart O).

Estimated number of respondents: 89 facilities.

Frequency of response: Quarterly, or annual. Responses include monitoring plan, notification of compliance status reports, performance test reports and quarterly compliance reports.

Total estimated burden: 24,077 hours (per year) for the responding facilities and 2,541 hours (per year) for the Agency. Burden is defined at 5 CFR 1320.3(b).

Total estimated cost: $6,883,047 (per year), which includes $4,529,143 annualized capital and operation and maintenance costs for the responding facilities.

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. The OMB control numbers for the EPA's regulations in 40 CFR are listed in 40 CFR part 9.

Submit your comments on the Agency's need for this information, the accuracy of the provided burden estimates and any suggested methods for minimizing respondent burden to the EPA using the docket identified at the beginning of this rule. The EPA will respond to any ICR-related comments in the final rule. You may also send your ICR-related comments to OMB's Office of Information and Regulatory Affairs using the interface at *www.reginfo.gov/public/do/PRAMain.* Find this information collection by selecting ''Currently under Review—Open for Public Comments'' or by using the search function. OMB must receive comments no later than April 16, 2026.

D. Regulatory Flexibility Act (RFA)

The EPA certifies that this action will not have a significant economic impact on a substantial number of small entities under the RFA. In making this determination, the EPA concludes that the impact of concern for this rule is any adverse economic impact on small entities and that the Agency is certifying that this rule will not have a significant economic impact on a substantial number of small entities because the rule relieves regulatory burden on the small entities subject to the rule. This proposed action would lead to reduction in EAV of costs over the 2026 to 2046 timeframe of about $43 and $48 million per year at discount rates of 3 percent and 7 percent, respectively. The average annualized cost savings for small entities is about $0.68 million and about $0.35 million for the remaining entities. For a more detailed analysis, please see the document *Regulatory Impact Analysis for the Proposed Reconsideration of the 2024 National Emission Standards for Hazardous Air Pollutants: Ethylene Oxide Commercial Sterilization and Fumigation Operations* available in the docket for this rule.

E. Unfunded Mandates Reform Act (UMRA)

This action does not contain an unfunded mandate of $100 million or more as described in UMRA, 2 U.S.C. 1531–1538, and does not significantly or uniquely affect small governments. The action imposes no enforceable duty on any state, local or Tribal government.

F. Executive Order 13132: Federalism

This action does not have federalism implications. It will not have substantial direct effects on the States, on the relationship between the national government and the States or on the distribution of power and responsibilities among the various levels of government.

G. Executive Order 13175: Consultation and Coordination With Indian Tribal Governments

This action does not have tribal implications as specified in Executive Order 13175. None of the commercial sterilization facilities that have been identified as being affected by this action are owned or operated by Tribal governments or located within Tribal lands. Thus, Executive Order 13175 does not apply to this action.

H. Executive Order 13045: Protection of Children From Environmental Health Risks and Safety Risks

Executive Order 13045 directs federal agencies to include an evaluation of the health and safety effects of the planned regulation on children in federal health and safety standards and explain why the regulation is preferable to potentially effective and reasonably feasible alternatives. This action is subject to Executive Order 13045 because it is a significant regulatory action under section 3(f)(1) of Executive Order 12866, and the EPA believes that the environmental health and safety risk addressed by this action may have a disproportionate effect on children. The environmental health and safety risks addressed by this action present a disproportionate risk to children due to EtO being mutagenic (*i.e.,* it can damage DNA).

The EPA did not conduct a new analysis of children's environmental health for this action. For details on children's health and the impact of the CAA section 112(d) standards, please see the Executive Order 13045 discussion and tables 17 and 18 in the 2024 Final Rule (89 FR 24090).

This action is preferred over other regulatory options analyzed because, while it removes the CAA 112(f)(2) standards to better comply with the text and structure of the applicable statutory language (see section III.A), it retains the first-time standards promulgated in the 2024 Final Rule under CAA sections 112(d)(2), (3) and (5) for emission sources that were unregulated prior to the 2024 Final Rule. These standards will continue to apply and protect children's health.

Furthermore, the EPA's *Policy on Children's Health* applies to this action. For details on children's health and the impact of the CAA section 112(d) standards, please see the discussion in the 2024 Final Rule (89 FR 24090).

I. Executive Order 13211: Actions Concerning Regulations That Significantly Affect Energy Supply, Distribution, or Use

This action is not a ''significant energy action'' because it is not likely to have a significant adverse effect on the supply, distribution or use of energy. The overall energy impact of this rule should be minimal for commercial sterilization facilities and their parent companies.

J. National Technology Transfer and Advancement Act (NTTAA)

The NTTAA requires the EPA to use voluntary consensus standards (VCS) in addition to EPA methods in regulatory activities unless doing so would be inconsistent with applicable law or otherwise impracticable. VCS are technical documents, such as test methods, that are developed or adopted by VCS bodies using procedures that ensure that the standards development process is open to all interested parties. VCS bodies are generally private sector, not-for-profit entities such as the American Society for Testing and Materials (ASTM).

The EPA searched the Enhanced NSSN Database managed by the American National Standards Institute (ANSI) for VCS that could be used in the National Emission Standards for Hazardous Air Pollutants for Ethylene Oxide Emissions Standards for Sterilization Facilities. The EPA also contacted VCS organizations and accessed and searched their databases. While the EPA has made a reasonable effort to identify and evaluate potentially practical VCS, the findings do not necessarily represent all potential alternative standards which may exist.

Searches were conducted for: EPA Methods 204 and 205 of 40 CFR part 51, Appendix M; EPA Methods 1, 1A, 2, 2A, 2B, 2C, 2D, 3A, 3B, and 4 of 40 CFR part 60, Appendix A; and, EPA Methods 301 and 320 of 40 CFR part 63, Appendix A. The EPA found no VCS are acceptable alternatives for EPA Methods 1, 1A, 2, 2A, 2B, 2C, 2D, 3A, 4, 204, 205, and 301. The EPA found no acceptable alternative VCS for EPA Methods 1, 1A, 2, 2A, 2B, 2C, 2D, 3A, 4, 204, 205, and 301.

The proposed rule continues to include one VCS as an alternative to EPA Method 3B for the purposes of this rule. The manual methods in ANSI/ASME PTC 19–10–1981 Part 10, ''Flue and Exhaust Gas Analyses'' (2010 version) are acceptable alternatives to EPA Method 3B to analyze oxygen and carbon dioxide concentrations in the stack gas. The instrumental methods in the voluntary consensus standard ANSI/ASME PTC 19–10–1981 Part 10, ''Flue and Exhaust Gas Analyses'' (2010 version) are not acceptable alternatives to EPA Method 3B.

The proposed rule continues to include one VCS as an alternative to EPA Method 320 for the purposes of this rule. The VCS ASTM D6348–12 (2020), ''Determination of Gaseous Compounds by Extractive Direct Interface Fourier Transform (FTIR) Spectroscopy'' is an acceptable alternative to EPA Method 320 with caveats requiring inclusion of selected annexes to the standard as mandatory. When using ASTM D6348–12(2020), the following conditions must be met:

(1) The test plan preparation and implementation in the Annexes to ASTM D 6348–12 (R2020), sections A1 through A8 are mandatory; and

(2) In ASTM D6348–12 (R2020) Annex A5 (Analyte Spiking Technique), the percent (%) R must be determined for each target analyte (equation A5.5). For the test data to be acceptable for a compound, %R must be $70\% \leq R \leq 130\%$. If the %R value does not meet this criterion for a target compound, the test data is not acceptable for that compound and the test must be repeated for that analyte (*i.e.,* the sampling and/or analytical procedure should be adjusted before a retest). The %R value for each compound must be reported in the test report, and all field measurements must be corrected with the calculated %R value for that compound by using equation 1 to this paragraph:

(eq. 1) Reported Results = ((Measured Concentration in Stack))/(%R) × 100

According to 40 CFR 63.7(f) and 40 CFR 63.8(f) of subpart A of the general provisions, a source may apply to the EPA to use alternative test methods or alternative monitoring requirements in place of any required testing methods, performance specifications or procedures in the final rule or any amendments. The EPA welcomes comments on this aspect of the proposed rulemaking and, specifically, invites the public to identify potentially applicable VCS and to explain why such standards should be used in this regulation.

List of Subjects in 40 CFR Part 63

Environmental protection, Air pollution control, Hazardous substances, Reporting and recordkeeping requirements.

Lee Zeldin,

Administrator.

[FR Doc. 2026–05167 Filed 3–16–26; 8:45 am]

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FEDERAL COMMUNICATIONS COMMISSION

47 CFR Part 64

[CG Docket Nos. 03–123, 10–51, 12–38; FCC 26–4; FR ID 335624]

Internet-Based Telecommunications Relay Service Modernization

AGENCY: Federal Communications Commission.

ACTION: Proposed rule.

SUMMARY: The Federal Communications Commission (Commission) proposes to modernize its telecommunications relay services (TRS) rules and seeks comment on the use of automatic speech recognition (ASR) for speech-to-text conversion and advanced text-to-speech technologies for Internet Protocol (IP) Relay Service; the need for metrics for IP Relay quality; the compatibility of IP Relay with Real-Time Text (RTT) technology; adding captioning functionality to Video Relay Service (VRS) platforms; amending VRS calling rules for calls to U.S. embassies and consulates by U.S. residents while traveling abroad; adjusting VRS call center requirements; streamlining TRS provider certification and user registration processes; updating or eliminating obsolete rules; and closing outdated dockets. With these proposals, the Commission presents targeted reforms that align internet-based TRS with twenty-first century technological advancements in relay services that can better serve the needs of persons with disabilities while securing the viability and enhancing the effectiveness and functional equivalency of internet-based TRS.

DATES: Comments are due April 16, 2026. Reply comments are due May 18, 2026.

ADDRESSES: You may submit comments, identified by CG Docket No. 03–123, by the following method:

Federal Communications Commission's website: https://www.fcc.gov/ecfs/filings. Follow the instructions for submitting comments.

For detailed instructions for submitting comments and additional information on the rulemaking process, *see* the **SUPPLEMENTARY INFORMATION** section of this document.

FOR FURTHER INFORMATION CONTACT: Joshua Mendelsohn, Disability Rights Office, Consumer and Governmental Affairs Bureau, at 202–559–7304, or *Joshua.Mendelsohn@fcc.gov.*

SUPPLEMENTARY INFORMATION: This is a summary of the Commission's Notice of Proposed Rulemaking (*NPRM*), FCC 26–4, adopted on January 29, 2026, released on January 30, 2026, in CG Docket Nos. 03–123, 10–51, and 12–38. The *NPRM* can be accessed electronically via the Commission's Electronic Document Management System website at *https://www.fcc.gov/edocs,* or via the Commission's Electronic Comment Filing System (ECFS) website at *https://www.fcc.gov/ecfs.*

Pursuant to §§ 1.415 and 1.419 of the Commission's rules, 47 CFR 1.415, 1.419, interested parties may file comments and reply comments. Comments may be filed using ECFS.

- *Electronic Filers.* Comments may be filed electronically using the internet by accessing the ECFS: *https://www.fcc.gov/ecfs.*
- *Paper Filers.* Parties who choose to file by paper must file an original and one copy of each filing.
- Filings can be sent by hand or messenger delivery, by commercial courier, or by the U.S. Postal Service. All filings must be addressed to the Secretary, Federal Communications Commission.
- Hand-delivered or messenger-delivered paper filings for the Commission's Secretary are accepted between 8:00 a.m. and 4:00 p.m. by the FCC's mailing contractor at 9050 Junction Drive, Annapolis Junction, MD 20701. All hand deliveries must be held together with rubber bands or fasteners. Any envelopes and boxes must be disposed of before entering the building.
- Commercial courier deliveries (any deliveries not by the U.S. Postal Service) must be sent to 9050 Junction Drive, Annapolis Junction, MD 20701.
- Filings sent by U.S. Postal Service First-Class Mail, Priority Mail, and Priority Mail Express must be sent to 45 L Street NE, Washington, DC 20554.
- *People With Disabilities.* To request materials in accessible formats for people with disabilities (Braille, large print, electronic files, audio format), send an email to *fcc504@fcc.gov* or call the Consumer and Governmental Affairs Bureau at (202) 418–0530.

Ex Parte Rules. This proceeding shall be treated as a permit-but-disclose proceeding in accordance with the Commission's *ex parte* rules. 47 CFR 1.1200 *et seq.* Persons making *ex parte* presentations must file a copy of any written presentation or a memorandum summarizing any oral presentation within two business days after the presentation (unless a different deadline applicable to the Sunshine period applies). Persons making oral *ex parte* presentations are reminded that memoranda summarizing the presentation must (1) list all persons attending or otherwise participating in the meeting at which the *ex parte* presentation was made, and (2) summarize all data presented and arguments made during the presentation. If the presentation consisted in whole or in part of the presentation of data or arguments already reflected in the presenter's written comments, memoranda, or other filings in the proceeding, the presenter may provide citations to such data or arguments in his or her prior comments, memoranda, or other filings (specifying the relevant page and/or paragraph numbers where such data or arguments can be found) in lieu of summarizing them in the memorandum. Documents shown or given to Commission staff during *ex parte* meetings are deemed to be written *ex parte* presentations and must be filed consistent with § 1.1206(b) of the Commission's rules. In proceedings governed by § 1.49(f) of the Commission's rules or for which the Commission has made available a method of electronic filing, written *ex parte* presentations and memoranda summarizing oral *ex parte* presentations, and all attachments thereto, must be filed through the electronic comment filing system available for that proceeding, and must be filed in their native format (*e.g.,* .doc, .xml, .ppt, searchable .pdf). Participants in this proceeding should familiarize themselves with the Commission's *ex parte* rules.

Providing Accountability Through Transparency Act: The Providing Accountability Through Transparency Act, Public Law 118–9, requires each agency, in providing notice of a rulemaking, to post online a brief plain-language summary of the proposed rule. The required summary of the *NPRM* is available at *https://www.fcc.gov/proposed-rulemakings.*

Initial Paperwork Reduction Act of 1995 Analysis

The *NPRM* may contain proposed new or modified information collection requirements. The Commission, as part of its continuing effort to reduce paperwork burdens, invites the general public and the Office of Management and Budget (OMB) to comment on the information collection requirements contained in the *NPRM,* as required by the Paperwork Reduction Act of 1995, Public Law 104–13. In addition, pursuant to the Small Business Paperwork Relief Act of 2002, Public Law 107–198, *see* 44 U.S.C. 3506(c)(4), the Commission seeks specific comment on how it might further reduce the information collection burden for small business concerns with fewer than 25 employees.

Synopsis

Title IV of the Americans with Disabilities Act of 1990 (ADA), codified at section 225 of the Communications Act of 1934, as amended (the Act), established the foundation for the nationwide TRS program. 47 U.S.C. 225. Section 225 of the Act directs the Commission to ensure that TRS are available to the extent possible and in the most efficient manner to people with hearing and speech disabilities in the United States.

IP Relay

The Commission must ensure that its TRS rules encourage the use of existing technology and do not discourage the development of improved technology. With the emergence of ASR technology and text-to-speech functionalities in IP Relay, the Commission seeks to leverage this technological progress while understanding and addressing its systemic impact. The Commission invites comment regarding the deployment, performance, potential benefits, or challenges of ASR and automated text-to-speech technologies in the IP Relay context. How can further advancements in text-to-speech technologies enhance the functional equivalency and user experience of IP Relay services?

Billing. The Commission is committed to ensuring sound financial stewardship of the TRS Fund. While many consumers register for only one form of TRS, individuals with both hearing and speech disabilities may register for both IP Relay and IP CTS. Furthermore, modern applications allow a single platform or device to provide multiple forms of TRS within the application,

giving users the flexibility to choose the specific communication mode—such as typing text or speaking—that best suits their needs for a particular call. Users of these platforms now have the ability to switch between IP CTS and IP Relay during the call.

This distinction is critical because of the current differential between IP Relay and IP CTS compensation rates, which may create a risk of waste, fraud, and abuse when these services are delivered on the same platforms. For the current Fund Year, IP Relay providers are compensated at a per-minute rate of $2.1970. By contrast, CA-assisted IP CTS is compensated at $1.40 a minute (plus a potential supplement), while ASR-only IP CTS is compensated at $1.05 per minute. The substantial difference in compensation rates appears to create a financial incentive for providers offering both services to potentially misclassify minutes, or to design their platforms to drive users to IP Relay, to secure the higher rate.

Recently certified providers offering fully automatic IP Relay utilize ASR to convert the hearing party's speech to text (for the IP Relay user to read) and text-to-speech engines to convey the user's typed message to the hearing party. This fully automated functionality shares significant technical characteristics with ASR-only IP CTS, which consists solely of automated voice-to-text transcription. In granting certification for these services, the Consumer and Governmental Affairs Bureau (CGB) cautioned that providers utilizing shared platforms must take care not to bill the TRS Fund at the higher IP Relay rate for minutes that involve only transcription of a caller's speech, without the necessary conversion of the user's communication from text to speech.

How should the Commission address the issues arising from the differences in compensation between fully automated IP Relay and ASR-based IP CTS? Should the Commission resolve the difference through changes to the compensation plan for IP Relay or consider technology-based solutions or solutions based on user registration or call reporting requirements? For example, should the Commission establish a rule stating that a call is compensable only at the ASR-only IP CTS rate unless verifiable records demonstrate that the user actively utilized the text-to-speech output necessary for the full IP Relay conversion process? Are there technical mechanisms (*e.g.,* software checks, specialized signaling, real-time logging of active speech or text-to-speech modules) that integrated service platforms could implement to reliably and automatically distinguish minutes provided as IP Relay versus IP CTS in call detail records? Should providers offering both IP Relay and IP CTS on an integrated platform be allowed to include a feature giving users the affirmative choice of selecting the desired service mode at the outset of the call, or the ability to seamlessly switch between modes during the call, to ensure the recorded service type reflects user preference and necessity? Does allowing for such switching impede the ability of providers to automatically collect call detail records? Could such switching increase the likelihood for providers to improperly categorize minutes of use, thus increasing administrative costs for the TRS Fund when corrective action is taken? Are there changes to the process for recording and submitting requests for compensation that could help mitigate such risks? Which registration and verification requirements should users seeking access to both IP Relay and IP CTS follow? How should the Commission ensure the Commission or the Fund administrator will be able to fully review and audit the call detail records and requests for compensation to ensure the reported minutes align with the service provided?

The Commission seeks comment on whether it should take steps to ensure that CA-assisted IP Relay does not disappear entirely. Does the availability of a human CA provide essential assistance for specific customer segments? Conversely, have ASR and text-to-speech technologies advanced sufficiently to provide comparable service quality even in specialized or challenging contexts? The Commission seeks comment on whether a rule requiring a human-assistance option to be included in every IP Relay offering would help maintain IP Relay service quality, or if the current IP Relay environment, which allows consumers to choose between fully automated and CA-assisted forms of IP Relay (which may be offered by the same or different providers), sufficiently protects service quality.

Numbering. Another issue that arises when IP CTS and IP Relay are provided on the same underlying platform concerns the need for users to designate a default provider for IP Relay and to use the TRS numbering directory to route IP Relay calls. Historically, the infrastructure of IP Relay has involved a live CA converting communications in both directions between the user's text-based internet connection and the voice caller via the PSTN, thereby creating a necessary two-legged call structure. To improve access to emergency service, allow direct dialing of IP Relay calls, and provide a uniform method for calling IP Relay users, the Commission adopted rules providing that an IP Relay user's designated ''default'' provider shall assign (or port) a geographically appropriate ten-digit NANP number to a IP Relay user and facilitate call routing by entering routing information in the TRS Numbering Directory.

Fully automated IP Relay service, which uses automated technology for both speech-to-text and text-to-speech conversions, eliminates the need to connect to a human CA intermediary at a call center and allows IP Relay users to make calls directly to the recipient using an app-based VoIP connection. Therefore, providers of fully automated service may no longer need to put an IP Relay user's telephone number in the TRS Numbering Directory. Further, in relying on existing number assignment processes for VoIP providers, these IP Relay providers would be subject to the Commission's porting and numbering rules applicable to VoIP providers and would no longer need to be identified as default providers, subject to TRS numbering and porting requirements.

The Commission seeks comment on the continuing need to require all IP Relay providers to add a designated NANP telephone number and associated Uniform Resource Identifier (URI) for each IP Relay user. Are IP Relay providers utilizing ASR and automated text-to-speech able to achieve full connectivity between IP Relay users and voice communication users without utilizing the TRS Numbering Directory? Are such providers able to ensure IP Relay users can call emergency services, including 911 and 988? Is the Commission able to relieve IP Relay providers of the obligation to provision information in the Numbering Directory, or do some IP Relay providers still require a mechanism that maps telephone numbers to a user name, domain name, or IP address? Should the Commission allow the provision of IP Relay without assigning the user a designated internet-based TRS phone number, if a user has the ability to place and receive IP Relay calls using the number associated with their telephone service? Are there other impacts to call routing if some, but not all IP Relay numbers are in the TRS numbering directory? Will it change or affect how some IP Relay users reach emergency services? If a provider requires the use of the Directory, would it impede the provision of calls between IP Relay users if some or all IP Relay users' telephone numbers are not in the Directory? Do providers have another mechanism to identify IP Relay calls

between different providers, to flag such calls as non-compensable from the TRS Fund? What technical methods could be implemented to prevent IP Relay providers from submitting compensation requests for such direct IP Relay-to-IP Relay calls, ensuring accurate Call Detail Records and compliance with the Commission's TRS rules? Are there other fraud or security concerns that may arise from no longer requiring IP Relay providers to provision information in the Numbering Directory? Are there other policy considerations that would support maintaining a requirement that all telephone numbers associated with IP Relay be entered in the TRS Numbering Directory?

RTT compatibility. IP Relay, being a text-based service transmitted over the internet, shares fundamental characteristics with RTT technology due to its reliance on text and IP networks. In another proceeding, the Commission is seeking comment on the development of an RTT-based TRS to help facilitate the transition from a TTY-based, analog service to one that can be effectively provided on IP networks. Here, the Commission seeks to better understand the compatibility and differences between these two IP- and text-based forms of relay—IP Relay, as currently configured, and an RTT-based relay service.

The Commission seeks comment on the compatibility and interoperability of RTT and IP Relay in an IP calling environment. What standards do IP Relay providers use to carry text conversations across an IP network? Is the text transmission able to synchronize with voice or video transmission to allow for multimedia conversation? How does the connection to a CA in a call center affect the transmission of the text? How does the use of text-to-speech and ASR technologies affect the transmission of the text?

The Commission also seeks comment on specific rule changes that would facilitate improved compatibility between IP Relay and RTT, including any technical standards or interoperability requirements that should be adopted or modified. What specific modifications or standards are necessary for IP Relay access technology (*e.g.,* equipment or software provided by the IP Relay provider) to natively support RTT protocols and user interface features, such as displaying text character-by-character as it is generated, consistent with RTT standards? Would the features and functions of RTT (full duplex operation and seamless integration of voice and text) translate into improved functional equivalence for IP Relay users? The Commission asks commenters to quantify or describe any expected improvements in pacing, conversation flow, and overall efficiency. Would switching from current IP Relay text-typing methods to character-by-character RTT functionality impact the speed, usability, and accessibility for users relying on assistive technologies such as refreshable braille displays or screen readers? Would RTT integration create opportunities for enhanced interoperability across advanced communication service platforms? Is further action is needed to ensure support for these standards and protocol in the provision of IP Relay.

What are the estimated capital and operational costs required for IP Relay providers to implement RTT compatibility, including necessary changes to access technology, call handling infrastructure, and training for CAs or ASR and text-to-speech engines? Which costs are one-time start-up costs and which are recurring costs? Will integrating RTT into IP Relay create opportunities for long term cost savings?

If the Commission mandates RTT integration into IP Relay, what is an appropriate transition period for providers to implement this change? Should this period be a fixed time (*e.g.,* 18 or 24 months), or should implementation be tied to milestones related to the ongoing transition from analog to IP-based networks across the country? Given that RTT integration is proposed to ensure a seamless transition for legacy TTY users, are there specific measures to inform these users about any new RTT-integrated IP Relay options and to assist them in making the transition?

Metrics. The Commission seeks comment on developing objective, quantifiable measures and metrics for IP Relay services, particularly those employing ASR and automated text-to-speech technologies. The speech-to-text feature of current fully automatic IP Relay services relies on the same ASR engines as providers' IP CTS offerings, and the Commission is already engaged in developing quantitative standards for IP CTS. Therefore, the Commission seeks comment on the extent to which such future metrics for IP CTS could be directly applied or adapted to assess the speech-to-text component of IP Relay done using either ASR or with the assistance of a CA. How should the Commission account for differences in expected use between IP Relay and IP CTS? For example, the Commission believes most IP CTS users rely on both captions and residual hearing for comprehension, while most IP Relay users rely solely on the resulting text. Should the quantitative metric for accuracy required for IP Relay be set at a more stringent standard than an accuracy standard adopted for IP CTS? Does the fact that an IP Relay user types a response, suggest the quantitative standard for caption delay for IP Relay should differ from the standard set for IP CTS? Should such questions be brought to a standards body or designated working group for further development?

The Commission also seeks comment on whether to consider measures and metrics for the text-to-speech functionality in IP Relay, beyond the current qualitative standard requiring CAs to possess clear and articulate voice communication skills. What process should the Commission pursue to develop measures and metrics for text-to-speech? Should the Commission also consider developing measures for CA-assisted text-to-voice IP Relay? What quantitative measures could effectively assess text-to-speech accuracy, clarity, and naturalness? How should the concept of automated text-to-speech ''clarity'' be quantified—for example, by measuring synthetic voice recognition rates by external testing panels, or by adopting metrics derived from industry standards for audio quality, independent of the ASR transcription process? Should the Commission establish a quantitative standard for the latency or delay of the text-to-speech component? What would be the appropriate measures to consider for such conversational latency or delay in IP Relay?

If the Commission develops metrics and measures for the provision of IP Relay, how should the Commission perform service quality tests? Should the Commission require IP Relay providers offering a hybrid service (ASR and text-to speech alongside human CAs) to report automated performance metrics separate from CA-assisted performance metrics? What level of quality is acceptable and what statistical methods are appropriate for assessing provider performance? How, and how often, should the information be collected? To ensure the accuracy and impartiality of data, should the measurement of IP Relay ASR and text-to-speech quality rely predominantly on testing conducted by an independent entity chosen and overseen by the Commission, or should providers also be required to perform and submit self-testing results? Does the extent to which performance data are self-reported or collected through a third party affect how the Commission should analyze or

understand the results? Should the collection method affect the level of performance deemed acceptable? What methodology is appropriate for testing ASR performance in call environments particularly relevant to IP Relay users, such as those using assistive technology like refreshable braille displays or screen readers? Are there rule changes the Commission should consider to facilitate such performance testing? How frequently should such testing be performed and submitted? Should the Commission publish the results of such performance testing? Should it develop a dashboard of performance metrics for IP Relay? What information would be most useful to publish on the dashboard to convey IP Relay performance for the public and for users?

Should the Commission adopt specific consequences or remediation practices for IP Relay providers whose measured performance falls below the minimum qualitative standards for ASR accuracy or automated text-to-speech quality? For example, should providers that fail to meet these metrics be required to develop and submit for Commission approval a corrective compliance plan detailing steps and timelines for service improvement? If testing reveals performance disparities (*e.g.,* lower accuracy or clarity), should compensation be withheld or reduced until standards are met? Should testing be part of the Commission's certification and re-certification review processes?

Video Relay Service

ASR Captioning. Automation has transformed the economics of captioning, making it practicable to offer captioning with most forms of video communication. Captioning has become a widespread and commonplace feature across various communication platforms, including general IVCS platforms, where the Commission has moved to adopt performance objectives for the provision of captions that are accurate and synchronous. With the increased availability of captioning to any person using communications services, the Commission seeks comment on requiring VRS providers to build in captioning functionality for what the CA voices when transliterating signs to spoken English. This would ensure that the VRS user, in addition to seeing the CA's signed interpretation, would also simultaneously receive a text display of the CA's spoken output. The Commission assumes that integrating captioning functionality directly into VRS platforms would be beneficial for ensuring conversation comprehension between ASL users and hearing individuals, by providing the ASL user with a secondary check to their conveyed information, comparable to the ability of hearing individual to hear their own words in a voice communication. VRS users would be able to monitor the quality of the CA's interpretation by allowing them to assess the CA's voiced interpretation of their signs—by comparing the simultaneously displayed text of that interpretation with what they originally signed, thereby ensuring the accuracy of their communication, while also enhancing the transparency and accountability of the relay service. The Commission seeks comment on these assumptions.

In addition to captioning the CA's voiced interpretation, the Commission seeks comment on whether to require VRS providers to build in captioning functionality for what the hearing caller is saying. Such options align with communications services currently available to hearing users in the communications services marketplace. This would provide the VRS user with direct text of the hearing party's speech, complementing the CA's signed interpretation. This integration would provide greater flexibility for the user, allowing them to choose how they receive and process information during a VRS call, depending on their individual preferences, communication mode (*e.g.,* residual hearing combined with visual text), or environmental factors. The Commission assumes this would offer VRS users a more complete and redundant visual representation of the conversation, potentially enhancing comprehension and further facilitating a multi-modal approach to communication in a manner functionally equivalent to the voice communication available to hearing individuals. The Commission seeks comment on this assumption.

The Commission also seeks comment on whether users should be able to adjust the display of captions on VRS software. The Commission previously adopted performance objectives for IVCS providers to provide user interface controls, which permit users to activate and adjust the display of captions. The Commission seeks comment on adopting a similar requirement that users be able to activate and adjust the display of captions, allowing them to alter the size, font, and on-screen location of captions, and adjust the color and opacity of both the captions and the caption background. The Commission assumes that this measure aligns with the Commission's broader goal of empowering individuals with disabilities through independent user control over accessibility-related settings, which is essential for managing individual preferences and needs across various communication platforms. Additionally, the Commission assumes independent user control of the display of captions would enhance access for people who use ASL and have limited vision. By enabling VRS users to optimize caption readability and have effective communication, such controls would appear to advance the statutory mandate for functionally equivalent TRS to be made available in the most efficient manner. The Commission seeks comment on these assumptions. Are there potential unintended consequences with allowing simultaneous captioning and signing? For example, given that there are grammatical differences between written English and ASL, could the simultaneous display of ASL and text cause confusion or impede the flow of conversation, if VRS users seek to verify the ongoing accuracy of CA signing? Are there captioning settings or best practices available that could help mitigate any unintended consequences?

The Commission seeks comment on the costs and benefits of implementing built-in captioning and customizable display settings. Is it technically feasible for VRS providers to implement built-in captioning with customizable display settings? Are there potential cost savings associated with the enhance comprehension that captions may provide? What are the one-time and ongoing costs that VRS providers would incur to develop and maintain built-in captioning and customizable display settings? How should the TRS Fund administrator categorize those costs? Are there alternative ways VRS providers could make captioning available, such as, through integration of third-party applications? The Commission asks that commenters discuss the costs and benefits of any alternative proposals.

The Commission also seeks comment on whether any captioning requirements adopted should be applicable to dedicated VRS devices (*i.e.,* videophones) distributed by providers, as well as the VRS software made available for use with off-the-shelf devices such as smart phones, tablets, computers, and laptops, or via web versions of the VRS platform. Would captioning functionality be most efficiently provided in the VRS context by attaching it to the service, as with most IVCS platforms, or by providing it through a VRS user's equipment, as with the captioning made available through the operating systems of wireless devices, independently of a voice communications service? The

Commission seeks comment on the scope of its authority under section 225 of the Act to require manufacturers of VRS access technology equipment to support captions and customizable display settings. The Commission often distinguishes between its ability to allow TRS Fund support for services and service-related software and web-based applications for off-the-shelf devices and provider build and provisioned consumer premises equipment (CPE). Is the Commission only able to adopt such a requirement where it is able to ensure such costs are compensable through TRS Fund support? To meet the definition of TRS, must a telephone transmission service, such as VRS, or a manufacturer of VRS access equipment conform to the requirement that equipment used for advanced communications service or telecommunications services is accessible to and usable by individuals with disabilities, even if the equipment costs are not compensable through the TRS Fund?

International Dialing while Traveling Abroad. U.S. residents who are VRS users frequently need to make telephone calls while traveling abroad. The Commission's current rules allow TRS Fund support (after notice to the user's default VRS provider) when such users place calls to the United States, but they do not address compensation for calls placed to other endpoints. Recently, the United States Department of State (State Department) asked the Commission to permit TRS Fund support when VRS users traveling abroad make calls to U.S. embassies and consulates, which have telephone numbers local to the country where they are located. In its request, the State Department explains that its ''dedicated consular teams around the world stand ready to assist, and our embassies and consulates maintain duty rosters to coordinate help on a 24/7 basis, for U.S. residents who need assistance due to a medical emergency, lost passport, death, arrest, or other unanticipated event.''

To facilitate the safety and security of VRS users traveling abroad, the Commission proposes to require VRS providers to complete VRS calls to a designated list of international numbers for U.S. embassies and consulates. The Commission seeks comment on the technical feasibility, estimated costs, and potential benefits of mandating VRS providers to facilitate these types of calls to a pre-approved list of diplomatic facilities. How would such a requirement impact VRS provider operations, the TRS Fund, and the functional equivalence of VRS for users seeking to connect with U.S. government services while abroad? What safeguards are necessary to ensure appropriate use and prevent misuse of this service? What technical modifications would be necessary to be able to facilitate connections between VRS users and U.S. government services using non-NANP numbers?

The Commission declines to broaden the scope of our international calling rules beyond the specific requirement proposed today regarding calls placed to U.S. embassies and consulates. It does not seek to revisit, the Commission's prior determination that, in general, calls that originate and terminate outside of the United States are non-compensable. The Commission limits its proposal to an exception for calls to U.S. embassies and consulates that we believe are permissible under section 225 of the Act.

The Commission also seeks comment on its legal authority to allow TRS Fund support for U.S. residents' use of TRS for calls to U.S. embassies and consulates. CGB previously determined that VRS calls that both originate and terminate outside the United States are not compensable. This determination was based on the text of section 225 of the Act, which directs the Commission to ensure that TRS are available to ''hearing-impaired and speech-impaired individuals in the United States.'' However, in so directing the Commission, section 225 of the Act expressly references section 1 of the Act, which establishes the Commission, ''for the purpose of regulating interstate and *foreign* commerce in communication by wire and radio,'' so as to make communication service available ''to all the people *of* the United States.'' To interpret section 225 of the Act in harmony with section 1 of the Act, the Commission believes that section 225 of the Act should not be construed as limiting the Commission's authority to make VRS available to ''the people of the United States'' (*i.e.,* to U.S. citizens and legal U.S. residents) when such individuals are temporarily located outside the United States.

Further, the Commission has previously interpreted section 225 of the Act as allowing U.S. residents to make calls to the United States while temporarily located abroad for periods of up to one year. The Commission believes that supporting VRS calls to U.S. embassies and consulates by U.S. residents traveling abroad, even where the dialed number is a foreign end point, is similarly permissible under section 225 of the Act, notwithstanding CGB's prior determination regarding international calling in general. U.S. embassies and consulates are the primary way for a U.S. citizen traveling abroad to contact the United States government for support and assistance. While the U.S government has chosen to utilize calling numbers assigned to the country where the U.S. embassy or consulate is located, that does not change the intent of the VRS caller to reach the United States government. The Commission notes that, as a strictly legal matter, U.S. embassies and consulates may not constitute the territory of the United States. However, international law regards the premises of a foreign mission as ''inviolable,'' such that ''the agents of the receiving State may not enter them, except with the consent of the head of the mission.'' In addition, ''[t]he receiving State is under a special duty to take all appropriate steps to protect the premises of the mission against any intrusion or damage and to prevent any disturbance of the peace of the mission or impairment of its dignity,'' and ''[t]he premises of the mission, their furnishings and other property thereon and the means of transport of the mission shall be immune from search, requisition, attachment or execution.'' Conversely, embassy and consular staff are subject to the laws of their home country. Thus, it appears that for many legal purposes, a U.S. embassy or consulate is treated *as if* it were part of the United States. For these reasons, the Commission believes it is permissible to designate such calls as compensable and to require VRS providers to ensure that VRS users may complete such calls. The Commission seeks comment on these beliefs.

In what specific respects are embassies or consulates treated (or not treated) as if they were part of the United States? In construing section 225 of the Act in this context, how should the Commission resolve the seeming incongruity between the Commission's authority under section 225 of the Act ''to carry out the purposes established under section 151 of the Act, to make available to individuals *in* the United States a rapid, efficient nationwide communication service'' by ensuring the availability of TRS, and the purpose actually stated under section 151 of the Act, *i.e.,* ''regulating interstate and *foreign* commerce in communication by wire and radio so as to make available, so far as possible to all people *of* the United States . . . a rapid, efficient, Nation-wide, and world-wide wire and radio communication service . . .''? To the extent that the Commission finds the phrase ''in the United States'' in section 225(b)(1) of the Act refers to the physical territory of the United States,

does that preclude the Commission from ensuring that communications capabilities made available to U.S. residents are also available to such individuals when they leave the United States? Do the provisions of section 225 of the Act requiring common carriers to ensure the availability of TRS throughout the area in which it offers services and requiring the Commission to ensure the regulations do not discourage or impair the development of improved technology, permit international TRS, when technologically feasible and where TRS Fund contributors offer such world-wide voice communication services? If the people of the United States can use voice communications services to engage in communications world-wide regardless of their location, does functional equivalence necessitate telephone transmission services being available on the same worldwide scale to meet the definition of TRS?

Cap on VRS at-home minutes. The Commission previously increased the cap on VRS call minutes that could be handled by CAs working from home workstations from 50% to 80% of a provider's monthly minutes. This action implicitly established a 20% minimum requirement for monthly VRS minutes to be handled within physical call centers. The Commission seeks comment on whether, based on provider and consumer experience since the 80% cap became effective, the rationale supporting the 20% minimum physical call center minute requirement remains valid and whether the 80% cap should be removed. Does the experience of VRS providers operating under the 20% mandatory minimum for minutes handled through physical call centers show that these call centers are still essential for safeguarding the quality, reliability, and continuity of VRS? Are the monitoring and oversight rules regarding supervision, technical requirements, and random inspections adequate to provide comparable supervision and training remotely, thereby obviating the need for a fixed 20% minimum call center minute requirement? Given that no other form of TRS is subject to a mandatory physical call center threshold, does this requirement for VRS create unnecessary cost burdens or inefficiencies that hinder VRS providers' ability to utilize their labor force in the most cost-effective manner? If eliminated, what benefits (*e.g.,* reduced overhead expenses or improved CA retention) could be realized and how should the Commission quantify these savings and benefits?

What is the impact of the current 20% minimum physical presence requirement on VRS providers' ability to recruit and retain qualified CAs? Are there any quantitative data on call quality, speed-of-answer compliance, and consumer complaint rates for minutes handled in physical call centers versus at-home workstations since the 80% cap took effect, including any metrics related to CA productivity or turnover? How has the 20% minimum physical presence requirement impacted the service experience of VRS users? Is there any empirical evidence demonstrating a quantifiable degradation of service quality directly attributable to increased reliance on at-home CAs? Conversely, absent such evidence, should the minimum physical presence requirement be removed entirely? If the Commission were to remove the 20% minimum minute requirement, should it mandate that VRS providers continue to maintain a minimum number of physical call centers (not related to minute volume) to ensure infrastructure redundancy and sufficient resources for staff supervision and technical support?

Should the Commission remove the 20% minimum requirement for monthly VRS minutes to be handled within physical call centers, then it may be possible that a VRS provider will no longer have any call centers. In light of that possibility, the Commission seeks comment on making conforming changes to several requirements for VRS providers to provide services at home workstations equivalent to or to the same extent as those provided at call centers. The Commission seeks comment on how removing the 20% minimum call center requirement would affect the current requirements for VRS providers to provide at-home CAs equivalent support to that provided to CAs working from call centers, ensure that each home workstation enables the provision of confidential and uninterrupted service to the same extent as the provider's call centers, and ensure that off-site supervision approximates the level of supervision at the provider's call center. Would it be sufficient to require VRS providers to provide support and supervision to CAs and require all home workstations to enable the provision of confidential and uninterrupted service even without a physical call center to serve as a point of comparison for these standards?

TRS User Registration and Verification Requirements

The Commission seeks comment on unifying and streamlining the existing user registration and verification requirements, particularly those currently organized within § 64.611 of its rules, which are presently grouped by VRS, IP CTS, and IP Relay. The objective of this streamlining is to create a more coherent and consistent regulatory framework, while retaining specific provisions where necessary to address inherent differences between particular forms of TRS, such as technological capabilities or service delivery models.

Currently, § 64.611 of the Commission's rules delineates distinct registration requirements for each internet-based form of TRS. As the Commission moves towards extending user registration and verification requirements to all forms of TRS, including analog services and future IP-based services, the need for a unified and streamlined regulatory framework becomes even more apparent. The Commission believes such an approach would enhance clarity, reduce complexity for providers, and ensure consistent application of anti-fraud measures across the entire TRS program. Are there considerations that cut against this belief? The Commission seeks comment on how to best achieve this unification and streamlining within § 64.611 of its rules. Are there specific rule consolidations the Commission should consider? Are any distinctions between user registration and verification requirements for specific forms of internet-based TRS necessary? What impact, if any, would there be on compliance and administration as a result of this consolidation and streamlining of existing user registration and verification requirements?

Building on these considerations, the Commission seeks comment on the optimal allocation of responsibilities within the user registration process. Under Commission rules, VRS and IP CTS providers collect user information and transmit it to the User Database administrator, who then conducts the identity verification check. Is this division of labor the most efficient and effective model, or are changes warranted? Should the User Database Administrator remain the primary entity for identity verification, or is there a more efficient option? For example, the Commission seeks comment on the feasibility and desirability of the administrator establishing a direct user registration portal. This alternative model would allow users to submit their registration information directly to the User Database, rather than through their chosen provider, potentially streamlining the initial collection process and enhancing neutrality. In addition, this approach would eliminate

the need for users to register and obtain identity verification each time they change to a different TRS provider. What are the operational implications, costs, benefits, and any associated privacy concerns for each of these models, including how they might impact user experience, program integrity, and the overall efficiency of the TRS program? How would this improve the user experience compared to how user registration is currently done?

TRS Certification Applications

The Commission seeks comment on how the overall provider certification process could be streamlined to reduce the amount of detail the applicant must provide to demonstrate it will meet all applicable TRS mandatory minimum standards. To what extent are detailed descriptions essential for determining whether to certify a provider? How can an applicant provide a detailed description of how the applicant will meet all applicable TRS mandatory minimum standards in a way that demonstrates the applicant's eventual ability to actually comply with these standards? To what extent are detailed descriptions essential for determining whether to certify a provider? Is there information the Commission collects unnecessarily, or require providers to retain beyond its useful period? For example, should the Commission limit the required listing of employees to those who are CAs, executives, or officers? Should the Commission reduce the retention period for employment agreements for employees other than CAs, executives, or officers? Should the Commission eliminate the requirement to include in certification applications detailed descriptions and copies of certain deeds or leases (*e.g.,* for facilities, their technology and equipment, and automatic call distribution) for call centers located within the United States, while requiring these descriptions and copies for call centers located outside the United States?

What are the potential benefits, drawbacks, and feasibility of streamlining the certification process in this manner, particularly concerning its impact on administrative efficiency, regulatory oversight, and the continued assurance of functional equivalence for TRS users while preventing waste, fraud, or abuse of the TRS Fund? Is there any aspect of the certification process, including other relevant rules, that the Commission should consider as it works to streamline the certification process for internet-based TRS providers? Are there other certification processes that the Commission should evaluate as useful models?

Additionally, the Commission seeks comment on how the recertification process could be streamlined to reduce the amount of detail the applicant must provide to demonstrate it continues to meet all applicable TRS mandatory minimum standards. How can the Commission leverage information collected with the initial application and during the certification period, while maintaining a robust recertification process? Would requiring details only when a change has been made since the initial application meet the goal of ensuring the Commission has complete and accurate information to consider applications for recertification? Should the Commission allow internet-based TRS providers to refer to information previously filed with the Commission in lieu of including detailed descriptions of how they will meet the mandatory minimum standards applicable to each form of TRS in their recertification applications? If the Commission retains requirements to include detailed descriptions and copies of certain deeds or leases (*e.g.,* for call center facilities, their technology and equipment, and automatic call distribution) in initial certification application, should the Commission eliminate the requirement for recertification applications? Should the Commission eliminate the requirement to file copies of sponsorship arrangements?

The Commission also seeks comment on several additional targeted revisions to the TRS provider certification rule in an effort to enhance administrative efficiency, remove redundant obligations, and ensure the accuracy of its regulatory text. The Commission proposes to correct a cross-reference to ensure that the required certification documentation, which describes measures taken by IP CTS providers to prevent seeking compensation for ineligible users, accurately points to the proper IP CTS registration and certification rules codified under § 64.611(j) of its rules. To provide greater administrative flexibility, the Commission proposes deleting unnecessary constraints regarding the format used by the Commission to issue certification, recognizing that while these rules may have previously specified a letter or order, the Commission currently uses various administrative documents to grant conditional certification, provided the provider is determined to meet all applicable mandatory minimum TRS standards and compliance requirements.

Finally, to reduce paperwork burden now that the relevant programs have matured, the Commission proposes to eliminate the requirement for internet-based TRS providers to submit an annual compliance report demonstrating that they are in compliance with § 64.604 of its rules. The Commission also proposes to eliminate a parallel requirement that applicants promise to file an annual compliance report. Through this proposal, the Commission would also eliminate the additional obligation on VRS providers to submit a compliance plan describing the provider's policies, procedures, and practices for complying with § 64.604(c)(13) of its rules and submit specific statistics related to at-home call handling. The Commission believes that annual compliance reports impose an unnecessary administrative burden on TRS providers.

While the Commission believes that comprehensive annual reporting on compliance creates unnecessary and burdensome paperwork, the Commission also maintains a strong commitment to the prevention of waste, fraud, and abuse in the TRS program. The Commission believes all TRS providers must have in place, and train their staff to carry out, clearcut, detailed procedures for compliance with applicable Commission rules. Therefore, instead of the annual compliance reporting currently required, the Commission proposes to require that, upon request by the Commission, a TRS provider must submit a detailed description of its current practice and future plans for complying with each rule specified in such request. The Commission proposes that a provider should be able to complete and submit such a compliance report and plan within 60 days of receiving a request from the Commission. The new requirement and timeframe are similar to the Commission's current rule, under which the Commission may notify a VRS provider if the Commission determines its compliance plan currently on file is inadequate to prevent waste, fraud, and abuse of the TRS Fund and giving the provider up to 60 days to submit an amended compliance plan. The current requirement is limited to VRS providers, while the proposed rule would apply to providers of all forms of TRS. The Commission seeks comment on these proposals and beliefs.

Notification of Substantive Changes

Section 64.606(f)(2) of the Commission's rules requires VRS and IP Relay providers to notify the Commission of substantive changes in

their TRS programs, services, and features within 60 days of when such changes occur. Providers must also certify that the interstate TRS program continues to meet federal minimum standards after implementing the substantive change. While § 64.606(f)(2) of the Commission's rules mentions only VRS and IP Relay providers, the Commission has required some IP CTS providers (as a condition of certification) to promptly report any changes in the information provided to the Commission during their application and supplemental filings, including changes in service agreements, suppliers, or the manner in which they provide service.

In recognition of this inconsistent policy and to ensure clarity and uniformity across all internet-based relay services, the Commission proposes to amend § 64.606(f)(2) of its rules to replace the specific references to ''VRS and IP Relay providers'' with the broader term ''internet-based TRS providers.'' This proposed modification would ensure that a uniform notification requirement is applicable to each internet-based TRS provider. Furthermore, this amendment would accommodate the emergence of new internet-based relay services, such as the recently proposed internet Protocol Speech-to-Speech Relay Service (IP STS), avoiding the need for further rule modifications for each new service. This approach promotes efficiency and minimizes administrative burdens for both providers and the Commission by establishing a clear, overarching requirement for all internet-based TRS offerings. The Commission seeks comment on this proposal.

The Commission also proposes to adjust the text of the rule to eliminate any possible doubt regarding the timing of the required notification. The rule currently requires that ''[s]tates must notify the Commission of substantive changes in their TRS programs within 60 days of when they occur'' and providers ''must notify the Commission of substantive changes in their TRS programs, services, and features within 60 days of when such changes occur.'' The Commission proposes to replace ''of when'' with ''after'' to emphasize that this notification does not have to be given in advance of a substantive change. The Commission seeks comment on this proposal.

Incentives for Use of TRS

The Commission's rules currently prohibit IP CTS and VRS providers from offering direct or indirect incentives, financial or otherwise, to encourage registration for or use of these services. These prohibitions were established to prevent waste, fraud, and abuse in the TRS program, in which, due to the per-minute compensation system, providers may be motivated to encourage unnecessary use of relay services solely for the purpose of generating additional revenue. Such practices result in increased costs that are borne by all providers and users of communication services, impeding the statutory goal of making functionally equivalent services available in the most efficient manner.

To protect the long-term sustainability and integrity of the TRS Fund as new technologies arise, the Commission proposes to amend § 64.604(c)(8) of its rules so that the prohibition on incentives and inducements applies broadly to all internet-based TRS, including IP Relay and prospective services such as IP STS, Video-Assisted STS, and RTT-based relay service. This expansion is intended to strengthen the integrity and safeguard the TRS Fund from waste, fraud, and abuse program-wide. The Commission seeks comment on this proposal.

Calling Party Identification Requirement

Section 64.604(b)(6) of the Commission's rules currently requires that when a TRS facility is capable of transmitting calling party identifying information, it must pass through, to the called party, at least one of three options: the number of the TRS facility, 711, or the 10-digit number of the calling party. This requirement was initially established to ensure that a called party subscribing to Caller ID could, at a minimum, identify the incoming call as being from a TRS facility, which helped prevent the rejection of calls that might otherwise display as blocked or unavailable. The Commission proposes to amend this rule by eliminating the phrase, ''the number of the TRS facility,'' as this option has become superfluous. For TRS providers that route calls as a part of providing their service the functional equivalency mandate is best met by transmitting to the called party the caller's specific 10-digit number, if one is assigned, or (if no number is assigned to the caller) by providing the universal 711 code. For call recipients, 711 is easily identified as the number for TRS call centers, while the telephone number assigned to a TRS facility is often unadvertised and not readily distinguishable from other 8XX toll-free telephone numbers. The Commission believes the continued inclusion of the generic TRS facility number option appears unnecessary and inconsistent with modern TRS numbering standards, and its removal will clarify the emphasis on providing the most accurate identification information possible. The Commission seeks comment on this proposal and belief.

Updating or Deleting Obsolete or Unnecessary Rules

As part of the Commission's efforts to modernize the TRS program, the Commission proposes to update the TRS rules by deleting or modifying regulations that are obsolete; create burdensome and unnecessary record retention, reporting obligations, or disclosures; govern a time period that has passed; or contain duplicative or superfluous language. The Commission also proposes to make technical corrections to correct cross cites to other rules. The Commission seeks comment on these proposals and the questions, beliefs, and assumptions stated below.

Automatic Call Distribution Platform. Section 64.604(b)(4)(iv) of the Commission's rules mandates that if an Automatic Call Distribution (ACD) platform is leased or licensed between two eligible VRS providers, the lessee or licensee must locate the ACD platform on its own premises and utilize its own employees to manage the ACD platform. The Commission believes retaining this restriction may be unduly burdensome on operational flexibility. While intended as a safeguard against the types of unlawful activities seen on the part of many white label providers, the Commission believes that the current VRS program structure, which encourages competition among providers, reduces the need to explicitly require VRS providers to locate the ACD platform on its premises and utilize its own employees. The Commission believes it is sufficient to rely on the requirements that VRS providers enter into a written lease for an ACD platform and that the lease must not include compensation of the lessor by the lessee related to minutes of use or revenue sharing agreements between the lessor and the lessee. Thus, the Commission proposes to delete the last sentence of § 64.604(b)(4)(iv) of its rules. The Commission seeks comment on this proposal. Would it be beneficial to retain this specific restriction? If so, what are the costs and benefits of doing so?

VRS Access Technology Reference Platform. Section 64.619 of the Commission's rules provides for the availability and administration of a ''VRS Access Technology Reference Platform'' (Technology Reference Platform). Section 64.621(a)(3) of the Commission's rules requires VRS providers to ensure that their access

technologies and video communication service platforms are interoperable with the Technology Reference Platform and prohibits compensation of VRS providers for minutes of use involving non-interoperable access technologies or video communication service platforms that are not interoperable with the Technology Reference Platform. In March 2020, the Commission suspended the compliance deadline requiring VRS interoperability with the Technology Reference Platform pending completion of the standards development process for a VRS provider-to-user-device communications standard and a rulemaking proceeding to incorporate such a standard into the rules. Compliance with requirement remains pending. Following its initial development, the Technology Reference Platform was decommissioned by its administrator, and the Commission has not pursued redevelopment of the platform. The Commission proposes to eliminate the requirement to be interoperable with the Technology Reference Platform and delete the related rules for its establishment and administration. The Commission seeks comment on this proposal.

Single URL Address. Section 64.604(d)(1)(ii) of the Commission's rules requires that VRS service must be offered under the certified provider's name or clearly identified sub-brand, and specifically mandates that ''[p]roviders must route all VRS calls through a single URL address used for each name or sub-brand used.'' This requirement was initially intended to reinforce provider identity and help maintain regulatory oversight, in part by preventing the delegation of call center functions and ensuring calls were not routed through multiple, potentially unauthorized URLs to mask misuse. The Commission adopted this rule in part because it found that the complex branding and commercial relationships that had previously existed between eligible and ineligible VRS providers hindered consumers from making informed choices among VRS providers. The Commission proposes to amend this rule by deleting the phrase, ''Providers must route all VRS calls through a single URL address used for each name or sub-brand used.'' The Commission believes this specific routing limitation has become obsolete and unnecessarily burdensome in the current technical environment. The Commission now supports the VRS Provider Interoperability Profile, which enables server-based routing using provider domain names recorded in the TRS Numbering Directory. This protocol helps ensure that each NANP telephone number in the TRS Numbering Database is connected to a unique Uniform Resource Identifier with a server domain name for the VRS provider, allowing for the provider to be identified, even if multiple IP addresses are used. Further, VRS providers only complete calls with domain or IP addresses that are found in the TRS Numbering Directory. Furthermore, the Commission's comprehensive suite of measures to prevent waste, fraud, and abuse provides robust oversight regardless of the specific URL structure, including user registration and validation requirements and Call Detail Record reporting requirements that capture critical technical data necessary for audit purposes, such as IP addresses. Therefore, retaining this specific phrase appears unnecessary given the current technical reliance on domain names for routing and the enhanced accountability provided by other regulatory requirements. The Commission seeks comment on this belief.

Interoperability with the Neutral Video Communication Service Platform. Section 64.621(a)(4) of the Commission's rules requires that all VRS providers ensure their VRS access technologies and video communication service platforms are interoperable with the Neutral Video Communication Service Platform (Neutral VRS Platform). This requirement mandated compatibility with a centralized platform intended to handle non-core functions like call routing, thereby enabling efficient competition among providers who would focus primarily on CA services. The Commission proposes to delete § 64.621(a)(4) of its rules in its entirety because the underlying technology it governs was never successfully implemented, making the provision obsolete and unnecessary. Maintaining a specific requirement to ensure interoperability with a service platform that does not exist constitutes mere surplusage and imposes an unnecessary standard that cannot be met. The Commission seeks comment on this proposal.

Administrator Requirements. Section 64.623(a) of the Commission's rules defines the term ''Administrator'' for purposes of that section by consolidating references to the administrator of the TRS Numbering Directory, the administrator of the TRS User Registration Database, the administrator of the VRS Access Technology Reference Platform, and the provider of the Neutral Video Communication Service Platform. The Commission proposes to delete the phrases referencing the ''administrator of the VRS Access Technology Reference Platform'' and the ''provider of the Neutral Video Communication Service Platform'' from paragraph (a) and removing related references in paragraph (b)(4), as these administrative functions govern platforms that were never successfully developed. Given that the platforms themselves do not exist or are not operational, retaining specific regulatory language that mandates the inclusion of their administrators in this definition is unnecessary surplusage.

Consumer Complaint Logs. Section 64.604(c)(1) of the Commission 's rules requires state TRS programs and TRS providers to maintain a detailed log of consumer complaints alleging violations of federal mandatory minimum standards. It also requires that providers submit annual summaries of these logs to the Commission by July 1st of each year, indicating the number of complaints received. This rule is intended to assist the Commission in monitoring compliance trends and whether further inquiry or actions requiring coordinated solutions are needed. With the growth of internet-based TRS and the availability of alternative oversight tools, the Commission believes the burden to state TRS programs and TRS providers in submitting annual summaries of these logs to the Commission outweighs the benefit from this required submission. The Commission proposes to eliminate the requirement to submit summaries of the complaint logs, while retaining the requirement to maintain complaint logs, and instead require that complaint logs be provided to the Commission upon request. The Commission seeks comment on this proposal and belief.

Specific Contact Information. Section 64.604(c)(2) of the Commission's rules requires state TRS programs, interstate TRS providers, and TRS providers with state contracts submit specific contact information to the Commission for handling consumer inquiries and complaints. The existing rule details this submission through mandatory subparagraphs requiring, at a minimum, the name and address of the office receiving complaints; voice, TTY, fax, email, and web addresses; and the separate physical address for correspondence. The Commission believes retaining a fixed list of communication methods can become unnecessarily burdensome when certain formats become obsolete, such as the mandatory inclusion of a fax number and the Commission proposes to delete in its entirety the exhaustive list of specific minimum requirements detailed in paragraphs (i), (ii), and (iii)

of § 64.604(c)(2) of its rules. To streamline this administrative requirement while preserving consumer access, the Commission proposes revising the introductory text of paragraph (c)(2) of its rules to generally require the submission of information necessary for consumer contact and complaint resolution (*e.g.,* telephone number and email address), thereby giving providers flexibility to update their communication channels without adherence to an overly prescriptive checklist. The Commission seeks comment on this proposal and belief.

Public Awareness Methods. Section 64.604(c)(3) of the Commission's rules establishes requirements for common carriers providing telephone voice transmission services to ensure that callers in their service areas are aware of the availability and use of all forms of TRS. Specifically, this rule requires carriers to assure public awareness through a prescriptive listing of methods such as publication in their directories, periodic billing inserts, placement of TRS instructions in telephone directories, through directory assistance services, and the incorporation of TTY numbers in telephone directories. The Commission proposes to delete § 64.604(c)(3) of the Commission's rules because this provision is largely obsolete and unnecessarily burdensome in today's rapidly evolving communications environment. Originally adopted in 1991 to reflect prevailing methods of public information dissemination, these specific requirements appear outdated now, in light of the transition to IP-based networks and decline in the use of analog relay services like TTY-based Relay. Further, the Commission has previously raised concerns about the effectiveness of such methods as directories and bill inserts in achieving widespread public awareness of TRS. The Commission seeks comment on this proposal and belief. Are common carriers best positioned to raise awareness about modern TRS services? Should the Commission revise § 64.604(c)(3) of its rules to require common carriers to share information about TRS with their subscribers in a modern, flexible way that is more aligned with modern practices? Are common carriers already raising awareness about TRS in modern ways? If so, how do common carriers ensure public awareness of TRS?

TRS Advisory Council. Among other provisions, § 64.604(c)(5)(iii)(H) of the Commission's rules directs the Administrator to establish a voluntary group (known as the TRS Advisory Council) consisting of diverse stakeholders, to monitor TRS cost recovery matters. The Commission proposes to delete this requirement. In adopting its proposal to select the National Exchange Carrier Association (NECA) as the original TRS Fund administrator, the Commission also adopted the recommendation to establish an advisory committee to monitor TRS cost recovery issues. The Commission found merit in the proposal for an advisory committee to monitor TRS issues and provide guidance to the Fund administrator and believed it would help serve as a safeguard (among other requirements) to address concerns associated with the administrator's association with local exchange carriers and its alleged inability to control administrative costs.

The Commission recognizes that since its inception, the TRS Advisory Council has served an informative role in advising the TRS Fund administrator, and the Commission benefits from direct consultation with TRS stakeholders and accessibility community representatives. The Commission questions, however, whether the same benefits can be proffered by a less regulated mechanism. Is a direct regulatory requirement, which is not statutorily mandated and which limits both the scope of and makeup of the TRS Advisory Council, the appropriate mechanism for facilitating advisory input by stakeholders? Further, the process for how the Commission monitors TRS and establishes compensation has evolved substantially in the 33 years since the TRS Advisory Council was established. The Commission now selects the Fund administrator through a competitive procurement process. Furthermore, the Council's narrow focus on TRS cost recovery, as written in the rule, is less critical today, given the Commission's assumption of a more active role in setting TRS compensation and the various oversight, monitoring, and auditing tools used by the Commission and the Fund administrator. In using the rulemaking process, the Commission affords the opportunity for individuals with disabilities and organizations representing such groups to actively participate and provide feedback on TRS compensation and how to structure and change the TRS program to ensure the Commission is meeting its statutory obligations. The Commission also uses the statutory Federal Advisory Committee process to procure recommendations on TRS and other accessibility issues while ensuring transparency, public involvement, and accountability. The Commission also has included within the scope of work, for entities working at the Commission's direction, the ability or requirement to form working groups or otherwise involve a diverse group of stakeholders to inform and provide guidance without imposing a specific structure on such processes. As such, the Commission believes the cost and administrative burden of maintaining the TRS Advisory Council outweighs its benefits. The Commission seeks comment on this proposal and beliefs. Are there benefits to retaining the TRS Advisory Council? The Commission seeks comment on how the TRS Advisory Council has benefitted the TRS Fund administrator and the Commission. Are those benefits distinguishable from the benefits received from established Federal Advisory Committees or the Commission rulemaking process? What has been the impact of explicitly identifying certain groups for membership on the Council? Has the stated purpose of monitoring ''TRS cost recovery matters'' limited the guidance the Council has been able to provide? Would allowing or requiring the TRS Fund administrator to maintain an advisory council within its scope of work, without a separate rule, sufficiently maintain any identified benefits of the Council?

Call Centers. Section 64.604(d)(2) of the Commission's rules mandates that VRS providers file detailed written reports for each physical call center, including centers located outside the United States, with the Commission and the TRS Fund Administrator on April 1st and October 1st of every year, detailing information such as the facility's complete street address, the number of CAs and their managers, and the managers' contact information. In addition, VRS providers must notify the Commission and the TRS Fund Administrator at least 30 days prior to the opening, closing, or relocation of any call center. The Commission proposes to delete § 64.604(d)(2) of its rules, eliminating the requirement for call center reports and the 30-day advance notice requirement. In light of other Commission rules and measures to ensure effective oversight, fund administration, and accountability, the Commission believes the requirement for call center reports may be eliminated without an adverse impact on the Commission's ability to prevent waste, fraud, and abuse of the TRS Fund. The Commission also believes elimination of the 30-day advance notice period for facility changes would provide operational flexibility necessary in a

modern communications industry. The Commission seeks comment on this proposal and these beliefs. Are there aspects of the reporting requirement the Commission should retain, such as the location of each call center or just those call centers located outside of the United States? If so, should the Commission reduce the frequency of reporting for any retained requirements to once per year? Should the Commission find that the opening, closing, or relocating of a call center constitutes a substantive change, and thereby require a provider to notify the Commission within 60 days after such a change, to ensure that the Commission is able to maintain a complete and accurate list of call center locations for each provider, for auditing and other oversight purposes?

Monitoring of At-Home Workstations. Section 64.604(d)(7)(vi) of the Commission's rules requires that, with their monthly requests for compensation, VRS providers report home work station identification number and full street address; the CA identification number of each individual handling VRS calls from that home workstation; and the call center identification number, street address, and name of the supervisor of the call center responsible for oversight of the workstation. The Commission proposes to eliminate these monthly reporting requirements. The Commission believes the data in these reports is duplicative of the data providers are required to submit in the monthly call detail records. The Commission seeks comment on this proposal and belief. Are there any data or information collected in these monthly reports that the Commission should add to the rules requiring call detail records?

Long-Past Dates. Sections 64.604, 64.611, and 64.621 of the Commission's rules contain numerous prescriptive references to long-past implementation dates, compliance deadlines, and transitional periods that initially governed various elements of the TRS program. The Commission proposes eliminating this historical information, as it has become obsolete and constitutes surplusage, detracting from the clarity of the current regulatory obligations. Specifically, the Commission proposes deleting foundational and transitional date language from cost recovery rules found in § 64.604(c)(5) of its rules: the original TRS implementation date ''Effective July 26, 1993;'' the start date phrases ''(beginning July 1, 2023)'' regarding the commencement of expanded TRS Fund contributions supporting VRS and IP Relay; and in § 64.604(c)(7) of its rules the start date phrase (''Beginning on July 21, 2000, all future''). Similarly, the transitional compliance phrase ''On or after December 8, 2018,'' which set the deadline for IP CTS equipment volume controls to be independently adjustable, is now redundant. The Commission further proposes deleting the phrase ''Beginning October 17, 2024,'' marking the effective date for the permanent 80% cap on at-home VRS CA minutes. Finally, the Commission proposes to update the VRS interoperability rules by removing the original compliance phrases ''Beginning no later than December 20, 2017,'' and ''Beginning no later than October 24, 2017'' as these compliance deadlines have passed.

Authorization of At-Home Service. Section 64.604(b)(4)(iii) of the Commission's rules prohibits VRS providers from allowing CAs to handle calls from home workstations unless the provider was specifically authorized by the Commission. The Commission proposes to delete this rule in its entirety. The Commission believes this provision is now obsolete and superfluous, as the prohibition and its exception are entirely superseded by the current regulatory framework governing at-home VRS call handling. As a conforming change, the Commission also proposes to delete the language in § 64.604(d)(7)(i) of its rules that references VRS providers ''authorized by the Commission to employ at-home CAs.'' The continuous nature of this authorized service means that the generalized prohibition in § 64.604(b)(4)(iii) of the Commission's rules is no longer necessary, as authorization and ongoing oversight are now comprehensively integrated into the provider certification and compliance requirements. The Commission seeks comment on this proposal and its underlying rationale.

Duplicative Audit Authority. Section 64.604(c)(5)(iii)(E)(*5*) of the Commission's rules grants the Commission authority to audit TRS providers and ensure access to all data collected by the TRS Fund administrator, concurrently affirming the Fund administrator's authority to perform audits of TRS providers reporting data to it. The Commission proposes to delete this provision in its entirety because this audit authority is comprehensively provided elsewhere in Commission regulations, rendering this section unnecessary and duplicative. Specifically, a different mandate for stringent financial oversight explicitly grants the Fund administrator, the Commission, and the Office of Inspector General (OIG) the authority to examine and verify TRS provider data as necessary to assure the accuracy and integrity of TRS Fund payments. Further, that same provision mandates that TRS providers must submit to audits annually or at times determined appropriate. Since these requirements already ensure that the Commission maintains robust access and verification authority over all provider data and audit processes, the continued retention of § 64.604(c)(5)(iii)(E)(*5*) of its rules constitutes surplusage. The Commission seeks comment on this proposal.

Duplicative Certification Requirement. Section 64.604(c)(5)(iii)(I) of the Commission's rules contains a requirement for the certification of compensation requests or provider reports by a senior executive, similar to the provision stipulating that the chief executive officer (CEO), chief financial officer (CFO), or other senior executive must certify under penalty of perjury that cost and demand data submitted for reimbursement from the TRS Fund are true and accurate. The Commission proposes to delete this portion because the requirement for executive certification regarding the truthfulness, accuracy, and completeness of financial and operational data already exists within the immediate administrative subsection detailing data collection and auditing, § 64.604(c)(5)(iii)(D)(*5*) of its rules. The Commission seeks comment on this proposal.

Complaint Procedures. Section 64.604I(6)(v) of the Commission's rules sets forth informal and formal consumer complaint procedures against TRS providers. The subsequent detailed subparagraphs (A) through (I) lays out the specific administrative procedures governing these processes, including the acceptable forms for filing informal complaints (such as letter, facsimile, telephone (voice/TRS/TTY), or internet email), the precise content required for formal complaints, detailed service protocols, and mandated deadlines for filing answers and replies. These rules overlap with and often conflict with the rules for handling both informal and formal complaints generally applicable to all regulated entities, in Part 1, subpart E of the Commission's rules. Consequently, the Commission proposes to cross reference these complaint procedures, which would streamline Commission regulations, reduce administrative burden, and ensure that the process for resolving TRS complaints aligns efficiently with the unified regulatory and administrative framework. The Commission seeks comment on this proposal.

At-Home Call Handling. Section 64.604(d)(7)(iii)(B) and (C) of the Commission's rules currently mandate

specific technical and environmental safeguards for at-home VRS call handling. Specifically, paragraph (B) requires that home workstations ''Allow a CA to use all call-handling technology to the same extent as call-center CAs'', and paragraph (C) requires that the home workstation ''Be capable of supporting VRS in compliance with the applicable mandatory minimum standards set out in this section to the same degree as at call centers.'' The Commission proposes to delete these two provisions because they are duplicative of the encompassing requirements already set forth elsewhere in this section and other mandatory minimum standards. The introductory text already requires VRS providers to ensure that each home workstation enables the provision of confidential and uninterrupted service to the same extent as the provider's call centers and is seamlessly integrated into the provider's call routing, distribution, tracking, and support systems. It also requires that each home workstation meet the applicable mandatory minimum technical and emergency call handling standards ''to the same degree as these are available at call centers.'' Maintaining separate provisions that merely reiterate these core performance expectations constitutes surplusage. The Commission seeks comment on this proposal.

TRS Numbering Directory and TRS User Registration Database Administration. Section 64.613(b) of the Commission's rules concerns the administrative requirements and compensation procedures for the administrator responsible for maintaining the TRS Numbering Directory. The Commission proposes to delete this provision in its entirety because its administrative and compensation requirements are duplicative of the consolidated rules set forth in § 64.623 of its rules. The Commission similarly proposes to delete § 64.615(b) of its rules because the administrative and compensation requirements for the administrator of the User Registration Database are duplicative of the consolidated rules set forth in § 64.623 of its rules. Section 64.623 of the Commission's rules defines a unified set of requirements—including rules governing neutrality, terms of administration, and compensation—applicable to all designated TRS administrators, explicitly naming the TRS Numbering and the administrator of the TRS User Registration Database. Therefore, retaining separate, dedicated administrative provisions within § 64.613(b) of the Commission's rules constitutes unnecessary surplusage that needlessly complicates the regulatory structure.

IP CTS Labeling Requirements. Section 64.604(c)(11) of the Commission's rules contains rules governing IP CTS user devices, including prohibitions on captions usage by unregistered users and device labeling requirements. The Commission proposes deleting or revising §§ 64.604(c)(11)(ii)(B), (iii), and (iv) of its rules to remove transitional language governing passed time periods or utilizing obsolete cross-references. Specifically, the Commission proposes to delete paragraph (c)(11)(ii)(B) of its rules in its entirety, as it contains transitional registration requirements applicable to IP CTS users existing as of March 7, 2013, and make conforming changes to paragraph (11)(ii). The IP CTS registration framework was subsequently consolidated under § 64.611 of the Commission's rules, rendering the provisional registration language and cross-reference obsolete. The Commission also proposes deleting the second sentence of paragraph (c)(11)(iii) of its rules, which set a non-recurrent compliance date for providers to distribute labels for previously supplied equipment no later than August 11, 2014. Since this deadline has long passed, the sentence is surplusage. The Commission further proposes to delete paragraph (c)(11)(iv) of its rules, requiring providers to maintain records of provided IP CTS equipment and stating whether the label was affixed. The Commission believes the record retention requirement provides minimal benefit towards ensuring compliance with the labeling requirement. The Commission also proposes to delete paragraph (c)(11)(v) of its rules requiring providers to ensure that their informational materials and websites include language about the limitations on the use of IP CTS. The Commission believes that IP CTS providers should have more flexibility in their informational materials and websites to inform consumers and professionals about IP CTS while meeting their obligations to prevent misuse of IP CTS. As such, the Commission believes it is unnecessary to require repetitive labeling information that users will see on their device or when they log onto the app. Providers have sufficient incentive to ensure that users know how the service is provided and who may use the service, without the additional explicit directive. The Commission seeks comment on these beliefs.

Correcting Cross Cites. The Commission proposes to correct inaccurate cross-references in the TRS rules. First, § 64.604(c)(5)(iii)(E)(*3*) of the Commission's rules has an outdated cross reference to ''paragraph (c)(5)(iii)(C) of its rules. The Commission proposes to amend this rule to correct this cross-reference, to paragraph (c)(5)(iii)(D) of its rules. Second, § 64.615(a)(4)(ii)(B) of the Commission's rules has an incorrect cross reference to paragraph (a)(3)(i) of its rules. The Commission proposes to correct this cross-reference to § 64.615(a)(4)(i) of its rules. The Commission seeks comment on these proposals.

Closing CG Docket Nos. 10–51 and 12–38

The Commission seeks comment on closing CG Docket Nos. 10–51, Structure and Practices of the Video Relay Service; and 12–38, Misuse of internet Protocol Relay Service. The Commission previously conducted proceedings in these dockets in parallel with CG Docket No. 03–123. In seeking to develop a fresh record on VRS and IP Relay, the Commission does not see a need to maintain a separate duplicative record, and the Commission believe closing these dockets eliminates a duplicative filing requirement that unnecessarily burden commenters, and could lead to unnecessary confusion. The Commission seeks comment on this belief.

Initial Regulatory Flexibility Analysis

As required by the Regulatory Flexibility Act of 1980, as amended, the Commission has prepared this Initial Regulatory Flexibility Analysis (IRFA) of the policies and rules proposed in the *NPRM* assessing the possible significant economic impact on a substantial number of small entities. The Commission requests written public comments on the IRFA. Comments must be identified as responses to the IRFA and must be filed by the deadlines specified in the item.

Need for, and Objectives of, the Proposed Rules. In the *NPRM,* the Commission proposes specific enhancements for IP Relay and VRS, along with administrative reforms to streamline the TRS program. For IP Relay, the Commission addresses the use of ASR for speech-to-text conversion and advanced text-to-speech technologies, the need for metrics for IP Relay quality, and compatibility of IP Relay with RTT technology. For VRS, the Commission proposes to require VRS providers to build in captioning functionality and provide VRS providers with increased operational flexibility by loosening restrictions on

VRS calls while traveling abroad and adjusting physical call center requirements. Finally, the Commission proposes to streamline TRS provider certification processes and update or eliminate obsolete rules.

Legal Basis. The proposed action is authorized pursuant to sections 1, 2, 4(i), (4)(j), and 225 of the Act.

Description and Estimate of the Number of Small Entities Impacted. The rules proposed in the *NPRM* will apply to small entities in the All Other Telecommunications industries. The Commission estimates that the majority of ''All Other Telecommunications'' firms can be considered small.

Description of Projected Reporting, Recordkeeping, and Other Compliance Requirements. The changes proposed in the *NPRM,* if adopted, could impose new or modified reporting, recordkeeping, or other compliance obligations on certain small entities that provide VRS and IP Relay service. Small entities may need to hire professionals such as attorneys, consultants, and engineers to comply with the proposed changes in the *NPRM.* The Commission seeks comment on the impact of requiring RTT technology compatibility for IP Relay providers, and requiring VRS providers to provide built-in ASR captioning. The Commission seeks comment on streamlining existing user registration and verification requirements, which may involve optimal allocations of user registration and verification responsibilities between the provider and the TRS Fund Administrator. The Commission also seeks comment on reducing certification and re-certification requirements for applicants to provide TRS, which would reduce the amount of detail the applicant must provide to demonstrate it will meet all applicable TRS mandatory minimum standards. The information the Commission receives in comments will help the Commission identify and evaluate relevant compliance matters, costs, and other burdens for small entities that may result from the proposals and inquiries made in the *NPRM.*

Significant Alternatives Considered That Minimize the Significant Economic Impact on Small Entities. The proposed changes to the Commission's TRS rules are designed to ensure that internet-based TRS align with twenty-first century technological developments and continue to serve the needs of the disability community. For IP Relay, the Commission seeks comment of the economic impact of ensuring compatibility of IP Relay with RTT technology. The Commission also proposes to revise its rule to facilitate the provision of IP Relay using ASR and text-to-speech technologies For VRS, the Commission seeks comment on the potential costs incurred by VRS providers to build in captioning functionality. The Commission also would provide VRS providers with increased operational flexibility by loosening restrictions on VRS calls while traveling abroad and adjusting physical call center requirements. The item also seeks to reduce the burden of the certification process on applicants to provide TRS. The item also inquiries about reducing burdens through updating or deleting obsolete or unnecessarily burdensome rules.

The *NPRM* seeks comment from all interested parties, particularly those of small entities. Small entities are encouraged to bring to the Commission's attention any specific concerns they may have with the proposals outlined in the *NPRM* and suggest alternatives. The Commission expects to consider alternatives that might minimize the economic impact of any final rules on small entities in reaching its final conclusions and taking action in the proceeding.

Federal Rules that May Duplicate, Overlap, or Conflict with the Proposed Rules. None.

List of Subjects in 47 CFR Part 64

Communications, Communications common carriers, Communications equipment, Individuals with disabilities, Telecommunications.

Federal Communications Commission.

Marlene Dortch,

Secretary, Office of the Secretary.

Proposed Rules

For the reasons discussed in the preamble, the Federal Communications Commission proposes to amend 47 CFR part 64 as follows:

PART 64—MISCELLANEOUS RULES RELATING TO COMMON CARRIERS

■ 1. The authority citation for part 64 continues to read as follows:

Authority: 47 U.S.C. 151, 152, 154, 201, 202, 217, 218, 220, 222, 225, 226, 227, 227b, 228, 251(a), 251(e), 254(k), 255, 262, 276, 403(b)(2)(B), (c), 616, 620, 716, 1401–1473, unless otherwise noted; Pub. L. 115–141, Div. P, sec. 503, 132 Stat. 348, 1091; Pub. L. 117–338, 136 Stat. 6156.

■ 2. Amend § 64.604 by:

■ a. Removing and reserving paragraph (b)(4)(iii) and revising paragraphs (b)(4)(iv) and (b)(6);

■ b. Revising paragraphs (c)(1) and (2) and removing and reserving paragraph (c)(3);

■ c. Revising paragraphs (c)(5)(ii), (c)(5)(iii) introductory text, (c)(5)(iii)(A)(*1*)(*ii*), (c)(5)(iii)(E)(*3*) and removing and reserving paragraph (c)(5)(iii)(E)(*5*);

■ d. Revising paragraphs (c)(5)(iii)(H), (c)(5)(iii)(I), (c)(6) and (7), (c)(8) introductory text, (c)(8)(v) and (vi), (c)(10)(ii), and (c)(11)(ii) and (iii) and removing and reserving paragraphs (c)(8)(i), (c)(11)(ii)(A) and (B), (c)(11)(iv) and (v);

■ e. Revising paragraph (d)(1)(ii) and removing and reserving paragraphs (d)(2), (d)(7)(i), (d)(7)(iii)(B) and (C), and (d)(7)(vi).

The revisions read as follows:

§ 64.604 Mandatory minimum standards.

* * * * *

(b) * * *

(4) * * *

(iii) [Reserved]

(iv) A VRS provider leasing or licensing an automatic call distribution (ACD) platform must have a written lease or license agreement. Such lease or license agreement may not include any revenue sharing agreement or compensation based upon minutes of use.

* * * * *

(6) *Caller ID.* When a TRS facility is able to transmit any calling party identifying information to the public network, the TRS facility must pass through, to the called party, at least one of the following: 711 or the 10-digit number of the calling party.

* * * * *

(c) * * *

(1) *Consumer complaint logs.* States and interstate providers must maintain a log of consumer complaints including all complaints about TRS in the state, whether filed with the TRS provider or the State, and must retain the log until the next application for certification is granted. The log shall include, at a minimum, the date the complaint was filed, the nature of the complaint, the date of resolution, and an explanation of the resolution.

(2) *Contact persons.* State TRS Programs, interstate TRS providers, and TRS providers that have state contracts must submit to the Commission contact information, including a phone number and email, for the person or office responsible for TRS consumer information and complaints about the service provided by the certified State TRS Program or TRS provider.

(3) [Reserved]

* * * * *

(5) * * *

(ii) *Cost recovery.* Costs caused by interstate TRS shall be recovered from

all subscribers for every interstate service, utilizing a shared-funding cost recovery mechanism. Except as noted in this paragraph (c)(5)(ii), costs caused by intrastate TRS shall be recovered from the intrastate jurisdiction. In a state that has a certified program under § 64.606, the state agency providing TRS shall, through the state's regulatory agency, permit a common carrier to recover costs incurred in providing TRS by a method consistent with the requirements of this section. Costs caused by the provision of interstate and intrastate IP CTS, VRS, and IP Relay, if not provided through a certified state program under § 64.606, shall be recovered from all subscribers for every interstate and intrastate service, using a shared-funding cost recovery mechanism.

(iii) *Telecommunications Relay Services Fund.* An Interstate Cost Recovery Plan, hereinafter referred to as the TRS Fund, shall be administered by an entity selected by the Commission (administrator).

(A) * * *

(*1*) * * *

(*ii*) For the support of IP CTS, VRS, and IP Relay, on the basis of interstate and intrastate end-user revenues.

* * * * *

(E) * * *

(*3*) In addition to the data required under paragraph (c)(5)(iii)(D) of this section, all TRS providers, including providers who are not interexchange carriers, local exchange carriers, or certified state relay providers, must submit reports of interstate TRS minutes of use to the administrator in order to receive payments.

* * * * *

(*5*) [Reserved]

* * * * *

(H) *Administrator reporting, monitoring, and filing requirements.* The administrator shall perform all filing and reporting functions required in paragraphs (c)(5)(iii)(A) through (c)(5)(iii)(K) of this section. TRS payment formulas and revenue requirements shall be filed with the Commission on May 1 of each year, to be effective the following July 1. The administrator shall report annually to the Commission an itemization of monthly administrative costs which shall consist of all expenses, receipts, and payments associated with the administration of the TRS Fund. The administrator is required to keep the TRS Fund separate from all other funds administered by the administrator, shall file a cost allocation manual (CAM) and shall provide the Commission full access to all data collected pursuant to the administration of the TRS Fund. The administrator shall account for the financial transactions of the TRS Fund in accordance with generally accepted accounting principles for federal agencies and maintain the accounts of the TRS Fund in accordance with the United States Government Standard General Ledger. When the administrator, or any independent auditor hired by the administrator, conducts audits of providers of services under the TRS program or contributors to the TRS Fund, such audits shall be conducted in accordance with generally accepted government auditing standards. In administering the TRS Fund, the administrator shall also comply with all relevant and applicable federal financial management and reporting statutes.

(I) *Information filed with the administrator.* The administrator shall keep all data obtained from contributors and TRS providers confidential and shall not disclose such data in company-specific form unless directed to do so by the Commission. Subject to any restrictions imposed by the Chief of the Consumer and Governmental Affairs Bureau, the TRS Fund administrator may share data obtained from carriers with the administrators of the universal support mechanisms (see § 54.701 of this chapter), the North American Numbering Plan administration cost recovery (see § 52.16 of this chapter), and the long-term local number portability cost recovery (see § 52.32 of this chapter). The TRS Fund administrator shall keep confidential all data obtained from other administrators. The administrator shall not use such data except for purposes of administering the TRS Fund, calculating the regulatory fees of interstate and intrastate common carriers and VoIP service providers, and aggregating such fee payments for submission to the Commission. The Commission shall have access to all data reported to the administrator, and authority to audit TRS providers. Contributors may make requests for Commission nondisclosure of company-specific revenue information under § 0.459 of this chapter by so indicating on the Telecommunications Reporting Worksheet at the time that the subject data are submitted. The Commission shall make all decisions regarding nondisclosure of company-specific information.

* * * * *

(6) * * *

(v) * * *

(A) * * *

(*1*) *Form.* An informal complaint may be transmitted to the Consumer & Governmental Affairs Bureau and shall contain the information required by § 1.716.

(*2*) [Reserved]

(*3*) *Service; designation of agents.* The Commission shall forward any complaint to the TRS provider named in the complaint. Such TRS provider shall be called upon to satisfy or answer the complaint within the time specified by the Commission. Every TRS provider shall file with the Commission a statement designating an agent to receive complaints. Such designation shall include a name or department designation, business address, telephone number, and email address.

(B) * * *

(*1*) Where it appears from the TRS provider's answer, or from other communications with the parties, that an informal complaint has been satisfied, the Commission may, in its discretion, consider the matter closed without response to the complainant or defendant. In all other cases, the Commission shall inform the parties of its review and disposition of a complaint filed under this subpart.

* * * * *

(C) *Formal Complaints.* A formal complaint shall follow the Formal Complaints process in part 1, subpart E of this title.

(7) *Treatment of TRS customer information.* Contracts between the TRS administrator and the TRS vendor shall provide for the transfer of TRS customer profile data from the outgoing TRS vendor to the incoming TRS vendor. Such data must be disclosed in usable form at least 60 days prior to the provider's last day of service provision. Such data may not be used for any purpose other than to connect the TRS user with the called parties desired by that TRS user. Such information shall not be sold, distributed, shared or revealed in any other way by the relay center or its employees, unless compelled to do so by lawful order.

* * * * *

(8) *Incentives for use of internet-based TRS.*

(i) [Reserved]

* * * * *

(v) An internet-based TRS provider shall not offer or provide to any person or entity any form of direct or indirect incentives, financial or otherwise, for the purpose of encouraging individuals to register for or use the internet-based TRS provider's service.

(vi) Any internet-based TRS provider that does not comply with this paragraph (c)(8) shall be ineligible for

compensation for such service from the TRS Fund.

* * * * *

(10) * * *

(ii) Any volume control or other amplification feature can be adjusted separately and independently of the caption feature.

(11) * * *

(ii) No person shall use IP CTS equipment or software with the captioning on, unless such person is registered to use IP CTS pursuant to 47 CFR 64.611(j).

(A) [Reserved]

(B) [Reserved]

(iii) IP CTS providers shall ensure that any distributed IP CTS equipment has a label on its face in a conspicuous location with the following language in a clearly legible font: ''FEDERAL LAW PROHIBITS ANYONE BUT REGISTERED USERS WITH HEARING LOSS FROM USING THIS DEVICE WITH THE CAPTIONS ON.'' For software applications on mobile phones, laptops, tablets, computers or other similar devices, IP CTS providers shall ensure that, each time the consumer logs into the application, the notification language required by this paragraph appears in a conspicuous location on the device screen immediately after log-in.

(iv) [Removed]

(v) [Removed]

* * * * *

(d) * * *

(1) * * *

(ii) VRS service must be offered under the name by which the eligible VRS provider offering such service became certified and in a manner that clearly identifies that provider of the service. Where a TRS provider also utilizes sub-brands to identify its VRS, each sub-brand must clearly identify the eligible VRS provider.

* * * * *

(2) [Reserved]

* * * * *

(7) * * *

(i) [Reserved]

* * * * *

(iii) * * *

(B) [Reserved]

(C) [Reserved]

* * * * *

(vi) [Reserved]

* * * * *

■ 3. Amend § 64.606 by revising paragraphs (f)(1), (f)(2), and (g) to read as follows:

§ 64.606 Internet-based TRS provider and TRS program certification.

* * * * *

(f) * * *

(1) States must notify the Commission of substantive changes in their TRS programs within 60 days after they occur, and must certify that the state TRS program continues to meet federal minimum standards after implementing the substantive change.

(2) Internet-based TRS providers certified under this section must notify the Commission of substantive changes in their TRS programs, services, and features within 60 days after such changes occur, and must certify that the interstate TRS provider continues to meet Federal minimum standards after implementing the substantive change. Substantive changes shall include, but not be limited to:

* * * * *

(g) An internet-based TRS provider, certified under this section, must within 60 days of receiving a request from the Commission, submit a report with a detailed description of its current practice and future plans for complying with each rule specified in such request.

■ 4. Amend § 64.613 by removing and reserving paragraph (b).

§ 64.613 Numbering directory for internet-based TRS users.

* * * * *

(b) [Reserved]

* * * * *

■ 5. Amend § 64.615 by removing and reserving paragraph (b) and revising paragraph (a)(4)(ii)(B) to read as follows:

§ 64.615 TRS User Registration Database and administrator.

(a) * * *

(4) * * *

(ii) * * *

(B) Any user for which a VRS or IP CTS provider makes a request under paragraph (a)(4)(i) of this section

* * * * *

§ 64.619 [Removed and Reserved]

■ 6. Remove and reserve § 64.619.

■ 7. Amend § 64.621 by removing and reserving paragraphs (a)(3) and (4) and revising paragraphs (b)(1) and (2) to read as follows:

§ 64.621 Interoperability and portability.

* * * * *

(b) * * *

(1) VRS providers shall ensure that their provision of VRS and video communications, including their access technology, meets the requirements of the VRS Provider Interoperability Profile.

(2) VRS providers shall provide a standard xCard export interface to enable users to import their lists of contacts in xCard XML format, in accordance with IETF RFC 6351.

* * * * *

■ 8. Amend § 64.623 by revising paragraphs (a) and (b)(4) to read as follows:

§ 64.623 Administrator requirements.

(a) For the purposes of this section, the term ''Administrator'' shall refer to the TRS Numbering administrator and the administrator of the TRS User Registration Database. A single entity may serve in one or more of these capacities.

(b) * * *

(4) Neither the administrator of the TRS User Registration Database nor any affiliates thereof shall be unduly influenced, as determined by the Commission, by parties with a vested interest in the outcome of TRS-related activities.

* * * * *

[FR Doc. 2026–05213 Filed 3–16–26; 8:45 am]

BILLING CODE 6712–01–P

Notices

Federal Register
Vol. 91, No. 51
Tuesday, March 17, 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 AGRICULTURE

U.S. Codex Office

Codex Alimentarius Commission: Meeting of the Codex Committee on Fish and Fishery Products

AGENCY: U.S. Codex Office, USDA.

ACTION: Notice of public meeting and request for comments.

SUMMARY: The U.S. Codex Office is sponsoring a public meeting on March 19, 2026. The objective of the public meeting is to provide information and receive public comments on agenda items and draft U.S. position to be discussed at the 37th Session of the Codex Committee on Fish and Fishery Products (CCFFP37) of the Codex Alimentarius Commission (CAC). CCFFP37 will be held via correspondence, from April 7 to May 8, 2026. The U.S. Manager for Codex Alimentarius and the Under Secretary for Trade and Foreign Agricultural Affairs recognize the importance of providing interested parties the opportunity to obtain background information on the 37th Session of the CCFFP and to address items on the agenda.

DATES: The public meeting is scheduled for March 19, 2026, from 1:00–3:00 p.m. ET.

ADDRESSES: The public meeting will take place via video teleconference only. Documents related to the 37th Session of the CCFFP will be accessible via the internet at the following address: *https://www.fao.org/fao-who-codexalimentarius/meetings/detail/it/?meeting=CCFFP&session=37.*

Ms. Melissa Abbott, U.S. Delegate to the 37th Session of the CCFFP, invites interested U.S. parties to submit their comments electronically to the following email address: *Melissa.Abbott@fda.hhs.gov.* Comments should state that they relate to the activities of the 37th Session of the CCFFP.

Registration: Attendees may register to attend the public meeting at the following link: *https://www.zoomgov.com/meeting/register/GkpFu61bQPSH2G7PEVlAlQ.* After registering, you will receive a confirmation email containing information about joining the meeting.

For further information about the 37th Session of the CCFFP, contact the U.S. Delegate, Ms. Melissa Abbott, by email at: *Melissa.Abbott@fda.hhs.gov.* For additional information regarding the public meeting, contact the U.S. Codex Office by email at: *uscodex@usda.gov.*

SUPPLEMENTARY INFORMATION:

Background

The Codex Alimentarius Commission was established in 1963. Through adoption of food standards, codes of practice, and other guidelines developed by its committees, and by promoting their adoption and implementation by governments, Codex seeks to protect the health of consumers and ensure fair practices in the food trade.

The Terms of Reference of the Codex Committee on Fish and Fishery Products (CCFFP) is to elaborate worldwide standards for fresh, frozen (including quick frozen) or otherwise processed fish, crustaceans and molluscs.

The CCFFP is hosted by Norway. The United States attends the CCFFP as a member country of Codex.

Issues To Be Discussed at the Public Meeting

The following items from the Provisional Agenda for the 37th Session of the CCFFP will be discussed during the public meeting:

- Conversion of the *Regional standard for laver products (Asia)* (CXS 323R–2017) into a worldwide standard (Step 4)
- Review of the standards for fish and fishery products
- Matters for action from the Codex Alimentarius Commission and Codex subsidiary bodies
- Information on international activities relevant to the work of CCFFP
- Consideration of new work proposals on other seaweed species and/or other aquatic species

Public Meeting

At the March 19, 2026, public meeting, agenda items and draft U.S. positions will be described and discussed, and attendees will have the opportunity to pose questions and offer comments. Written comments may be offered at the meeting or sent to Ms. Melissa Abbott, U.S. Delegate to the 37th Session of CCFFP, at *Melissa.Abbott@fda.hhs.gov.* Written comments should state that they relate to activities of the 37th Session of the CCFFP.

Additional Public Notification

Public awareness of all segments of rulemaking and policy development is important. Consequently, the U.S. Codex Office will announce this **Federal Register** publication on-line through the USDA Codex web page located at: *https://www.usda.gov/codex.*

(Authority: 19 U.S.C. 2578; 7 CFR part 2.602.)

Done at Washington, DC, on March 13, 2026.

Julie A. Chao,

Deputy U.S. Manager for Codex Alimentarius.

[FR Doc. 2026–05176 Filed 3–16–26; 8:45 am]

BILLING CODE 3410–3F–P

DEPARTMENT OF AGRICULTURE

Farm Service Agency

[Docket No. FSA–2026–0034]

Information Collection Request; Power of Attorney

AGENCY: Farm Service Agency, USDA.

ACTION: Notice; request for comments.

SUMMARY: In accordance with the Paperwork Reduction Act requirement, the Farm Service Agency (FSA) is requesting comments from all interested individuals and organizations on a revision of a currently approved information collection associated with the Power of Attorney form. This information collection is used to support the FSA, Natural Resources Conservation Service (NRCS), Federal Crop Insurance Corporation (FCIC) and Risk Management Agency (RMA) in conducting business and accepting signatures on certain documents from individuals acting on behalf of other individuals or entities.

DATES: We will consider comments that we receive by May 18, 2026.

ADDRESSES: We invite you to submit comments on this notice. You may submit comments, identified by Docket ID: FSA–2026–0034 in the Federal eRulemaking Portal: Go to *http://www.regulations.gov.* Follow the online instructions for submitting comments.

You may also send comments to the Desk Officer for Agriculture, Office of Information and Regulatory Affairs, Office of Management and Budget, Washington, DC 20503. Copies of the information collection may be requested by contacting Jody Kenworthy.

FOR FURTHER INFORMATION CONTACT: Jody Kenworthy; by email: *jody.kenworthy@usda.gov.* Individuals who require alternative means for communication should contact the USDA TARGET Center at (202) 720–2600 (voice and text telephone (TTY)) or dial 711 for Telecommunications Relay service (both voice and text telephone users can initiate this call from any telephone).

SUPPLEMENTARY INFORMATION:

Title: Power of Attorney.

OMB Control Number: 0560–0190.

Type of Request: Revision.

OMB Expiration Date: November 30, 2026.

Abstract: Individuals or entities, known as a Grantor, that want to appoint another to act as an attorney-in-fact in connection with certain FSA and NRCS programs and related actions and FCIC under RMA crop insurance policies and related transactions must complete the FSA–211, Power of Attorney form. The form gives the appointed attorney-in-fact, known as a Grantee, legal authority to enter into certain programs, agreements, or contracts, or other specific actions on the Grantor's behalf. The form also provides FSA, NRCS, and FCIC under RMA a source to verify an individual's authority to sign and act for another in the event of errors or fraud. The information collected on the form is limited to the Grantor's name, signature, and farm numbers, if applicable; the Grantee's name and address; and the applicable FSA and NRCS programs and related actions, and FCIC under RMA crop insurance policies and related transactions.

The FSA–211, Power of Attorney form and its instructions and the FSA–211A, Power of Attorney Signature Continuation Sheet and its instructions have been updated to better describe the FSA and NRCS actions that the Grantee may be allowed to perform on behalf of the Grantor. By signing the updated FSA–211, the Grantor certifies to reading and understanding a list of policies.

The burden hours in this collection remained the same at 7,750 hours since the last OMB approval.

For the following estimated total annual burden on respondents, the formula used to calculate the total burden hours is the estimated average time per responses multiplied by the estimated total annual of responses.

Estimate of Average Time to respond: Public reporting burden for collecting information under this notice is estimated to average 0.484 hours or 29.06 minutes per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information.

Type of Respondents: Individuals and households.

Estimated Number of Respondents: 16,000.

Estimated Average Number of Responses per Respondent: 1.

Estimated Total Annual Responses: 16,000.

Estimated Average Time per Response: 0.484 hours.

Estimated Total Annual Burden on Respondents: 7,750 hours.

FSA is requesting comments on all aspects of this information collection to help us to:

(1) Evaluate whether the proposed collection of information is necessary for the proper performance of the functions of the agency, including whether the information will have practical utility;

(2) Evaluate the accuracy of the agency's estimate of burden of the collection of information including the validity of the methodology and assumptions used;

(3) Evaluate the quality, utility and clarity of the information technology; and

(4) Minimize the burden of the information collection on those who respond through the use of appropriate automated, electronic, mechanical, or other technological collection techniques or other forms of information technology.

All comments received in response to this notice, including names and addresses where provided, will be made a matter of public record. Comments will be summarized and included in the request for OMB approval.

William Beam,

Administrator, Farm Service Agency.

[FR Doc. 2026–05148 Filed 3–16–26; 8:45 am]

BILLING CODE 3411–E2–P

DEPARTMENT OF AGRICULTURE

Food Safety and Inspection Service

[Docket No. FSIS–2025–0310]

Notice of Request To Renew an Approved Information Collection: (Public Health Information System)

AGENCY: Food Safety and Inspection Service (FSIS), U.S. Department of Agriculture (USDA).

ACTION: Notice and request for comments.

SUMMARY: In accordance with the Paperwork Reduction Act of 1995 and Office of Management and Budget (OMB) regulations, FSIS is announcing its intention to renew the approved information collection regarding its Public Health Information System (PHIS). The approval for this information collection will expire on November 30, 2026. FSIS is making no changes to the information collection.

DATES: Submit comments on or before May 18, 2026. **ADDRESSES** FSIS invites interested persons to submit comments on this **Federal Register** notice. Comments may be submitted by one of the following methods:

- *Federal eRulemaking Portal:* This website provides commenters the ability to type short comments directly into the comment field on the web page or to attach a file for lengthier comments. Go to *https://www.regulations.gov.* Follow the on-line instructions at that site for submitting comments.
- *Mail:* Send to Docket Clerk, U.S. Department of Agriculture, Food Safety and Inspection Service, 1400 Independence Avenue SW, Mailstop 3758, Washington, DC 20250–3700.
- *Hand- or Courier-Delivered Submittals:* Deliver to 1400 Independence Avenue SW, Jamie L. Whitten Building, Room 350–E, Washington, DC 20250–3700.

Instructions: All items submitted by mail or electronic mail must include the Agency name and docket number FSIS–2025–0310. Comments received in response to this docket will be made available for public inspection and posted without change, including any personal information, to *https://www.regulations.gov.*

Docket: For access to background documents or comments received, call (202) 286–2255 to schedule a time to visit the FSIS Docket Room at 1400 Independence Avenue SW, Washington, DC 20250–3700.

FOR FURTHER INFORMATION CONTACT: Gina Kouba, Office of Policy and Program Development, Food Safety and

Inspection Service, USDA, 1400 Independence Avenue SW, Mailstop 3758, South Building, Washington, DC 20250–3700; 202–720–5046.

SUPPLEMENTARY INFORMATION:

Title: Public Health Information System.

OMB Number: 0583–0153.

Type of Request: Renewal of an approved information collection.

Abstract: FSIS has been delegated the authority to exercise the functions of the Secretary (7 CFR 2.18, 2.53) as specified in the Federal Meat Inspection Act (FMIA) (21 U.S.C. 601, *et seq.*), the Poultry Products Inspection Act (PPIA) (21 U.S.C. 451, *et seq.*), and the Egg Products Inspection Act (EPIA) (21 U.S.C. 1031, *et seq.*). These statutes mandate that FSIS protect the public by verifying that meat, poultry, and egg products are safe, wholesome, and properly labeled.

FSIS is announcing its intention to request a renewal of the approved information collection regarding its Public Health Information System (PHIS). The approval for this information collection will expire on November 30, 2026. FSIS is making no changes to the information collection.

FSIS uses a Web-based system for inspection operations that facilitates industry members' applications for inspection, export, and import of meat, poultry, and egg products. Industry members submit forms through a series of on-line screens in PHIS.

FSIS has made the following estimates based upon an information collection assessment:

Estimated total number of respondents: 6,294.

Estimated average number of responses per respondent: 107.31.

Estimated annual number of responses: 675,448.

Estimated annual burden on respondents: 116,074 hours.

All responses to this notice will be summarized and included in the request for OMB approval. All comments will also become a matter of public record. Copies of this information collection assessment can be obtained from Gina Kouba, Office of Policy and Program Development, Food Safety and Inspection Service, USDA, 1400 Independence Avenue SW, Mailstop 3758, South Building, Washington, DC 20250–3700; 202–720–5046.

Comments are invited on: (a) whether the proposed collection of information is necessary for the proper performance of FSIS' functions, including whether the information will have practical utility; (b) the accuracy of FSIS' estimate of the burden of the proposed collection of information, including the validity of the method and assumptions used; (c) ways to enhance the quality, utility, and clarity of the information to be collected; and (d) ways to minimize the burden of the collection of information, including through the use of appropriate automated, electronic, mechanical, or other technological collection techniques, or other forms of information technology. Comments may be sent to both FSIS, at the addresses provided above, and the Desk Officer for Agriculture, Office of Information and Regulatory Affairs, Office of Management and Budget (OMB), Washington, DC 20253.

Additional Public Notification

Public awareness of all segments of rulemaking and policy development is important. Consequently, FSIS will announce this **Federal Register** publication on-line through the FSIS web page located at: *https://www.fsis.usda.gov/federal-register.*

FSIS will also announce and provide a link to this **Federal Register** publication through the FSIS *Constituent Update,* which is used to provide information regarding FSIS policies, procedures, regulations, **Federal Register** notices, FSIS public meetings, and other types of information that could affect or would be of interest to our constituents and stakeholders. The *Constituent Update* is available on the FSIS web page. Through the web page, FSIS can provide information to a much broader, more diverse audience. In addition, FSIS offers an email subscription service that provides automatic and customized access to selected food safety news and information. This service is available at: *https://www.fsis.usda.gov/subscribe.* The available information ranges from recalls to export information, regulations, directives, and notices. Customers can add or delete subscriptions themselves and have the option to password protect their accounts.

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Persons with disabilities who require alternative means of communication for program information (*e.g.,* Braille, large print, audiotape, American Sign Language, etc.) should contact the State or local Agency that administers the program or contact USDA through the Telecommunications Relay Service at 711 (voice and TTY). Additionally, program information may be made available in languages other than English.

To file a program discrimination complaint, complete the USDA Program Discrimination Complaint Form, AD–3027, found online at How to File a Program Discrimination Complaint and at any USDA office or write a letter addressed to USDA and provide in the letter all of the information requested in the form. To request a copy of the complaint form, call (866) 632–9992. Submit your completed form or letter to USDA by: (1) mail: U.S. Department of Agriculture, Office of the Assistant Secretary for Civil Rights, 1400 Independence Avenue SW, Mail Stop 9410, Washington, DC 20250–9410; (2) fax: (202) 690–7442; or (3) email: *program.intake@usda.gov.*

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Justin Ransom,

Administrator.

[FR Doc. 2026–05155 Filed 3–16–26; 8:45 am]

BILLING CODE 3410–DM–P

COMMISSION ON CIVIL RIGHTS

Notice of Public Meeting of the South Carolina Advisory Committee to the U.S. Commission on Civil Rights

AGENCY: U.S. Commission on Civil Rights.

ACTION: Notice of virtual business meeting.

SUMMARY: Notice is hereby given, pursuant to the provisions of the rules and regulations of the U.S. Commission on Civil Rights (Commission) and the Federal Advisory Committee Act, that the South Carolina Advisory Committee (Committee) to the U.S. Commission on Civil Rights will hold a public meeting via Zoom. The purpose will be to discuss and potentially vote on their draft Project Proposal on the topic of Occupational Licensing. If time permits, they will also begin the Implementation Stage.

DATES: Friday, April 10, 2026, from 1:30 p.m.–2:30 p.m. Eastern Time.

ADDRESSES: The meeting will be held via Zoom.

Registration Link (Audio/Visual): https://www.zoomgov.com/webinar/register/WN_4AxuQTdlSLuhg4EoAMuQAg.

Join by Phone (Audio Only): 1–833–435–1820 USA Toll Free; Webinar ID: 160 711 8636#.

FOR FURTHER INFORMATION CONTACT: Victoria Moreno, Designated Federal Officer, at *vmoreno@usccr.gov* or (434) 515–0204.

SUPPLEMENTARY INFORMATION: This Committee meeting is available to the public through the registration link above. Any interested members of the public may attend this meeting. An open comment period will be provided to allow members of the public to make oral comments as time allows. Pursuant to the Federal Advisory Committee Act, public minutes of the meeting will include a list of persons who are present at the meeting. If joining via phone, callers can expect to incur regular charges for calls they initiate over wireless lines, according to their wireless plan. The Commission will not refund any incurred charges. Callers will incur no charge for calls they initiate over land-line connections to the toll-free telephone number. Closed captioning is available by selecting ''CC'' in the meeting platform. To request additional accommodations, please email *csanders@usccr.gov* at least 10 business days prior to the meeting.

Members of the public are entitled to submit written comments; the comments must be received in the regional office within 30 days following the scheduled meeting. Written comments may be submitted via the following form: *https://wkf.ms/4n7DKT3.* Persons who desire additional information may contact the Regional Programs Coordination Unit at (434) 515–0204.

Records generated from this meeting may be inspected and reproduced at the Regional Programs Coordination Unit Office, as they become available, both before and after the meeting. Records of the meetings will be available via the file sharing website, *https://usccr.box.com/s/uc7rr59hi2y8p1uapgemt6y1opr61zyv.* Persons interested in the work of this Committee are directed to the Commission's website, *http://www.usccr.gov,* or may contact the Regional Programs Coordination Unit at *csanders@usccr.gov.*

Agenda: Will be available at the following link in advance of the meeting date—*https://usccr.box.com/s/robtwa1a60yjtf87dm3qrs78chx7k183.*

Dated: March 13, 2026.

David Mussatt,

Supervisory Chief, Regional Programs Unit.

[FR Doc. 2026–05174 Filed 3–16–26; 8:45 am]

BILLING CODE 6335–01–P

DEPARTMENT OF COMMERCE

Foreign-Trade Zones Board

[B–30–2026]

Foreign-Trade Zone (FTZ) 84, Notification of Proposed Production Activity; AuroraTe LLC; (Galvanized Steel Pipes); Houston, Texas

AuroraTe LLC submitted a notification of proposed production activity to the FTZ Board (the Board) for its facilities in Houston, Texas within FTZ 84. The notification conforming to the requirements of the Board's regulations (15 CFR 400.22) was received on March 11, 2026.

Pursuant to 15 CFR 400.14(b), FTZ production activity would be limited to the specific foreign-status material(s)/component(s) and specific finished product(s) described in the submitted notification (summarized below) and subsequently authorized by the Board. The benefits that may stem from conducting production activity under FTZ procedures are explained in the background section of the Board's website—accessible via *www.trade.gov/ftz.*

The proposed finished product is galvanized steel pipes (duty-free).

The proposed foreign-status material/component is galvanized steel coils (duty-free).

The request indicates that certain materials/components are subject to duties under section 122 of the Trade Act of 1974 (Section 122), section 232 of the Trade Expansion Act of 1962 (section 232), or section 301 of the Trade Act of 1974 (section 301), depending on the country of origin. The applicable section 122, section 232, and section 301 decisions require subject merchandise to be admitted to FTZs in privileged foreign (PF) status (19 CFR 146.41).

Public comment is invited from interested parties. Submissions shall be addressed to the Board's Executive Secretary and sent to: *ftz@trade.gov.* The closing period for their receipt is April 27, 2026.

A copy of the notification will be available for public inspection in the ''Online FTZ Information System'' section of the Board's website.

For further information, contact Brian Warnes at *brian.warnes@trade.gov.*

Dated: March 12, 2026.

Elizabeth Whiteman,

Executive Secretary.

[FR Doc. 2026–05149 Filed 3–16–26; 8:45 am]

BILLING CODE 3510–DS–P

DEPARTMENT OF COMMERCE

International Trade Administration

[A–570–016]

Certain Passenger Vehicle and Light Truck Tires From the People's Republic of China: Notice of Court Decision Not in Harmony With the Results of Antidumping Administrative Review; Notice of Amended Final Results

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

SUMMARY: On March 4, 2026, the U.S. Court of International Trade (CIT) issued its final judgment in *YC Rubber* v. *United States,* CIT Court no. 19–00069, sustaining the U.S. Department of Commerce (Commerce)'s third remand results pertaining to the administrative review of the antidumping duty (AD) order on Certain Passenger Vehicle and Light Truck Tires from the People's Republic of China (China) covering the period August 1, 2016 through July 31, 2017. Commerce is notifying the public that the CIT's final judgment is not in harmony with Commerce's final results of the administrative review, and that Commerce is amending the final results with respect to the dumping margin assigned to Shandong Linglong Tyre Co., Ltd (Linglong) and entities belonging to the China-wide entity.

DATES: Applicable March 14, 2026.

FOR FURTHER INFORMATION CONTACT: Charles DeFilippo, AD/CVD Operations, Office VII, Enforcement and Compliance, International Trade Administration, U.S. Department of Commerce, 1401 Constitution Avenue NW, Washington, DC 20230; telephone: (202) 482–3797.

SUPPLEMENTARY INFORMATION:

Background

On April 26, 2019, Commerce published its *Final Results* in the 2016–2017 AD administrative review of passenger tires from China. Commerce calculated a rate of 64.57 percent for Zhaoqing Junhong Co., Ltd. (Junhong) and relied on that rate to establish the rate for the separate rate respondents.[1]

[1] *See Certain Passenger Vehicle and Light Truck Tires from the People's Republic of China: Final*

Continued

In its August 29, 2022, opinion, the U.S. Court of Appeals for the Federal Circuit (Federal Circuit) remanded the *Final Results,* concluding that Commerce erred in restricting its examination to a single mandatory respondent and in applying the single mandatory respondent's rate to the separate rate respondents.[2] Therefore, on remand, Commerce sought to select an additional mandatory respondent to review and selected Kenda as a mandatory respondent.[3] In March and May 2023, Kenda submitted responses to sections A through D of Commerce's AD questionnaire.[4] In June 2023, Kenda submitted responses to Commerce's supplemental questionnaire.[5] In the first remand redetermination, issued in October 2023, Commerce: (1) recalculated Kenda's estimated weighted-average dumping margin to be 18.15 percent based on its reported data; (2) recalculated the separate rate and applied it to Shandong Linglong Tyre Co. (Linglong); and (3) found Shandong Wanda Boto Tyre Co., Ltd. (Wanda Boto), Mayrun Tyre (Hong Kong) Limited (Mayrun), Shandong Hengyu Science & Technology Co., Ltd. (Hengyu), and Winrun Tyre Co., Ltd. (Winrun) to be part of the China-wide entity.[6] The CIT remanded for a second time, concluding that Commerce: (1) may have erred in the order in which it selected a second respondent; (2) did not support with substantial evidence its denial of separate rate status for Mayrun, Hengyu, Winrun, and Wanda Boto; and (3) did not sufficiently explain its denial of the new withdrawal requests submitted during the first remand.[7]

In its second remand redetermination, issued in October 2024, pursuant to the remand order, Commerce reexamined the U.S. Customs and Border Protection (CBP) data and determined that the correct order of selection for a second mandatory respondent at the time of respondent selection during the first remand proceeding was: (1) Wanda Boto; (2) Hengyu; (3) Mayrun; (4) Winrun; (5) Linglong, and (6) Kenda. Thus, on remand, Commerce selected Linglong as an additional mandatory respondent; however, because Linglong refused to participate, Commerce continued to rely on Kenda as the second mandatory respondent. In addition, Commerce found that: (1) Wanda Boto, Mayrun, Hengyu, Winrun, and Linglong failed to establish their entitlement to a separate rate and thus were part of the China-wide entity; and (2) that it is inappropriate to accept the untimely review withdrawal requests filed by Mayrun, Hengyu, Winrun, and Linglong. Finally, Commerce recalculated the cash deposit rate applicable to the China-wide entity to account for combined export subsidies and estimated domestic subsidy pass-through of 11.13 percent.[8] In response to a motion by Kenda for partial judgement, the CIT issued a partial judgment sustaining Commerce's final redetermination with respect to Kenda's dumping margin calculation.[9] The CIT remanded for a third time, concluding that Commerce did not properly consider the additional information of Kenda Rubber's reported sales volume before determining to select Linglong as an additional mandatory respondent before Kenda. In addition, the CIT remanded for reconsideration or further explanation, Commerce's determination regarding Linglong's separate rate eligibility.

In its third remand redetermination, issued in August 2025, pursuant to the remand order, Commerce utilized Kenda's aggregated CBP import data obtained during the first remand proceeding and determined that Linglong should not have been selected as a mandatory respondent prior to Kenda.[10] Accordingly, Commerce determined that Linglong should not have been issued a questionnaire and that its failure to respond to that questionnaire is moot. In addition, we determined that Linglong is eligible for a separate rate. The CIT sustained Commerce's final redetermination.[11]

Timken Notice

In its decision in *Timken,*[12] as clarified by *Diamond Sawblades,*[13] the Federal Circuit held that, pursuant to section 516A(c) and (e) of the Tariff Act of 1930, as amended (the Act), Commerce must publish a notice of court decision that is not ''in harmony'' with a Commerce determination and must suspend liquidation of entries pending a ''conclusive'' court decision. The CIT's March 4, 2026, judgment constitutes a final decision of the CIT that is not in harmony with Commerce's *Final Results.* Thus, this notice is published in fulfillment of the publication requirements of *Timken.*

Amended Final Results

Because there is now a final court judgment regarding the dumping margin calculation for Linglong and the separate-rate status of Wanda Boto, Hengyu, Mayrun, and Winrun, Commerce is amending its *Final Results* with respect to Linglong and the entities included China-wide entity as follows:

Exporter/producer	Weighted-average dumping margin (percent)
Shandong Linglong Tyre Co., Ltd	41.36
China-Wide Entity[14]	87.99

Cash Deposit Requirements

Because Linglong has a superseding cash deposit rate, *i.e.,* there have been final results published in a subsequent administrative review, we will not issue revised cash deposit instructions to U.S.

Results of Antidumping Duty Administrative Review and Final Determination of No Shipments; 2016–2017, 84 FR 17781 (April 26, 2019) (*Final Results*).

[2] *See YC Rubber Co. (North America) LLC., et al.* v. *United States,* 2022 U.S. App. LEXIS 14259 (Fed. Cir. 2022).

[3] *See* Memorandum, ''Respondent Selection,'' dated March 10, 2023.

[4] *See* Kenda's Letter, ''Kenda's Response to Section A and Double Remedy Questionnaire,'' dated April 17, 2023; *see also* Kenda's Letter, ''Kenda Section C Questionnaire Response,'' date May 2, 2023; Kenda's Letter, ''Kenda Section D Questionnaire Response,'' dated May 9, 2023.

[5] *See* Kenda's Letters, ''Kenda First Supplemental Questionnaire Response: Questions 2, 3, and 5–12,'' dated June 22, 2023; and ''Kenda First Supplemental Questionnaire Response: Questions 1, 4, and 13–15,'' dated June 27, 2023.

[6] *See Final Results of Redetermination Pursuant to Court Remand, YC Rubber Co. (North America) LLC., et al.* v. *United States,* Consol. Court No. 19–000069, Slip Op. 21–1489 (CIT February 2, 2023), dated October 31, 2023 (*First Remand Results*), available at *https://access.trade.gov/public/FinalRemandRedetermination.aspx.*

[7] *See YC Rubber Co. (North America) LLC, et al.* v. *United States,* 711 F.Supp.3d 1387 (CIT 2024).

[8] *See Final Results of Redetermination Pursuant to Court Remand, YC Rubber Co. (North America) LLC., et al.* v. *United States,* Consol. Court No. 19–00069, Slip Op. 24–74 (CIT June 18, 2024), dated October 28, 2024 (*Second Remand Results*), available at *https://access.trade.gov/public/FinalRemandRedetermination.aspx.*

[9] *See YC Rubber Co. (North America) LLC., et al.* v. *United States,* Consol. Court No. 19–00069, ECF Nos. 124 and 125 (CIT November 26, 2024); *see also Passenger Vehicle and Light Truck Tires from the People's Republic of China: Notice of Court Decision Not in Harmony With the Results of Antidumping Administrative Review; Notice of Amended Final Results,* 90 FR 11942 (March 13, 2025).

[10] *See Final Results of Redetermination Pursuant to Court Remand, YC Rubber Co. (N. Am.) LLC* v. *United States, Consol. Court No. 19–00069,* Slip Op. 25–64 (CIT May 21, 2025), dated August 18. 2025 (*Third Remand Results*), available at *https://access.trade.gov/public/FinalRemandRedetermination.aspx.*

[11] *See YC Rubber Co. (North America) LLC., et al.* v. *United States,* Consol. Court NO. 19–00069, Slip Op. 26–24 (CIT March 4, 2026).

[12] *See Timken Co.* v. *United States,* 893 F.2d 337 (Fed. Cir. 1990) (*Timken*).

[13] *See Diamond Sawblades Manufacturers Coalition* v. *United States,* 626 F.3d. 1374 (Fed. Cir. 2010) (*Diamond* Sawblades).

[14] The China-wide entity includes: Mayrun Tyre (Hong Kong) Limited; Shandong Hengyu Science & Technology Co., Ltd.; Shandong Wanda Boto Tyre Co., Ltd.; and Winrun Tyre Co., Ltd.

Customs and Border Protection (CBP). This notice will not affect the current cash deposit rate.

Liquidation of Suspended Entries

At this time, Commerce remains enjoined by CIT order from liquidating entries that: were produced and exported by Linglong, and were entered, or withdrawn from warehouse, for consumption during the period August 1, 2016 through July 31, 2017. These entries will remain enjoined pursuant to the terms of the injunction during the pendency of any appeals process.

In the event the CIT's ruling is not appealed, or, if appealed, upheld by a final and conclusive court decision, Commerce intends to instruct CBP to assess antidumping duties on unliquidated entries of subject merchandise produced and exported by Linglong in accordance with 19 CFR 351.212(b). We will instruct CBP to assess antidumping duties on all appropriate entries covered by this review when the importer-specific *ad valorem* assessment rate is not zero or *de minimis.* Where an import-specific *ad valorem* assessment rate is zero or *de minimis,*[15] we will instruct CBP to liquidate the appropriate entries without regard to antidumping duties.

Notification to Interested Parties

This notice is issued and published in accordance with sections 516A(c) and (e) and 777(i)(1) of the Act.

Dated: March 13, 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.

[FR Doc. 2026–05206 Filed 3–16–26; 8:45 am]

BILLING CODE 3510–DS–P

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

Agency Information Collection Activities; Submission to the Office of Management and Budget (OMB) for Review and Approval; Comment Request; Pribilof Islands, Taking for Subsistence Purposes

AGENCY: National Oceanic & Atmospheric Administration (NOAA), Commerce.

ACTION: Notice of information collection, request for comment.

SUMMARY: The Department of Commerce, in accordance with the Paperwork Reduction Act of 1995 (PRA), invites 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. The purpose of this notice is to allow for 60 days of public comment preceding submission of the collection to OMB.

DATES: To ensure consideration, comments regarding this proposed information collection must be received on or before May 18, 2026.

ADDRESSES: Interested persons are invited to submit written comments to Adrienne Thomas, NOAA PRA Officer, at *NOAA.PRA@noaa.gov.* Please reference OMB Control Number 0648–0699 in the subject line of your comments. Do not submit Confidential Business Information or otherwise sensitive or protected information.

FOR FURTHER INFORMATION CONTACT: Requests for additional information or specific questions related to collection activities should be directed to Michael T. Williams, Pribilof Islands Program Manager, 222 W 7th Ave., Anchorage, AK 99513, (907) 271–5117, *Michael.Williams@noaa.gov.*

SUPPLEMENTARY INFORMATION:

I. Abstract

This request is for extension of a currently approved collection. The subsistence use of northern fur seals is cooperatively managed by the National Oceanic and Atmospheric Administration's (NOAA) National Marine Fisheries Service (NMFS) and the Tribal Governments of St. Paul and St. George Islands under § 119 of the Marine Mammal Protection Act, 16 U.S.C. 1388 (MMPA) and governed by regulations found in 50 CFR part 216 subpart F, Taking for Subsistence Purposes under the Fur Seal Act (16 U.S.C. 1155).

This information collection is for the annual subsistence use of male northern fur seals by Alaska Natives (Pribilovians) residing in the communities of St. Paul and St. George, Alaska (Pribilof Islands) under 50 CFR 216 part 216 subpart F. NMFS established regulations regarding the maximum levels for the annual subsistence needs of the Pribilovians after direct consultation with the Tribal Governments of St. Paul and St. George Islands in Alaska and their respective local Native corporations (Tanadgusix and Tanaq). NMFS regulations create independent northern fur seal subsistence seasons on St. Paul and St. George islands to include male fur seals less than 7 years old, limits on accidental mortality of female northern fur seals, monitoring and reporting through co-management processes established under their respective cooperative agreements. The regulations at 50 CFR 216.72 state that Pribilovians are responsible for reporting their subsistence needs and actual level of subsistence take. NMFS receives electronic copies of the northern fur seal subsistence use reports from the tribal governments of St. Paul and St. George annually. NMFS subsequently posts these reports online (*https://www.fisheries.noaa.gov/alaska/marine-mammal-protection/northern-fur-seal-subsistence-harvest-estimates-and-reports*) and includes the relevant data in the annual Alaska Marine Mammal Stock Assessment Report.

II. Method of Collection

NMFS receives electronic copies of the northern fur seal subsistence use reports from the tribal governments of St. Paul and St. George annually via email.

III. Data

OMB Control Number: 0648–0699.

Form Number(s): None.

Type of Review: Regular submission [extension of a current information collection].

Affected Public: Individuals or households, and State, Local or Tribal Government.

Estimated Number of Respondents: 2.

Estimated Time per Response: Subsistence use report submitted via email estimated to take 80 hours per response for each respondent. The St. George Island Traditional Council and the Aleut Community of St. Paul Island each submit a single consolidated report annually.

Estimated Total Annual Burden Hours: 160 hours.

Estimated Total Annual Cost to Public: $0.

Respondent's Obligation: Required to Obtain or Retain Benefits.

Legal Authority: Fur Seal Act (16 U.S.C. 1155).

IV. Request for Comments

We are soliciting public comments to permit the Department/Bureau to: (a) Evaluate whether the proposed information collection is necessary for the proper functions of the Department, including whether the information will have practical utility; (b) Evaluate the accuracy of our estimate of the time and cost burden for this proposed collection, including the validity of the methodology and assumptions used; (c) Evaluate ways to enhance the quality,

[15] *See* 19 CFR 351.106(c)(2).

utility, and clarity of the information to be collected; and (d) Minimize the reporting burden on those who are to respond, including the use of automated collection techniques or other forms of information technology.

Comments that you submit in response to this notice are a matter of public record. We will include or summarize each comment in our request to OMB to approve this ICR. Before including your address, phone number, email address, or other personal identifying information in your comment, you should be aware that your entire comment—including your personal identifying information—may be made publicly available at any time. While you may ask us in your comment to withhold your personal identifying information from public review, we cannot guarantee that we will be able to do so.

Sheleen Dumas,

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

[FR Doc. 2026–05211 Filed 3–16–26; 8:45 am]

BILLING CODE 3510–22–P

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

Evaluation of Washington Coastal Management Program; Notice of Public Meeting; Request for Comments

AGENCY: Office for Coastal Management, National Ocean Service, National Oceanic and Atmospheric Administration, Department of Commerce.

ACTION: Notice of public meeting; opportunity to comment.

SUMMARY: The National Oceanic and Atmospheric Administration (NOAA), Office for Coastal Management, will hold a virtual and in-person public meeting to solicit input on the performance evaluation of the Washington Coastal Management Program. NOAA also invites the public to submit written comments.

DATES: NOAA will hold a hybrid virtual and in-person public meeting at 5 p.m. Pacific Time on Wednesday, April 29, 2026. NOAA may close the meeting 10 minutes after the conclusion of public testimony and after responding to any clarifying questions from meeting participants. NOAA will consider all relevant written comments received by Friday, May 8, 2026.

ADDRESSES: Comments may be submitted:

- *In Person at Public Meeting:* Provide oral comments in person during the hybrid public meeting on Wednesday, April 29, 2026, at 5 p.m. Pacific Time. The meeting will be held at the Washington Department of Ecology Headquarters, 300 Desmond Dr. SE, Lacey, Washington 98503 in the auditorium. There is free guest parking outside the front entrance on the north side of the building. Guests will need to check in at the front desk and go downstairs to the auditorium. No ID is required to enter the building. Attendees are encouraged to arrive between 4:45 and 5 p.m. to check in.
- *Virtually at Public Meeting:* Provide oral comments during the hybrid public meeting on Wednesday, April 29, 2026, at 5 p.m. Pacific Time by registering as a speaker at *forms.gle/ahAq8geEHU3G6akr9*. Please register by Tuesday, April 28, 2026, at 5 p.m. Pacific Time. Upon registration, NOAA will send a confirmation email. At least one hour prior to the start of the April 29, 2026, virtual meeting, NOAA will send an email to all registrants with a link to the public meeting and information about participating. While advance registration is requested, registration will remain open until the meeting closes, and any participant may provide oral comment after the registered speakers conclude. Meeting registrants may remain anonymous by typing ''Anonymous'' in the ''First Name'' and ''Last Name'' fields on the registration form.
- *Email:* Send written comments to Michael Migliori, Evaluator, NOAA Office for Coastal Management, at *czma.evaluations@noaa.gov*. Include ''Comments on Washington Coastal Management Program'' in the subject line.

NOAA will accept anonymous comments. However, the written comments NOAA receives are part of the public record, and the entirety of the comment, including the name of the commenter, email address, attachments, and other supporting materials, will be publicly accessible. Sensitive personally identifiable information, such as account numbers and Social Security numbers, should not be included with the comment. Comments that are not related to the performance evaluation of the Washington Coastal Management Program or that contain profanity, vulgarity, threats, or other inappropriate language will not be considered.

FOR FURTHER INFORMATION CONTACT: Michael Migliori, Evaluator, NOAA Office for Coastal Management, by email at *Michael.Migliori@noaa.gov* or by phone at (301) 325–1151. Copies of the previous evaluation findings may be viewed and downloaded at *https://coast.noaa.gov/czm/evaluations*. A copy of the evaluation notification letter and most recent progress report may be obtained upon request by contacting Michael Migliori.

SUPPLEMENTARY INFORMATION: Section 312 of the Coastal Zone Management Act (CZMA) requires NOAA to conduct periodic evaluations of federally approved coastal management programs. The evaluation process includes holding one or more public meetings, considering public comments, and consulting with interested federal, state, and local agencies and members of the public. During the evaluation, NOAA will consider the extent to which the State of Washington has met the national objectives, adhered to the management program approved by the Secretary of Commerce, and adhered to the terms of financial assistance under the Act. When the evaluation is complete, NOAA's Office for Coastal Management will place a notice in the **Federal Register** announcing the availability of the final evaluation findings.

Authority: 16 U.S.C. 1458.

Keelin S. Kuipers,

Acting Director, Office for Coastal Management, National Ocean Service, National Oceanic and Atmospheric Administration.

[FR Doc. 2026–05168 Filed 3–16–26; 8:45 am]

BILLING CODE 3510–08–P

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

[RTID 0648–XF565]

Marine Mammals; File No. 29433

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 Alaska Museum of the North, 907 Yukon Drive, Fairbanks, AK 99775 (Responsible Party: Link Olson, Ph.D.), has applied in due form for a permit to receive, import, and export marine mammal parts for scientific research.

DATES: Written comments must be received on or before April 16, 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 (APPS) home page, *https://apps.nmfs.noaa.gov,* and then selecting File No. 29433 from the list of available applications. These documents are also available upon written request via email to *NMFS.Pr1Comments@noaa.gov*.

Written comments on this application should be submitted via email to *NMFS.Pr1Comments@noaa.gov*. Please include File No. 29433 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*. The request should set forth the specific reasons why a hearing on this application would be appropriate.

FOR FURTHER INFORMATION CONTACT: Jennifer Skidmore or Shasta McClenahan, Ph.D., (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 University of Alaska Museum functions as an archive for scientific parts and provides these to the global scientific community through their loan program for research. The museum is requesting authority to receive, import, and export parts from up to 200 individual cetaceans and 1,000 individual pinnipeds, excluding walrus, annually. The requested duration of the permit is 10 years.

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: March 12, 2026.

Shannon Bettridge,

Chief, Marine Mammal and Sea Turtle Conservation Division, Office of Protected Resources, National Marine Fisheries Service.

[FR Doc. 2026–05178 Filed 3–16–26; 8:45 am]

BILLING CODE 3510–22–P

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

[RTID 0648–XF611]

Endangered Species Act; Taking of Endangered and Threatened Species Incidental to Texas Parks and Wildlife Department's Fisheries-Independent Gill Net Surveys in Texas Waters

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

ACTION: Notice; receipt of application; request for comments and information.

SUMMARY: Notice is hereby given that the Texas Parks and Wildlife Department (TPWD) has applied for an incidental take permit (ITP) pursuant to the Endangered Species Act of 1973, as amended (ESA). The permit application is for the incidental take of ESA-listed sea turtles associated with otherwise lawful fishery-independent gill net surveys within Texas bays and estuaries. NMFS is publishing this notice to allow other agencies and the public an opportunity to review and comment on the application and Conservation Plan. All comments received will become part of the public record and will be available for review.

DATES: Comments and information must be received no later than April 16, 2026.

ADDRESSES: The application is available for download and review at *https://www.fisheries.noaa.gov/national/endangered-species-conservation/incidental-take-permits* and at *http://www.regulations.gov.* The application is also available upon request (see **FOR FURTHER INFORMATION CONTACT**).

You may submit comments, identified by NOAA–NMFS–2026–0958, by Electronic Submission: Submit all electronic public comments via the Federal eRulemaking Portal *http://www.regulations.gov* and enter [NOAA–NMFS–2026–0958] in the Search box. Click on the ''Comment Now!'' icon, complete the required fields, and enter or attach your comments.

Instructions: Comments sent by any other method, to any other address or individual, or received after the end of the comment period, may not be considered by NMFS. All comments received are a part of the public record and will generally be posted for public viewing on *http://www.regulations.gov* without change. All Personal Identifying Information (*e.g.,* name, address, *etc.*) voluntarily submitted by the commenter may be publicly accessible. Do not submit Confidential Business Information or otherwise sensitive or protected information. We will accept anonymous comments (enter ''N/A'' in the required fields, if you wish to remain anonymous).

FOR FURTHER INFORMATION CONTACT: Kim Corcoran, Office of Protected Resources, NMFS, (301) 427–8453, *kim.corcoran@noaa.gov* OR Celeste Stout, Office of Protected Resources, NMFS, (301) 427–8436, *celeste.stout@noaa.gov.*

SUPPLEMENTARY INFORMATION: Section 9 of the ESA and Federal regulations prohibit the ''taking'' of a species listed as endangered or threatened. The ESA defines ''take'' to mean harass, harm, pursue, hunt, shoot, wound, kill, trap, capture, or collect, or to attempt to engage in any such conduct. NMFS may issue permits, under limited circumstances, to take listed species incidental to, and not the purpose of, otherwise lawful activities. Section 10(a)(1)(B) of the ESA provides for authorizing incidental take of listed species. NMFS regulations governing permits for threatened and endangered species are promulgated at 50 CFR 222.307.

Applicants seeking ITPs must submit an application and Conservation Plan that includes the requirements specified in Section 10(a)(2)(A) (see Conservation Plan section for details of what is required to be included in a Conservation Plan). If, following opportunity for public comment and evaluation of the application and Conservation Plan, NMFS finds that: (i) the taking will be incidental; (ii) the applicant will, to the maximum extent practicable, minimize and mitigate the impacts of such taking; (iii) the applicant will ensure that adequate funding for the plan will be provided; (iv) the taking will not appreciably reduce the likelihood of the survival and recovery of the species in the wild; and (v) the applicant will implement any other measures NMFS may require as being necessary and appropriate, NMFS shall issue the ITP.

Species Covered in This Notice

The following species are included in the permit application and Conservation Plan: green (*Chelonia mydas*), loggerhead (*Caretta caretta*), hawksbill (*Eretmochelys imbricata*), and Kemp's ridley (*Lepidochelys kempii*) sea turtles.

Background

On July 24, 2024, TPWD submitted an initial full draft application and Conservation Plan requesting take of ESA-listed species of sea turtles associated with their otherwise lawful

fisheries-independent gill net surveys within the Texas bays and estuaries as well as a small portion of Sabine Lake, LA. TPWD submitted revised draft applications and associated Conservation Plans on May 19, 2025 and December 22, 2025. Following review of these drafts, NMFS and TPWD held further discussions regarding the statutory and regulatory requirements for the application and Conservation Plan. On February 13, 2026, TPWD submitted a revised application for an ITP, including an updated Conservation Plan to monitor, minimize and mitigate the impacts of sea turtle entanglements incidental to their fisheries-independent gill net surveys, to the maximum extent practicable. NMFS deemed the application and Conservation Plan adequate and complete on February 26, 2026.

Purpose and Objectives of TPWD's Activities

The purpose and objectives of TPWD's proposed activity are to monitor trends in finfish, shark, and macroinvertebrate communities throughout the estuarine waters of Texas to inform fisheries management. The data collected from TPWD fisheries-independent gill net surveys are used to inform stock status, inform listing status, manage Gulf of America-wide fisheries, create management plans, and generate scientific research. The existing gill net data spans nearly 50 years and TPWD relies on its continuity for management decisions.

Sea Turtle Take Estimates

TPWD is requesting take of each sea turtle species on a 3-year rolling time period (*i.e.,* take that occurs over any 3-year period). TPWD predicted total annual entanglements in TPWD gill nets using linear modeling and also used a simplified approach of estimating entanglements based on historical data (1983–2024; please see TPWD's application and Conservation Plan for more information). After comparing model estimates to historical data, TPWD requested take based on the maximum number of entanglements within any given three-year period (see Table 1).

TABLE 1—TPWD'S REQUESTED TAKE OF ESA-LISTED SEA TURTLES

Species	Historical maximum turtles entangled in a 3-year period	Historical percentage of live entanglements	Rolling 3-year requested live take	Rolling 3-year requested mortality take	Rolling 3-year requested total take
Green	74	58.15	48	32	74
Loggerhead	2	75.00	2	1	*3
Hawksbill	2	50.00	1	1	2
Kemp's ridley	6	78.26	5	1	6

* Standard rounding convention to whole numbers led to sum greater than the maximum historic entanglements.

Conservation Plan

Section 10 of the ESA specifies that no permit may be issued by NMFS unless an applicant submits a Conservation Plan that specifies: (1) the impact which will likely result from such taking; (2) what steps the applicant will take to minimize and mitigate such impacts, and the funding that will be available to implement such steps; (3) what alternative actions to such taking the applicant considered and the reasons why such alternatives are not being utilized; (4) such other measures that NMFS may require as being necessary or appropriate for purposes of the plan.

TPWD's Conservation Plan addresses each of the required elements of Section 10(a)(2)(A) and 50 CFR 222.307(b). In particular, TPWD has included measures to monitor, minimize, and mitigate the take of ESA-listed sea turtles incidental to fishery-independent gill net surveying. To avoid and minimize take of green, loggerhead, Kemp's ridley, and hawksbill sea turtles, TPWD will constrain the sampling season to two 10-week seasons (fall and spring); identify hot spot grids (1-minute latitude by 1-minute latitude square grids where gill nets can be set and sampled in Texas bays and estuaries) to implement additional species protections such as the ''last in/first out'' strategy to reduce gill net soak times; sampling grid removal from future surveys after one endangered species entanglement in that grid; net configurations, such as reducing net slack, and marker buoy attachment to improve visibility for monitoring entanglements and reducing the potential for entanglements; extended pre-deployment observation period; following Sea Turtle Stranding and Salvage Network protocols and appropriate release and resuscitation protocols upon discovery of an entangled sea turtle; conducting surveys on ''best'' available weather days for gill net deployment; and continuous net repair to eliminate holes larger than 6 inch (in; 15.24 cm) stretched mesh.

TPWD also provided NMFS with assurances that adequate funding will be provided to support its Conservation Plan, including funds to support cold stunning recovery activities, shrimp fishery management and law enforcement, and habitat protection within Texas state bays and estuaries throughout the duration of the permit. The Conservation Plan also includes outreach, education, and a debris removal program, funded through state appropriations and supplemented by other sources such as Natural Resource Disaster Assessment and Sport Fish Restoration, as funded by U.S. Fish and Wildlife Service, with regular reporting requirements.

TPWD considered and rejected the following alternatives: (1) no-Action; (2) no setting of gill nets; (3) shifting from overnight setting of gill nets to daytime only sampling; (4) significantly shortening the duration gill nets are deployed; (5) reducing the number of gill nets set each season; (6) continuously monitoring (tending) gill nets while they are deployed; and (7) removing gill net mesh panels with mesh size greater than 5 in (12.7 cm) stretch mesh in size.

Please refer to TPWD's ITP application and Conservation Plan, which can be found at *https://www.fisheries.noaa.gov/national/endangered-species-conservation/incidental-take-permits* for detailed information.

National Environmental Policy Act

Issuing an ESA section 10(a)(1)(B) permit constitutes a Federal action requiring NMFS to comply with the National Environmental Policy Act (NEPA; 42 U.S.C. 4321 *et seq.*) and NOAA Administrative Order 216–6, Environmental Review Procedures for Implementing the National Policy Act (1999). NMFS will conduct the appropriate NEPA review prior to

making a final decision on TPWD's request for an ITP.

Next Steps

This notice is provided pursuant to section 10(c) of the ESA. NMFS will evaluate the application, associated documents, and comments received during the comment period to determine whether the application meets the requirements of section 10(a)(1)(B) of the ESA. If NMFS determines that the requirements are met, a permit will be issued for incidental takes of ESA-listed sea turtles. NMFS will publish a notice of its final action in the **Federal Register**.

Dated: March 13, 2026.

Shannon Bettridge,

Chief, Marine Mammal and Sea Turtle Conservation Division, Office of Protected Resources, National Marine Fisheries Service.

[FR Doc. 2026–05183 Filed 3–16–26; 8:45 am]

BILLING CODE 3510–22–P

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

[RTID 0648–XF576]

New England 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 New England Fishery Management Council (Council) is scheduling a public meeting of its Joint Groundfish Committee and Advisory Panel meeting via webinar to consider actions affecting New England fisheries in the exclusive economic zone (EEZ). Recommendations from this group will be brought to the full Council for formal consideration and action, if appropriate.

DATES: This meeting will be held on Tuesday, March 31, 2026 at 9 a.m. EST Webinar registration URL information: *https://nefmc-org.zoom.us/meeting/register/YVPoLTIjQrGLr8hjysJxcQ.*

ADDRESSES: *Council address:* New England Fishery Management Council, 50 Water Street, Mill 2, Newburyport, MA 01950.

FOR FURTHER INFORMATION CONTACT: Cate O'Keefe, Executive Director, New England Fishery Management Council; telephone: (978) 465–0492.

SUPPLEMENTARY INFORMATION:

Agenda

The Groundfish Committee and Advisory Panel will meet to receive a final report on the Redfish Sector Exemption Review. They will also discuss updates on other Council groundfish priorities for 2026 (if available). Other business will be discussed as necessary.

Although non-emergency issues not contained on the agenda may come before this Council for discussion, those issues may not be the subject of formal action during this meeting. Council action will be restricted to those issues specifically listed in this notice and any issues arising after publication of this notice that require emergency action under section 305(c) of the Magnuson-Stevens Act, provided the public has been notified of the Council's intent to take final action to address the emergency. The public also should be aware that the meeting will be recorded. Consistent with 16 U.S.C. 1852, a copy of the recording is available upon request.

Special Accommodations

This meeting is physically accessible to people with disabilities. Requests for sign language interpretation or other auxiliary aids should be directed to Cate O'Keefe, Executive Director, at (978) 465–0492, at least 5 days prior to the meeting date.

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

Dated: March 13, 2026.

Rey Israel Marquez,

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

[FR Doc. 2026–05208 Filed 3–16–26; 8:45 am]

BILLING CODE 3510–22–P

CONSUMER PRODUCT SAFETY COMMISSION

[CPSC Docket No. 26–C0002]

Proposed Settlement Agreement, Stipulation, Order and Judgment, etc.; Shimano, Inc. and Shimano North America Holding, Inc.

AGENCY: Consumer Product Safety Commission.

ACTION: Notice.

SUMMARY: The Commission publishes in the **Federal Register** any settlement that it provisionally accepts under the Consumer Product Safety Act. Published below is a provisionally accepted Settlement Agreement with Shimano, Inc. and Shimano North America Holding, Inc., containing a civil penalty in the amount of $11,500,000 subject to the terms and conditions of the Settlement Agreement. The Commission provisionally accepted the proposed Settlement Agreement and Order pertaining to Shimano, Inc. and Shimano North America Holding, Inc.

DATES: Any interested person may ask the Commission not to accept this agreement or otherwise comment on its contents by filing a written request with the Office of the Secretary by April 1, 2026.

ADDRESSES: Persons wishing to comment on this Settlement Agreement should send written comments to Comment 26–C0002, Office of the Secretary, Consumer Product Safety Commission, 4330 East West Highway, Bethesda, MD 20814; telephone: (301) 504–7479 (office); email: *cpsc-os@cpsc.gov.*

FOR FURTHER INFORMATION CONTACT: Liana G.T. Wolf, Senior Trial Attorney, Division of Enforcement and Litigation, Office of Compliance and Field Operations, Consumer Product Safety Commission, 4330 East West Highway, Bethesda, Maryland 20814; *lwolf@cpsc.gov;* 240–743–8559 (mobile).

SUPPLEMENTARY INFORMATION: The text of the Settlement Agreement and Order appear below.

Dated: March 12, 2026.

Brianna Bell,

Paralegal Specialist.

UNITED STATES OF AMERICA CONSUMER PRODUCT SAFETY COMMISSION

In the Matter of:
CPSC Docket No.: 26–C0002
SHIMANO, INC. AND SHIMANO NORTH AMERICA HOLDING, INC.

Settlement Agreement

1. In accordance with the Consumer Product Safety Act, 15 U.S.C. 2051–2089 (''CPSA''), and 16 CFR 1118.20, Shimano, Inc. and Shimano North America Holding, Inc. (collectively, ''Shimano'' or ''the Firm''), and the United States Consumer Product Safety Commission (''Commission'' or ''CPSC''), through its staff, hereby enter into this Settlement Agreement (''Agreement''). The Agreement and the incorporated attached Order resolve staff's charges set forth below.

The Parties

2. The Commission is an independent federal regulatory agency, established pursuant to, and responsible for, the enforcement of the CPSA, 15 U.S.C. 2051–2089. By executing the Agreement, staff is acting on behalf of the Commission, pursuant to 16 CFR § 1118.20(b). The Commission issues the Order under the provisions of the CPSA.

3. Shimano, Inc. is a corporation, organized and existing under the laws of

Japan, with its principal place of business in Japan.

4. Shimano North America Holding, Inc. is a corporation, organized and existing under the laws of the state of California, with its principal place of business in Irvine, California. Shimano North America Holding, Inc. is a subsidiary of Shimano, Inc.

Staff Charges

5. Between 2012 and 2023, approximately 680,000 11-Speed Bonded Hollowtech II Bicycle Cranksets, Models Ultegra FC–6800 and FC–R8000 and Dura-Ace FC–9000, FC–R9100, and FC–R9100P (collectively, the ''Subject Products'') were imported and distributed in the United States.

6. The Subject Products are ''consumer products'' that were ''manufactured'' and ''import[ed]'' and ''distribut[ed] in commerce,'' as those terms are defined or used in sections 3(a)(5), (7), (9), and (10) of the CPSA, 15 U.S.C. 2052(a)(5), (7), (9), and (10). Shimano, Inc. is the ''manufacturer'' of the Subject Products, and Shimano North America Holding, Inc. is a ''distributor'' of the Subject Products, as such terms are defined in sections 3(a)(8) and (11) of the CPSA, 15 U.S.C. 2052(a)(8) and (11).

Violation of CPSA Section 19(a)(4)

7. The Subject Products contain a defect which could create a substantial product hazard or create an unreasonable risk of serious injury or death because the recalled bonded crank parts can separate and break, posing a crash hazard to consumers.

8. Between 2013 and 2022, Shimano received thousands of warranty claims relating to the Subject Products and dozens of reports of consumers globally sustaining personal injuries while using the Subject Products, including bone fractures, joint displacement, and lacerations, due to falls from bicycles, contact with the broken Subject Products, and impact with the ground.

9. During this time, Shimano, Inc. made nine overall manufacturing and design changes that resulted in over twenty-five individual changes to the Subject Products to mitigate the potential for the Subject Products to separate and break.

10. Despite possessing information that reasonably supported the conclusion that the Subject Products contained a defect which could create a substantial product hazard or created an unreasonable risk of serious injury or death, Shimano did not immediately report to the Commission.

11. The Commission and Shimano North America Bicycle, Inc. jointly announced a recall of the Subject Products on September 21, 2023. The press release announcing the recall stated that the Firm had received at least 4,519 incidents of cranksets separating, and six reported injuries, including bone fractures, joint displacement, and lacerations.

Failure To Timely Report

12. Despite having information reasonably supporting the conclusion that the Subject Products contained a defect which could create a substantial product hazard or created an unreasonable risk of serious injury or death, Shimano did not notify the Commission immediately of such defect or risk, as required by sections 15(b)(3) and (4) of the CPSA, 15 U.S.C. 2064(b)(3), (4), in violation of section 19(a)(4) of the CPSA, 15 U.S.C. 2068(a)(4).

13. Because the information in Shimano's possession about the Subject Products constituted actual and presumed knowledge, Shimano knowingly violated section 19(a)(4) of the CPSA, 15 U.S.C. 2068(a)(4), as the term ''knowingly'' is defined in section 20(d) of the CPSA, 15 U.S.C. 2069(d).

14. Pursuant to section 20 of the CPSA, 15 U.S.C. 2069, Shimano is subject to civil penalties for its knowing violation of section 19(a)(4) of the CPSA, 15 U.S.C. 2068(a)(4).

Response of Shimano

15. Shimano has a longstanding history of proactively working with the CPSC and remains committed to doing so. This Agreement does not constitute an admission by Shimano to the staff's charges as set forth in Paragraphs 5 through 14 above, including, without limitation, that the Subject Products contained a defect that could create a substantial product hazard or created an unreasonable risk of serious injury or death; or, that Shimano failed to notify the Commission in a timely manner in accordance with section 15(b) of the CPSA, 15 U.S.C. 2064(b); or, that Shimano knowingly violated section 19(a)(4) of the CPSA, 15 U.S.C. 2068(a)(4), as the term ''knowingly'' is defined in section 20(d) of the CPSA, 15 U.S.C. 2069(d).

16. As part of the corrective action, Shimano voluntarily agreed to start an inspection and replacement program whereby Shimano agreed to replace any Subject Products if they failed the inspection free of charge. Since the start of the inspection and replacement program, there have been no reported injuries by consumers.

17. Shimano enters into this Agreement to settle this matter and to avoid the distraction, delay, uncertainty, and inconvenience of protracted litigation or other proceedings. Shimano does not admit that it violated the CPSA or any other law, and Shimano's willingness to enter into this Agreement and Order does not constitute, nor is it evidence of, an admission by Shimano of liability, or violation of any law.

Agreement of the Parties

18. Under the CPSA, the Commission has jurisdiction over the matter involving the Subject Products and over Shimano.

19. The parties enter into the Agreement for settlement purposes only. The Agreement does not constitute an admission by Shimano or a determination by the Commission that Shimano violated the CPSA.

20. In settlement of staff's charges, Shimano shall pay a civil penalty in the amount of eleven million, five hundred thousand dollars ($11,500,000). The $11,500,000 Payment shall be paid within thirty (30) calendar days after receiving service of the Commission's final Order accepting the Agreement. All payments to be made under the Agreement shall constitute debts owing to the United States and shall be made by electronic wire transfer to the United States via *http://www.pay.gov,* for allocation to, and credit against, the payment obligations of Shimano under this Agreement. Failure to make such payment by the date specified in the Commission's final Order shall constitute Default.

21. The Commission or the United States may seek enforcement for any breach of, or any failure to comply with, any provision of this Agreement and Order in United States District Court, to seek relief including, but not limited to, collecting amounts due.

22. All unpaid amounts, if any, due and owing under the Agreement, shall constitute a debt due and immediately owing by Shimano to the United States, and interest shall accrue and be paid by Shimano at the federal legal rate of interest set forth at 28 U.S.C. 1961(a) and (b) from the date of Default, until all amounts due have been paid in full (hereinafter ''Default Payment Amount'' and ''Default Interest Balance''). Shimano shall consent to a Consent Judgment in the amount of the Default Payment Amount and Default Interest Balance, and the United States, at its sole option, may collect the entire Default Payment Amount and Default Interest Balance, or exercise any other rights granted by law or in equity, including, but not limited to, referring such matters for private collection, and Shimano agrees not to contest, and

hereby waives and discharges any defenses to, any collection action undertaken by the United States, or its agents or contractors, pursuant to this paragraph. Shimano shall pay the United States all reasonable costs of collection and enforcement under this paragraph, respectively, including reasonable attorney's fees and expenses.

23. After staff receives this Agreement executed on behalf of Shimano, staff shall promptly submit the Agreement to the Commission for provisional acceptance. Promptly following provisional acceptance of the Agreement by the Commission, the Agreement shall be placed on the public record and published in the **Federal Register**, in accordance with the procedures set forth in 16 CFR 1118.20(e). If the Commission does not receive any written request not to accept the Agreement within fifteen (15) calendar days, the Agreement shall be deemed finally accepted on the 16th calendar day after the date the Agreement is published in the **Federal Register**, in accordance with 16 CFR 1118.20(f).

24. This Agreement is conditioned upon, and subject to, the Commission's final acceptance, as set forth above, and it is subject to the provisions of 16 CFR 1118.20(h). Upon the later of: (i) the Commission's final acceptance of this Agreement and service of the accepted Agreement upon Shimano, and (ii) the date of issuance of the final Order, this Agreement shall be in full force and effect, and shall be binding upon the parties.

25. Effective upon the later of: (1) the Commission's final acceptance of the Agreement and service of the accepted Agreement upon Shimano, and (2) the date of issuance of the final Order, for good and valuable consideration, Shimano hereby expressly and irrevocably waives and agrees not to assert any past, present, or future rights to the following, in connection with the matter described in this Agreement:

(i) an administrative or judicial hearing;

(ii) judicial review or other challenge or contest of the Commission's actions;

(iii) a determination by the Commission of whether Shimano failed to comply with the CPSA and the underlying regulations;

(iv) a statement of findings of fact and conclusions of law; and

(v) any claims under the Equal Access to Justice Act.

26. Shimano shall maintain a compliance program designed to ensure compliance with the CPSA with respect to any Shimano consumer product imported, manufactured, distributed or sold in the United States, which shall contain the following elements:

(i) written standards, policies, and procedures, including those designed to ensure that information that may relate to or impact CPSA compliance is conveyed effectively to personnel responsible for CPSA compliance, whether or not an injury has been reported;

(ii) procedures and systems for tracking and reviewing claims, including warranty claims, and reports for safety concerns reported by consumers, whether inside or outside the United States, and for implementing corrective and preventive actions when compliance deficiencies or violations are identified;

(iii) procedures requiring that information required to be disclosed by Shimano to the Commission is recorded, processed, and reported in accordance with applicable law;

(iv) procedures requiring that all reporting made to the Commission is timely, truthful, complete, accurate, and in accordance with applicable law;

(v) procedures requiring that prompt disclosure is made to Shimano management of any significant deficiencies or material weaknesses in the design or operation of such internal controls that are reasonably likely to affect adversely, in any material respect, Shimano's ability to record, process and report to the Commission in accordance with applicable law;

(vi) mechanisms to effectively communicate to all applicable Shimano employees, through training programs or other means, compliance-related company policies and procedures to prevent violations of the CPSA;

(vii) a mechanism for confidential employee reporting of compliance-related questions or concerns to either a compliance officer or to another senior manager with authority to act as necessary;

(viii) Shimano's senior management responsibility for, and general board oversight of, CPSA compliance, including the implementation of steps to ensure that incident and injury data is reviewed and analyzed for purposes of CPSA Section 15(b) reporting;

(ix) an annual internal audit of the effectiveness of policies, procedures, systems, and training related to CPSA compliance that evaluates opportunities for improvement, deficiencies or weaknesses, and the Firm's overall culture of compliance; and

(x) retention of all CPSA compliance-related records for at least five (5) years, and availability of such records to CPSC staff upon request.

27. Shimano shall submit a report under CPSA Section 16(b), sworn to under penalty of perjury:

(i) describing in detail its compliance program and internal controls and the actions Shimano has taken to comply with each subparagraph of paragraph 26;

(ii) affirming that during the reporting period, Shimano has reviewed its compliance program and internal controls, including the actions referenced in subparagraph (i) of this paragraph, for effectiveness, and that it complies with each subparagraph of paragraph 26, or describing in detail any non-compliance with any such subparagraph; and

(iii) identifying the results of the annual internal audit referenced in paragraph 26(ix) and any changes or modifications made during the reporting period to Shimano's compliance program or internal controls to ensure compliance with the terms of the CPSA and, in particular, the requirements of CPSA Section 15 related to timely reporting.

Such reports shall be submitted to the Director, Office of Compliance and Field Operations, Division of Enforcement and Litigation, for a period of three (3) years. The first report shall be submitted 30 days after the close of the first 12-month reporting period, which begins on the date of the Commission's Final Order of Acceptance of the Agreement, and successive reports shall be due annually on the same date thereafter. Without limitation, Shimano acknowledges and agrees that failure to make such timely and accurate reports, as required by this Agreement and Order, may constitute a violation of Section 19(a)(3) of the CPSA, 15 U.S.C. 2068(a)(3), and may subject Shimano to enforcement under Section 22 of the CPSA, 15 U.S.C. 2071.

28. Notwithstanding and in addition to the above, Shimano shall promptly provide written documentation of any changes or modifications to its compliance program or internal controls and procedures, including the effective dates of the changes or modifications thereto. Shimano shall cooperate fully and truthfully with staff and shall make available all non-privileged information and materials and personnel deemed necessary by staff to evaluate Shimano's compliance with the terms of the Agreement.

29. The parties acknowledge and agree that the Commission may publicize the terms of the Agreement and the Order.

30. Shimano represents that the Agreement:

(i) is entered into freely and voluntarily, without any degree of duress or compulsion whatsoever;

(ii) has been duly authorized; and

(iii) constitutes the valid and binding obligation of Shimano, enforceable against Shimano in accordance with its terms. The individuals signing the Agreement on behalf of Shimano represent and warrant that they are duly authorized by Shimano to execute the Agreement.

31. The signatories represent that they are authorized to execute this Agreement.

32. The Agreement is governed by the laws of the United States.

33. The Agreement and the Order shall apply to, and be binding upon, Shimano and each of its parents, successors, transferees, and assigns; and a violation of the Agreement or Order may subject Shimano, and each of its parents, successors, transferees, and assigns, to appropriate legal action.

34. The Agreement, any attachments, and the Order constitute the complete agreement between the parties on the subject matter contained therein.

35. The Agreement may be used in interpreting the Order. Understandings, agreements, representations, or interpretations apart from those contained in the Agreement and the Order may not be used to vary or contradict their terms. For purposes of construction, the Agreement shall be deemed to have been drafted by both of the parties and shall not, therefore, be construed against any party, for that reason, in any subsequent dispute.

36. The Agreement may not be waived, amended, modified, or otherwise altered, except as in accordance with the provisions of 16 CFR 1118.20(h). The Agreement may be executed in counterparts.

37. If any provision of the Agreement or the Order is held to be illegal, invalid, or unenforceable under present or future laws effective during the terms of the Agreement and the Order, such provision shall be fully severable. The balance of the Agreement and the Order shall remain in full force and effect, unless the Commission and Shimano agree in writing that severing the provision materially affects the purpose of the Agreement and the Order.

(Signatures on next page)

SHIMANO, INC.

Dated: March 2, 2026.

By: /s/

Keisuke Nakano,

Executive Officer, Vice President, Process Engineering R&D Department and Supervising of Quality Assurance, Department in Process, Quality Management Division, Shimano, Inc.

Authorized Signatory.

SHIMANO NORTH AMERICA HOLDING, INC.

Dated: March 3, 2026.

By: /s/

Gerriet O'Neill,

Senior Vice President & Chief Financial Officer, Shimano North America Holding, Inc.

Authorized Signatory.

Dated: March 2, 2026.

By: /s/

Cheryl Falvey,

Crowell & Moring LLP, Counsel to Shimano.

Dated: March 2, 2026.

By: /s/

E. Paul Dougherty,

Gregory K. Lee,

Wilson Elser LLP, Counsel to Shimano.

U.S. CONSUMER PRODUCT SAFETY COMMISSION

Mary B. Murphy,

Director, Division of Enforcement and Litigation, Office of Compliance and Field Operations.

Dated: March 4, 2026.

By: /s/

Liana G.T. Wolf,

Senior Trial Attorney, Division of Enforcement and Litigation, Office of Compliance and Field Operations.

United States of America

Consumer Product Safety Commission

In the Matter of: SHIMANO, INC. AND SHIMANO NORTH AMERICA HOLDING, INC., CPSC Docket No.: 26–C0002

Order

Upon consideration of the Settlement Agreement entered into between Shimano, Inc. and Shimano North America Holding, Inc. (collectively, ''Shimano'' or ''the Firm'') and the U.S. Consumer Product Safety Commission (''Commission'' or ''CPSC''), and the Commission having jurisdiction over the subject matter and over Shimano, and it appearing that the Settlement Agreement is in the public interest, the Settlement Agreement is incorporated by reference and it is:

Provisionally accepted and Order issued on the 12 day of March, 2026.

By Order of the Commission:

/s/

Alberta E. Mills,

Secretary, U.S. Consumer Product Safety Commission.

[FR Doc. 2026–05135 Filed 3–16–26; 8:45 am]

BILLING CODE 6355–01–P

DEPARTMENT OF DEFENSE

Office of the Secretary

[Transmittal No. 25–37]

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,* or *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 25–37 and Policy Justification.

Dated: March 12, 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

January 15, 2026

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. 25-37, concerning the Army's proposed Letter(s) of Offer and Acceptance to Peru for defense articles and services estimated to cost $1.5 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

BILLING CODE 6001–FR–C

Transmittal No.25–37

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 Peru

(ii) *Total Estimated Value:*

Major Defense Equipment *	$ 0
Other	$1.5 billion
TOTAL	$1.5 billion

Funding Source: National Funds

(iii) *Description and Quantity or Quantities of Articles or Services under Consideration for Purchase:* The Government of Peru has requested to buy equipment and services to support the procurement of maritime and onshore facilities at the Callao Naval Base.

Major Defense Equipment (MDE):
None

Non-Major Defense Equipment:
The following non-MDE items will be included: lifecycle design; construction; project management; engineering studies; engineering services; technical support; facility and infrastructure assessments; surveys; planning; programming; design; acquisition; contract administration; construction management; 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:* Army (PE–B–HAE)

(v) *Prior Related Cases, if any:* PE–B–HAD

(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:* January 15, 2026

* as defined in Section 47(6) of the Arms Export Control Act.

POLICY JUSTIFICATION

Peru—Design and Construction at Callao Naval Base

The Government of Peru has requested to buy equipment and services to support the procurement of maritime and onshore facilities at the Callao Naval Base. The following non-Major Defense Equipment items will be included: lifecycle design; construction; project management; engineering studies; engineering services; technical support; facility and infrastructure assessments; surveys; planning; programming; design; acquisition; contract administration; construction management; 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 $1.5 billion.

This proposed sale will contribute to the foreign policy objectives of the U.S.

by helping to improve the security of an important partner which is a force for political stability, peace, and economic progress in South America.

The proposed sale will improve Peru's port infrastructure to accommodate current and future naval and logistical operations and requirements. This sale will also provide a safer, more efficient platform for naval operations by reducing civilian-military interactions at the existing facility. Peru will have no difficulty absorbing these articles and services into its armed forces.

The proposed sale of this construction and support will not alter the regional military balance in the region.

The principal contractor or contractors will be determined later from a list of approved vendors, likely through a competitive process. 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 or contractors.

Implementation of this proposed sale will require the assignment of up to twenty U.S. Government or U.S. contractor representatives to Peru for a duration of up to ten years to provide construction management and oversight.

There will be no adverse impact on U.S. defense readiness as a result of this proposed sale.

[FR Doc. 2026–05146 Filed 3–16–26; 8:45 am]

BILLING CODE 6001–FR–P

DEPARTMENT OF DEFENSE

Office of the Secretary

[Transmittal No. 25–86]

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,* or *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 25–86 and Policy Justification.

Dated: March 12, 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

January 30, 2026

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. 25-86, concerning the Army's proposed Letter(s) of Offer and Acceptance to the Government of Israel for defense articles and services estimated to cost $740 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

BILLING CODE 6001–FR–C

Transmittal No. 25–86

Notice of Proposed Issuance of Letter of Offer Pursuant to Section 36(b)(1) of the Arms Export Control Act

(i) *Prospective Purchaser:* Government of Israel

(ii) *Total Estimated Value:*

Major Defense Equipment * ..	$ 0
Other	740 million
TOTAL	$740 million

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:

Namer Armored Personnel Carrier (APC–MT883) Power Packs Less Transmission (NPPLTs) in full configuration and NPPLTs in lite configuration; integrated logistics support package that includes special tools for C-Level maintenance and transmission parts; control and diagnostic systems; preservation and packaging; containers; configuration management; technical manuals, spare parts catalogs, other documentation, and publications; United States (U.S.) Government and contractor technical assistance and contractor non-recurring engineering (NRE); and other related elements of logistics and program support.

(iv) *Military Department:* Army (IS–B–ZNY)

(v) *Prior Related Cases, if any:* (IS–B–ZZD)

(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:* January 30, 2026

* as defined in Section 47(6) of the Arms Export Control Act.

POLICY JUSTIFICATION

Israel—Namer Armored Personnel Carrier Power Packs Less Transmissions and Integrated Logistics Support

The Government of Israel has requested to buy Namer Armored Personnel Carrier (APC–MT883) Power Packs Less Transmissions (NPPLTs) in full and lite configurations. Also included is an integrated logistics support package that includes special tools for C-Level maintenance and transmission parts; control and diagnostic systems; preservation and packaging; containers; configuration management; technical manuals, spare parts catalogs, other documentation, and publications; U.S. Government and contractor technical assistance and contractor non-recurring engineering (NRE); and other related elements of logistics and program support. The estimated total cost is $740 million.

This proposed sale will contribute to the foreign policy and national security of the U.S. by helping to improve the security of a strategic regional partner that has been, and continues to be, an important force for political stability and economic progress in the Middle East.

The proposed sale will improve Israel's capability to meet current and future threats by improving its ability to defend its borders, vital infrastructure, and population centers. These power packs will be used on Namer Armored Personnel Carriers (APC–MT883) that were fielded in 2008. Israel 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 contractor will be Rolls-Royce Solutions America, Inc., located in Novi, MI. 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 Israel.

There will be no adverse impact on U.S. defense readiness as a result of this proposed sale.

[FR Doc. 2026–05144 Filed 3–16–26; 8:45 am]

BILLING CODE 6001–FR–P

DEPARTMENT OF DEFENSE

Office of the Secretary

[Transmittal No. 26–03]

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,* or *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 26–03, Policy Justification, and Sensitivity of Technology.

Dated: March 12, 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

January 23, 2026

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. 26-03, concerning the Air Force's proposed Letter(s) of Offer and Acceptance to the Government of Australia for defense articles and services estimated to cost $3.16 billion.

Sincerely,

Michael F. Miller
Director

Enclosures:
1. Transmittal
2. Policy Justification
3. Sensitivity of Technology

BILLING CODE 6001–FR–C

Transmittal No. 26–03

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 Australia

(ii) *Total Estimated Value:*

Major Defense Equipment *	$2.61 billion
Other	$ .55 billion
Total	$3.16 billion

Funding Source: National Funds

(iii) *Description and Quantity or Quantities of Articles or Services under Consideration for Purchase:*

Major Defense Equipment (MDE):
Up to four hundred fifty (450) AIM–260 Joint Advanced Tactical Missiles (JATM)
Up to five (5) AIM–260 JATM Integration Test Vehicles (ITV)
Up to thirty (30) AIM–260 JATM Guided Test Vehicles (GTV)

Non-Major Defense Equipment:
The following non-MDE items will also be included: ammunition containers; shoe jettison assemblies; KGV–135A embedded communications security devices; spare parts, consumables, and accessories; repair and return support; component parts and spare equipment; training aids, devices, and spare parts; weapon system support and test equipment; classified and unclassified software delivery and support; classified and unclassified publications and technical documentation; personnel training and training equipment; transportation support; site surveys; warranties; 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 (AT–D–YAO)

(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:* January 23, 2026

* as defined in Section 47(6) of the Arms Export Control Act.

POLICY JUSTIFICATION

Australia—AIM–260 Joint Advanced Tactical Missiles

The Government of Australia has requested to buy up to four hundred fifty (450) AIM–260 Joint Advanced Tactical Missiles (JATM); up to five (5) AIM–260 JATM Integration Test Vehicles (ITV); and up to thirty (30) AIM–260 JATM Guided Test Vehicles (GTV). The following non-MDE items will also be included: ammunition containers; shoe jettison assemblies; KGV–135A embedded communications security devices; spare parts, consumables, and accessories; repair and return support; component parts and spare equipment; training aids, devices, and spare parts; weapon system support and test equipment; classified and unclassified software delivery and

support; classified and unclassified publications and technical documentation; personnel training and training equipment; transportation support; site surveys; warranties; 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 $3.16 billion.

This proposed sale will support the foreign policy and national security objectives of the U.S.. Australia is one of our most important allies in the Western Pacific. The strategic location of this political and economic power contributes significantly to ensuring peace and economic stability in the Western Pacific. It is vital to the U.S. national interest to assist our ally in developing and maintaining a strong and ready self-defense capability.

The proposed sale will improve Australia's capability to meet current and future threats by ensuring Australia has modern, capable air-to-air munitions that improve interoperability between the U.S. and the Royal Australian Air Force (RAAF). Australia will have no difficulty absorbing these articles 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 Missiles and Fire Control, 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 Australia.

There will be no adverse impact on U.S. defense readiness as a result of this proposed sale.

Transmittal No. 26–03

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–260 Joint Advanced Tactical Missile (JATM) is a GPS-aided air superiority missile with increased range and effectiveness over existing air-to-air weapons with Precise Positioning Services provided by Selective Availability Anti-Spoofing Module or M-Code. Anti-tampering security measures have been incorporated into the AIM–260 to prevent exploitation of the software.

2. The AIM–260 Guided Test Vehicle (GTV) is an instrumented version of the missile where the warhead is replaced with a telemetry unit to capture missile data parameters during live-fire flight testing.

3. The AIM–260 Integration Test Vehicle (ITV) is a modified AIM–260 missile used for captive test purposes.

4. The KGV–135A is a high-speed, general purpose encryptor/decryptor module used for wideband data encryption.

5. The highest level of classification of defense articles, components, and services included in this potential sale is SECRET.

6. 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.

7. A determination has been made that Australia 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.

8. All defense articles and services listed in this transmittal have been authorized for release and export to the Government of Australia.

[FR Doc. 2026–05140 Filed 3–16–26; 8:45 am]

BILLING CODE 6001–FR–P

DEPARTMENT OF DEFENSE

Office of the Secretary

[Transmittal No. 24–121]

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,* or *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 24–121 and Policy Justification.

Dated: March 12, 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

JAN 14 2026

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. 24-121, concerning the Army's proposed Letter(s) of Offer and Acceptance to the Government of Iraq for defense articles and services estimated to cost $110 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)

BILLING CODE 6001–FR–C

Transmittal No. 24–121

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 Iraq

(ii) *Total Estimated Value:*

Major Defense Equipment *	$ 0
Other	$110 million
TOTAL	$110 million

Funding Source: National Funds

(iii) *Description and Quantity or Quantities of Articles or Services under Consideration for Purchase:* Foreign Military Sales (FMS) case IQ–B–APT was below congressional notification threshold at $46 million ($0 in MDE) and included Very Small Aperture Terminals (VSAT); VSAT modems; VSAT hubs; L-band tactical satellite service (L–TAC) manpacks; commercial satellite services; satellite ground terminals, modems, and hubs; spare parts; field service representative services; and technical support and training. The Government of Iraq has requested the case be amended to include additional VSATs; VSAT items; and related support. This amendment will cause the case to exceed the notification threshold, and thus notification of the entire program is required.

Major Defense Equipment (MDE):
None

Non-Major Defense Equipment:
The following non-MDE items will be included: Very Small Aperture Terminals (VSAT); VSAT modems; VSAT hubs; L-band tactical satellite service (L–TAC) manpacks; commercial satellite services; satellite ground terminals; modems and hubs; spare parts; field service representative services; technical support and training; personnel training; United States (U.S.) Government and contractor engineering, technical, and logistics support services and personnel services; and other related elements of logistics and program support.

(iv) *Military Department:* Army (IQ–B–APT)

(v) *Prior Related Cases, if any:* IQ–B–AAO

(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:* January 14, 2026

* as defined in Section 47(6) of the Arms Export Control Act.

POLICY JUSTIFICATION

Iraq—Very Small Aperture Terminals

The Government of Iraq has requested to buy additional Very Small Aperture Terminals (VSAT); VSAT modems; VSAT hubs; L-band tactical satellite service manpacks; spare parts; personnel training; U.S. Government and contractor engineering, technical, and logistics support services and

personnel services; and other related elements of logistics and program support 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 $46 million ($0 in Major Defense Equipment), included VSATs; VSAT modems; VSAT hubs; L–TAC manpacks; commercial satellite services; satellite ground terminals, modems, and hubs; spare parts; field service representative services; and technical support and training. The estimated total cost is $110 million.

This proposed sale will support the foreign policy and national security of the U.S. by helping to improve the security of a strategic partner.

The proposed sale will improve Iraq's capability to meet current and future threats by improving its satellite communication capability across the Ministry of Defense's communication infrastructure. This investment in the Government of Iraq's command and control capabilities is crucial to protecting its borders, energy infrastructure, and residents. Iraq 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 Network Innovations, located in Frederick, MD. 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 the assignment of two additional U.S. Government and five U.S. contractor representatives to Iraq for a duration of five years to support quarterly program management reviews, provide engineering consulting and technical assessments for equipment upgrades and evolutions to the VSAT hubs and modems, and to conduct in-country training.

There will be no adverse impact on U.S. defense readiness as a result of this proposed sale.

[FR Doc. 2026–05138 Filed 3–16–26; 8:45 am]

BILLING CODE 6001–FR–P

DEPARTMENT OF DEFENSE

Office of the Secretary

[Transmittal No. 25–87]

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,* or *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 25–87, Policy Justification, and Sensitivity of Technology.

Dated: March 12, 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

January 30, 2026

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. 25-87, concerning the Army's proposed Letter(s) of Offer and Acceptance to the Government of Israel for defense articles and services estimated to cost $1.98 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. 25–87

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 Israel

(ii) *Total Estimated Value:*

Major Defense Equipment * ..	$1.60 billion
Other	$0.38 billion
TOTAL	$1.98 billion

Funding Source: Foreign Military Financing and National Funds

(iii) *Description and Quantity or Quantities of Articles or Services under Consideration for Purchase:*

Major Defense Equipment (MDE):

Three-thousand two-hundred fifty (3,250) Joint Light Tactical Vehicles (JLTVs) includes a combination of: JLTV Utility M1279A1/A2/A3 (JLTV–UTL), JLTV Heavy Guns Carrier M1278A1/A2/A3 (JLTV–HGC), JLTV Close Combat Weapons Carrier M1281A1/A2/A3 (JLTV–CCWC), and JLTV General Purpose M1280A1/A2/A3 (JLTV–GP)

Non-Major Defense Equipment:

The following non-MDE items will also be included: Common Remotely Operated Weapon Stations (CROWS); JLTV cargo trailers; JLTV kits; standard and non-standard command, control, communications, computers, intelligence, surveillance, and reconnaissance equipment; system unique integration; Objective Gunner Protection Kits (OGPK); Driver's Vision Enhancement (DVE); spare and repair parts; Special Tools and Test Equipment (STTE); technical manuals and publications; maintenance trainers; new equipment training; total package fielding support; depot-level maintenance, 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:* Army (IS–B–ZNV)

(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:* January 30, 2026

* as defined in Section 47(6) of the Arms Export Control Act.

POLICY JUSTIFICATION

Israel—Joint Light Tactical Vehicle

The Government of Israel has requested to buy three thousand two hundred fifty (3,250) Joint Light Tactical Vehicles (JLTVs), including JLTV Utility M1279A1/A2/A3 (JLTV–UTL), JLTV Heavy Guns Carrier M1278A1/A2/A3 (JLTV–HGC), JLTV Close Combat Weapons Carrier M1281A1/A2/A3 (JLTV–CCWC), and JLTV General

Purpose M1280A1/A2/A3 (JLTV–GP). The following non-MDE items will also be included: Common Remotely Operated Weapon Stations (CROWS); JLTV cargo trailers (M1289); JLTV kits; standard and non-standard command, control, communications, computers, intelligence, surveillance, and reconnaissance equipment; system unique integration; Objective Gunner Protection Kits (OGPK); Driver's Vision Enhancement (DVE); spare and repair parts; Special Tools and Test Equipment (STTE); technical manuals and publications; maintenance trainers; new equipment training; total package fielding support; depot-level maintenance, 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 $1.98 billion.

This proposed sale will contribute to the foreign policy and national security of the U.S. by helping to improve the security of a strategic regional partner that has been, and continues to be, an important force for political stability and economic progress in the Middle East.

The proposed sale will improve Israel's capability to meet current and future threats by enhancing the mobility of its ground forces during operations. These JLTVs will be used to securely move personnel and logistics to extend lines of communication. Israel will have no difficulty absorbing this equipment and systems 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 AM General LLC, located in Auburn Hills, MI and Mishawaka, IN. 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 multiple assignments of 15 additional U.S. Government and 20 contractor representatives to Israel for a duration of up to six years to provide total package fielding, training, and logistics support for the program.

There will be no adverse impact on U.S. defense readiness as a result of this proposed sale.

Transmittal No. 25–87

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 Joint Light Tactical Vehicle (JLTV) is a cost effective lightweight tactical vehicle designed to improve the payload, performance, network mobility, and protection of forces during multi-domain operations. It has extensive defensive capabilities, firepower, maneuverability, noise reducing solutions, and command and control systems. The JLTV variations are the JLTV Utility M1279A1/A2/A3 (JLTV–UTL), JLTV Heavy Guns Carrier M1278A1/A2/A3 (JLTV–HGC), JLTV Close Combat Weapons Carrier M1281A1/A2/A3 (JLTV–CCWC), and JLTV General Purpose M1280A1/A2/A3 (JLTV–GP). The JLTV–UTL carries a 2-man crew for cargo and payload delivery of up to 5,100 pounds. The JTLV–HGC carries a 4-man crew when equipped with a remote weapon system or a 5-man crew when fitted with an open-top turret. Non-kinetic weapons can be integrated into this variant to defend against unmanned aerial vehicles. The JLTV–CCWV carries a 5-man crew and has the capacity to deliver anti-armor heavy weapons. The JLTV–GP is the base vehicle that can carry a 4-man crew and support a payload of up to 3,500 pounds. The JLTV A2 upgrades include enhanced performance, reliability, cost efficiency, and additional cargo space. The JLTV cargo trailers (M1289) are designed to be compatible with JLTVs, sharing an equal level of protection, maneuverability, and performance.

2. The JLTV has inherent armor built into the base vehicle called the A-kit, which provides 360-degree protection from kinetic energy and small arms threats. It also includes a B-kit, which mitigates threats against direct fire, artillery, and explosives with an underbody deflector plate and energy absorbent seat mechanisms.

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 Israel 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.

6. All defense articles and services listed in this transmittal have been authorized for release and export to the Government of Israel.

[FR Doc. 2026–05143 Filed 3–16–26; 8:45 am]

BILLING CODE 6001–FR–P

DEPARTMENT OF DEFENSE

Office of the Secretary

[Transmittal No. 26–12]

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,* or *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 26–12, Policy Justification, and Sensitivity of Technology.

Dated: March 12, 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

January 20, 2026

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. 26-12, concerning the Navy's proposed Letter(s) of Offer and Acceptance to the Government of Singapore for defense articles and services estimated to cost $2.316 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. 26–12

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 Singapore

(ii) *Total Estimated Value:*

Major Defense Equipment *.	$1.293 billion
Other	$1.023 billion
TOTAL	$2.316 billion

Funding Source: National Funds

(iii) *Description and Quantity or Quantities of Articles or Services under Consideration for Purchase:*

Major Defense Equipment (MDE):

Four (4) P–8A patrol aircraft

Seven (7) Guardian laser transmitter assemblies for the AN/AAQ–24(V)N system

Seven (7) system processors for the AN/AAQ–24(V)N system with Selective Availability Anti-Spoofing Modules

Eight (8) MK 54 MOD 0 lightweight torpedoes all up rounds

Non-Major Defense Equipment:

The following non-MDE items will also be included: tactical open mission software; electro-optical and infrared MX–20HD systems; missile warning sensors for the AN/AAQ–24(V)N; AN/AQQ–2(V) acoustic systems; AN/APY–10 radar systems (with Global Positioning System); ALQ–213 early warning management systems; KIV–78 cryptographic appliques; A/N APX–123A Identification Friend or Foe transmitters; AN/ALE–47 countermeasures dispenser system programmers; AN/PYQ–10 simple key loaders; aircraft spares; spare engines; support equipment; training devices; engineering support; training; classified and unclassified publications; classified and unclassified software; mission systems and other Government-furnished equipment; classified and unclassified torpedo spare parts for the all up round and exercise torpedo configured MK 54 lightweight torpedoes; torpedo support equipment, including equipment and tools; classified software for test equipment; torpedo containers; recoverable exercise torpedoes; air launch accessories; torpedo support, including facility stand-up and test equipment support; classified and unclassified publications; other technical assistance, including technical support, technical program management, infrastructure support, test equipment sustainment, exercise firing assistance, and contract management; in-country training; and other related elements of logistics and program support.

(iv) *Military Department:* Navy (SN–P–SAD & SN–P–AEB)

(v) *Prior Related Cases, if any:* SN–P–GZS

(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:* January 20, 2026

* as defined in Section 47(6) of the Arms Export Control Act.

POLICY JUSTIFICATION

Singapore—Maritime Patrol and Reconnaissance Aircraft P–8A and MK 54 Lightweight Torpedoes

The Government of Singapore has requested to buy up to four (4) P–8A patrol aircraft; seven (7) Guardian laser transmitter assemblies for the AN/AAQ–24(V)N system; seven (7) system processors for the AN/AAQ–24(V)N system with Selective Availability Anti-Spoofing Modules; and eight (8) MK 54 MOD 0 lightweight torpedoes all up rounds. The following non-Major Defense Equipment items will also be included: tactical open mission software; electro-optical and infrared MX–20HD systems; missile warning sensors for the AN/AAQ–24(V)N; AN/AQQ–2(V) acoustic systems; AN/APY–10 radar systems (with Global Positioning System); ALQ–213 early warning management systems; KIV–78 cryptographic appliques; A/N APX–123A Identification Friend or Foe transmitters; AN/ALE–47 countermeasures dispenser system programmers; AN/PYQ–10 simple key loaders; aircraft spares; spare engines; support equipment; training devices; engineering support; training; classified and unclassified publications; classified and unclassified software; mission systems and other Government-furnished equipment; classified and unclassified torpedo spare parts for the all up round and exercise torpedo configured MK 54 lightweight torpedoes; torpedo support equipment, including equipment and tools; classified software for test equipment; torpedo containers; recoverable exercise torpedoes; air launch accessories; torpedo support, including facility stand-up and test equipment support; classified and unclassified publications; other technical assistance, including technical support, technical program management, infrastructure support, test equipment sustainment, exercise firing assistance, and contract management; in-country training; and other related elements of logistics and program support. The estimated total cost is $2.316 billion.

This proposed sale will enhance the foreign policy and national security objectives of the United States (U.S.) by improving the security of a strategic partner that is an important force for political stability and economic progress in Asia.

The proposed sale will improve Singapore's capability to meet current and future threats by providing a credible maritime force capable of deterring adversaries and participating in U.S allied operations. The proposed sale will support Singapore's goal of improving national and territorial defense as well as increasing interoperability with U.S. and allied forces. Singapore 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 contractor will be The Boeing Company, located in Arlington, VA. The majority of MK 54 lightweight torpedo hardware will be purchased directly from U.S. Navy stock. There are a significant number of other companies under contract with the U.S. Navy that will provide components, systems, and engineering services during the execution of this effort. 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 up to fourteen U.S. Government and contractor representatives to travel to Singapore for a duration of up to two years to support aircraft fielding and maintenance, mission systems, training, and logistics and engineering technical assistance.

There will be no adverse impact on U.S. defense readiness as a result of this proposed sale.

Transmittal No. 26–12

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 P–8A aircraft is a militarized version of the Boeing 737–800 Next Generation commercial aircraft. The P–8A is replacing the Government of Singapore's Fokker 50 Maritime Patrol Aircraft and adds long-range antisubmarine warfare (ASW) and anti-surface warfare capabilities to Singapore's intelligence, surveillance, and reconnaissance aircraft.

The AN/AAQ–24 Large Aircraft Infrared Countermeasures (LAIRCM) system is a directional, active infrared (IR) jammer that protects the host aircraft from surface launched IR-guided missiles. The system includes Missile Warning System (MWS), LAIRCM system processor replacement, and Guardian laser transmitter assembly with Selective Availability Anti-Spoofing Module (SAASM) capability.

The MK 54 MOD 0 torpedo is a conventional torpedo that can be launched from surface ships, rotary, and fixed wing aircraft. The MK 54 MOD 0 is an upgrade from the MK 46 torpedo created by combining the guidance section of the MK 50 torpedo with the warhead and propulsion sections of the MK 46 torpedo.

Non-MDE included within the P–8A configuration for the initial sale of four (4) P–8As to the Government of Singapore:

Tactical Open Mission Software (TOMS). Functions include environment planning, tactical aids, weapons planning aids, and data correlation. TOMS includes an algorithm for track fusion which automatically correlates tracks produced by on board and off board sensors.

Electro-Optical (E.O.) and IR MX–20HD. The E.O./IR system processes visible E.O. and IR spectrum (IR focal plane array and turret stabilization) to detect and image objects.

AN/AQQ–2(V)1 acoustic system. The acoustic sensor system is integrated within the mission system as the primary sensor for ASW missions.

AN/APY–10 radar with Global Positioning System (GPS). Radar capabilities include Synthetic Aperture Radar (SAR)/Inverse Synthetic Aperture Radar (ISAR) resolution, geolocation, periscope detection mode, track generation, track while scan, color weather radar, Identification Friend or Foe (IFF) interface, and SAR/ISAR imagery resolutions. The radar includes a GPS 524D Precise Positioning System with SAASM Mode III hardware.

ALQ–240 Electronic Support Measures. This system provides real time capability for the automatic detection, location, measurement, and analysis of radio frequency signals and modes. Real time results are compared with a library of known emitters to perform emitter classification.

Electronic Warfare Self Protection (EWSP). The P–8A EWSP suite consists of the ALQ–213 Electronic Warfare Management System (EWMS), ALE–47 Countermeasures Dispensing System (CMDS), AN/AAQ–24 LAIRCM and the NexGEN MWS. EWSP includes threat information.

AN/ALQ–213 EWMS. The AN/ALQ–213 system provides the primary interface for control and monitoring of the EWSP suite.

AN/ALE–47 CMDS. The AN/ALE–47 system dispenses flares that act as decoys to deflect incoming IR-guided missiles away from the aircraft. This system acts as a backup for the AN/AAQ–24 LAIRCM system.

KIV–78 IFF system. The KIV–78 IFF system deployed to identify cooperative, friendly systems.

AN/APX–123A(C) IFF Digital Transponder. The AN/APX–123A is capable of both Mode 5 and Mode S secure modes and provides own ship positional information.

Networked communications radio. Networked communications airborne radio delivers mission-critical capabilities through multiple waveforms, high-speed ability and beyond-line-of-sight connectivity for data, voice, and imagery.

Advanced Digital Antenna Production (ADAP) system antenna electronics and ADAP Controlled Reception Pattern Antenna. ADAP contains a multi-element antenna, digital anti-jam processing, and provides protected GPS.

KIV–7M communications security device. The KIV–7M device provides encryption for high frequency beyond line-of-sight communications.

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 Singapore 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 Singapore.

[FR Doc. 2026–05147 Filed 3–16–26; 8:45 am]

BILLING CODE 6001–FR–P

DEPARTMENT OF DEFENSE

Office of the Secretary

[Transmittal No. 25–104]

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,* or *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 25–104, Policy Justification, and Sensitivity of Technology.

Dated: March 12, 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

January 29, 2026

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. 25-104, concerning the Navy's proposed Letter(s) of Offer and Acceptance to the Government of Spain for defense articles and services estimated to cost $1.7 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. 25–104

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 Spain

(ii) *Total Estimated Value:*

Major Defense Equipment *	$ .544 billion
Other	$1.156 billion
TOTAL	$1.7 billion

(iii)*Description and Quantity or Quantities of Articles or Services under Consideration for Purchase:*

Major Defense Equipment (MDE):
Five (5) Shipsets AEGIS Weapon System
Six (6) Shipsets Digital Signal Processor
Five (5) Shipsets MK 41 Baseline VIII Vertical Launching System
Five (5) Shipsets of Next Generation Surface Search Radar

Non-Major Defense Equipment:
The following non-MDE items will also be included: ultra high frequency satellite communications radio terminal systems; Global Positioning System Miniature Precision Lightweight GPS Receiver Engines with M-Code; AN/SRQ–4 Ku-band hardware; material required to support the upgrade of NIXIE SLQ–25A to a SLQ–25E; MK 331 Torpedo Setting Panels; MK 32 surface vessel torpedo tube upgrades; U.S. Government support for the MK 45 Mod 2 and Mod 2B Gun Weapon System; modernization efforts, integration, and test support and equipment; munitions support and support equipment; spare parts; consumables and accessories; repair and return support; classified software delivery and support; classified and unclassified publications; technical documentation; personnel training and training equipment; studies and surveys; Contractor Logistics 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:* Navy (SP–P–LIK)

(v) *Prior Related Cases, if any:* SP–P–GOR

(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:* January 29, 2026

* as defined in Section 47(6) of the Arms Export Control Act.

POLICY JUSTIFICATION

Government of Spain—F–100 Frigate Mid-Life Upgrade

The Government of Spain has requested to buy five (5) Shipsets AEGIS Weapon System; six (6) Shipsets Digital Signal Processor; five (5) Shipsets MK 41 Baseline VIII Vertical Launching System; five (5) Shipsets of Next Generation Surface Search Radar. The following non-major defense equipment articles (MDE) will also be included: ultra high frequency satellite communications radio terminal systems; Global Positioning System Miniature Precision Lightweight GPS Receiver Engines with M-Code; AN/SRQ–4 Ku-band hardware; material required to support the upgrade of NIXIE SLQ–25A to a SLQ–25E; MK 331 Torpedo Setting Panels; MK 32 surface vessel torpedo tube upgrades; U.S. Government support for the MK 45 Mod 2 and Mod 2B Gun Weapon System; modernization efforts, integration, and test support and equipment; munitions support and support equipment; spare parts; consumables and accessories; repair and return support; classified software delivery and support; classified and unclassified publications; technical documentation; personnel training and training equipment; studies and surveys; Contractor Logistics 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 $1.7 billion.

The 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 Spain's capability to meet current and future threats by affording more flexibility and capability to counter regional threats and continue to enhance stability in the region. The purchaser will use the articles and services to modernize five AEGIS-equipped frigates within its fleet, enhancing its ability to conduct defense missions and interoperate with the U.S. and NATO Allies for theater ballistic missile defense. Spain will have no difficulty absorbing this equipment and support 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 Lockheed Martin, located in Moorestown, NJ, and Manassas, VA; RTX Corporation, located in Arlington, VA; Ultra Maritime Naval Systems and Sensors, located in Braintree, MA; and General Dynamics, located in Williston, VT. 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 the proposed sale will require U.S. Government and contractor personnel to visit Spain on a temporary basis in conjunction with program technical oversight and support requirements, including program and technical reviews, as well as to provide training and maintenance support in country.

There will be no adverse impact on U.S. defense readiness as a result of this proposed sale.

Transmittal No. 25–104

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 AEGIS Weapon System (AWS) is a multi-mission combat system providing integrated air and missile defense (IAMD) for surface ships. This sale involves a subset of the AWS Baseline 9 anti-air warfare (AAW) capability called the International AEGIS Fire Control Loop integrated with ballistic missile defense (BMD) capability.

The Multi-Mission Signal Processor is a critical component supporting the operation of the SPY–1D and SPY–1D (V) radars present on Spain's Alvaro-de-Bazan-class frigates. The system provides those sensors with the resourcing to simultaneously operate AAW and BMD equipment for a complete IAMD capability.

The MK 41 Vertical Launch System (VLS) is a fixed, vertical, multi-missile launching system. The MK 41 VLS provides the capability to store and launch multiple missile variants depending on the mission, including Evolved Sea Sparrow Missile and Standard Missiles.

The Next Generation Surface Search Radar (NGSSR) is the U.S. Navy's multi-mission navigation, surface search, and periscope detection radar. The NGSSR replaces multiple legacy surface radar systems.

The ultra-high frequency satellite communications (SATCOM) RT–1829 terminal is a commercially available SATCOM terminal. This provides ship-to-ship or ship-to-shore communications via voice or data connectivity.

The Global Positioning System (GPS) Miniature Precision Lightweight GPS Receiver (PLGR) Engine (MPE) with M-Code is a GPS receiver that utilizes the military M-Code for enhanced security and anti-jamming capabilities. The GPS MPE M-Code provides highly accurate positioning, navigation, and timing data in environments where GPS signals may be contested or denied.

The Common Data Link Hawklink AN/SRQ–4 radio terminal set provides the shipboard element of a situation awareness system that links airborne terminals with surface warships. The system provides real-time use of aircraft sensors to extend situational awareness over the horizon by enabling surveillance helicopters to data-link radar, video, networking, and acoustic data to various surface ships. It provides the command and control, sensor data transfer, data link operations, and built-in test functionality. It supports anti-submarine warfare (ASW) and anti-ship surveillance and targeting missions.

The Torpedo Countermeasure Transmitting Set AN/SLQ–25 (Nixie) is a passive, electro-acoustic decoy system used to provide deceptive countermeasures against acoustic homing torpedoes. The AN/SLQ–25 employs an underwater acoustic projector housed in a streamlined body which is towed astern on a combination tow/signal-transfer coaxial cable. An onboard generated signal is used by the towed body to produce an acoustic signal to decoy the hostile torpedo away from the ship.

The MK 331 Torpedo Setting Panel (TSP) is a device used to program and configure torpedoes prior to launch. The MK 331 TSP provides the capability to set parameters such as depth, speed, and target selection for torpedoes.

The MK 32 Surface Vessel Torpedo Tube (SVTT) is a trainable, lightweight torpedo launching system. The MK 32 SVTT provides surface combatants with an ASW capability to launch lightweight torpedoes against underwater threats.

The MK 45 Mod 2 Gun Weapon System (GWS) is a lightweight, rapid-fire, automatic gun system designed for use against surface, air, and shore targets. The MK 45 Mod 2 GWS provides naval vessels with effective firepower for various mission requirements, including naval surface fire support, anti-ship engagement, and limited air defense.

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 Government of Spain can provide substantially the same degree of protection for the 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 Spain.

[FR Doc. 2026–05141 Filed 3–16–26; 8:45 am]

BILLING CODE 6001–FR–P

DEPARTMENT OF DEFENSE

Office of the Secretary

[Transmittal No. 26–08]

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,* or *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 26–08 and Policy Justification.

Dated: March 12, 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

January 30, 2026

The Honorable Brian Mast
Chairman
Committee on Foreign Affairs
U.S. House of Representatives
Washington, DC 20515

Dear Mr. Chairman:

Pursuant to the reporting requirements of Section 36(b)(1) of the Arms Export Control Act, as amended, we are forwarding herewith Transmittal No. 26-08, concerning the Army's proposed Letter(s) of Offer and Acceptance to the Government of Israel for defense articles and services estimated to cost $150 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

cc:
The Honorable Gregory W. Meeks
Ranking Member

BILLING CODE 6001–FR–C

Transmittal No. 26–08

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 Israel

(ii) *Total Estimated Value:*

Major Defense Equipment *	$ 0
Other	$150 million
TOTAL	$150 million

Funding Source: Foreign Military Financing

(iii) *Description and Quantity or Quantities of Articles or Services under Consideration for Purchase:* Foreign Military Sales (FMS) case IS–B–UAO was below congressional notification threshold at $78.2 million ($0 in Major Defense Equipment (MDE)) and included twelve (12) AW119Kx light utility helicopters, spares, and support. The Government of Israel has requested that the case be amended to include an additional four (4) non-MDE AW119Kx light utility helicopters, spares, and support as indicated below. 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):

None

Non-Major Defense Equipment:

The following non-MDE items will be included: AW119Kx light utility helicopters; Aviation Ground Support Equipment (AGSE); supplemental type certificate (STC) tools; engineering; spare and repair parts; support equipment; tools and test equipment; technical data and publications; personnel training and training equipment; United States (U.S.) Government and contractor technical assistance; technical and logistics support services; and other related elements of logistics and program support.

(iv) *Military Department:* Army (IS–B–UAO, A5)

(v) *Prior Related Cases, if any:* IS–B–UAO Basic through A4

(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:* January 30, 2026

* as defined in Section 47(6) of the Arms Export Control Act

Policy Justification

Israel—AW119Kx Light Utility Helicopters

The Government of Israel has requested to buy additional AW119Kx light utility helicopters; Aviation Ground Support Equipment (AGSE); supplemental type certificate (STC) tools; engineering; spare and repair parts; support equipment; tools and test equipment; technical data and publications; personnel training and training equipment; U.S. Government and contractor technical assistance; technical and logistics support services; and other related elements of program and logistical support that will be added to a previously implemented case whose value was under the congressional notification threshold. The original Foreign Military Sales case, valued at $78.2 million, included the following non-MDE items: AW119Kx light utility helicopters, spares, and support. The estimated total cost is $150 million.

This proposed sale will contribute to the foreign policy and national security of the U.S. by helping to improve the security of a strategic regional partner that has been, and continues to be, an important force for political stability and economic progress in the Middle East.

The proposed sale will improve Israel's capability to meet current and future threats by improving its ability to defend its borders, vital infrastructure, and population centers. This proposed sale will increase the interoperability with U.S. forces and conveys U.S. commitment to Israel's security and armed forces modernization. Israel 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 contractor will be Leonardo Helicopters USA, AgustaWestland Philadelphia Corporation, located in Philadelphia, PA. 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 temporary duty travel of three to five U.S. Government representatives to Israel for a duration of up to five years. Implementation of this proposed sale will require contractor representatives for equipment operation and training.

There will be no adverse impact on U.S. defense readiness as a result of this proposed sale.

[FR Doc. 2026–05139 Filed 3–16–26; 8:45 am]

BILLING CODE 6001–FR–P

DEPARTMENT OF DEFENSE

Office of the Secretary

[Transmittal No. 25–65]

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,* or *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 25–65 and Policy Justification.

Dated: March 12, 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

JAN 14 2026

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. 25-65, concerning the Army's proposed Letter(s) of Offer and Acceptance to the Government of Kuwait for defense services estimated to cost $800 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)

BILLING CODE 6001–FR–C

Transmittal No. 25–65

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 Kuwait

(ii) *Total Estimated Value:*

Major Defense Equipment (MDE) *.	$ 0
Other	$800 million
TOTAL	$800 million

Funding Source: National Funds

(iii) *Description and Quantity or Quantities of Articles or Services under Consideration for Purchase:*

Major Defense Equipment (MDE):
None

Non-Major Defense Equipment:
The following non-MDE items will be included: spare and repair parts; storage and aging; surveillance firing; stockpile reliability; shared and country-unique PATRIOT PAC–3 Missile Support Center support; operator and maintenance support; test program set development process support; publications and technical documentation; personnel training and training equipment; United States (U.S.) Government and contractor engineering, technical, and logistics support services; studies and surveys; transportation; and other related elements of logistics and program support.

(iv) *Military Department:* Army (KU–B–UYU)

(v) *Prior Related Cases, if any:* KU–B–UXH, KU–B–UJO, KU–B–UMG

(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:* January 14, 2026

* as defined in Section 47(6) of the Arms Export Control Act.

POLICY JUSTIFICATION

Kuwait—PATRIOT Program Sustainment and Follow-On Technical Support

The Government of Kuwait has requested to buy equipment and services related to sustainment and follow-on technical support for its PATRIOT program. The following non-Major Defense Equipment items will be included: spare and repair parts; storage and aging; surveillance firing; stockpile reliability; shared and country-unique PATRIOT PAC–3 Missile Support Center support; operator and maintenance support; test program set development process support; publications and technical documentation; personnel training and training equipment; U.S. Government and contractor engineering, technical, and logistics support services; studies and surveys; transportation; and other

related elements of logistics and program support. The estimated total cost is $800 million.

This proposed sale will support the foreign policy goals 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 Middle East.

The proposed sale will improve Kuwait's capability to meet current and future threats by assisting it in maintaining higher levels of operational readiness while meeting its modernization and professionalization goals. Kuwait 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 contractors will be RTX Corporation, located in Waltham, MA, and Huntsville, AL; Lockheed Martin, located in Bethesda, MA, and Huntsville, AL; LEIDOS, Inc., located in Reston, VA, and Huntsville, AL; and KBR, located in Houston, TX, and Huntsville, 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 require the assignment of six U.S. Government and four contractor representatives to provide technical support and equipment familiarization.

There will be no adverse impact on U.S. defense readiness as a result of this proposed sale.

[FR Doc. 2026–05145 Filed 3–16–26; 8:45 am]

BILLING CODE 6001–FR–P

DEPARTMENT OF DEFENSE

Office of the Secretary

[Transmittal No. 25–94]

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,* or *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 25–94, Policy Justification, and Sensitivity of Technology.

Dated: March 12, 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

January 30, 2026

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. 25-94, concerning the Army's proposed Letter(s) of Offer and Acceptance to the Government of Israel for defense articles and services estimated to cost $3.8 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. 25–94

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 Israel

(ii) *Total Estimated Value:*

Major Defense Equipment *	$2.3 billion
Other	$1.5 billion
TOTAL	$3.8 billion

Funding Source: Foreign Military Financing

(iii) *Description and Quantity or Quantities of Articles or Services under Consideration for Purchase:*

Major Defense Equipment (MDE):

Thirty (30) AH–64E Apache attack helicopters
Seventy (70) T700–GE 701D engines (60 installed, 10 spares)
Thirty (30) AN/ASQ–170 Modernized Target Acquisition Designation Sight/AN/AAR–11 Pilot Night Vision Sensor (M–TADS/PNVS)
One (1) M–TADS/PNVS in support of special repair activity (SRA)
Thirty (30) AN/APG–78 Longbow Fire Control Radars (FCR) Mast Mounted Assembly (MMA)
One (1) FCR MMA in support of SRA
Thirty (30) Longbow fire control radar (FCR) radar electronic units (REU)
One (1) Longbow FCR REU in support of SRA
Thirty (30) AN/APR–48B Modernized Radar Frequency Interferometers (MRFI)
Six (6) MRFI maintenance floats
Thirty (30) AN/AAR–57 with 5th Sensor Common Missile Warning Systems (CMWS)
Four (4) AN/AAR–57 with 5th Sensor CMWS maintenance floats
Thirty (30) AN/ARC–231A, with RT–1987 receivers transmitters, Very High Frequency/Ultra High Frequency (VHF/UHF) radios
Six (6) AN/ARC–231A, with RT–1987 receivers transmitters, VHF/UHF radios maintenance floats
Sixty (60) M36E8 Captive Air Training Missiles (CATM)
Seventy-two (72) Embedded Global Positioning System/Inertial Navigation System with M-code (EAGLE–M) and Multi-Mode Receiver (MMR)
Thirty-six (36) Common Infrared Countermeasure Systems (CIRCM)

Non-Major Defense Equipment:

The following non-MDE items will also be included: Enhanced Image Intensifier (EI2) cameras; Radar Signal Detecting Sets; Laser Detecting Sets; Identification Friend or Foe (IFF) transponders; Improved Data Modems; Small Tactical Terminals; improved countermeasures dispensing systems (ICMD); automatic direction finders; Doppler radar velocity sensors; radar altimeters common core (RACC); tactical air navigation system (TACAN); Global Positioning System receivers; simple key loader; Advanced Weapon System Automatic Machine Guns; rocket launchers;

missile launchers; Manned-Unmanned Teaming (MUMT) Unmanned Aerial System (UAS) receiver; MUMT air-air-ground kits; air to ground network radios; transponder test sets; KIV–77 assets; Cartridge Actuated Devices/Propellant Actuated Devices (CAD/PAD); Small Tactical Terminal KOR–24A for Link-16; Longbow Crew Trainer (LCT); tactical engagement simulation system (TESS); maintenance training device (MTD); training devices; communication systems; helmets; simulators; generators; aircrew survivability equipment; transportation and organization equipment; spare and repair parts; support equipment; tools and test equipment; technical data and publications; personnel training and training equipment; United States (U.S.) Government and contractor technical assistance; technical and logistics support services; and other related elements of program and logistical support.

(iv) *Military Department:* Army (IS–B–UCF)

(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:* January 30, 2026

* as defined in Section 47(6) of the Arms Export Control Act.

POLICY JUSTIFICATION

Israel—AH–64E Apache Helicopters

The Government of Israel has requested to buy thirty (30) AH–64E Apache attack helicopters; seventy (70) T700–GE 701D engines (60 installed, 10 spares); thirty (30) AN/ASQ–170 Modernized Target Acquisition and Designation Sight/AN/AAR–11 Modernized Pilot Night Vision Sensors (M–TADS/PNVS); one (1) M–TADS/PNVS in support of Special Repair Activity (SRA); thirty (30) AN/APG–78 Longbow Fire Control Radars (FCR) Mast Mounted Assembly (MMA); one (1) FCR MMA in support of SRA; thirty (30) Longbow Fire Control Radar (FCR) Radar Electronic Units (REU); one (1) Longbow FCR REU in support of SRA; thirty (30) AN/APR–48B Modernized Radar Frequency Interferometers (MRFI); six (6) MRFI maintenance floats; thirty (30) AN/AAR–57 with 5th Sensor Common Missile Warning Systems (CMWS); four (4) AN/AAR–57 with 5th Sensor CMWS maintenance floats; thirty(30) AN/ARC–231A (RT–1987) Very High Frequency/Ultra High Frequency (VHF/UHF) radios; six (6) AN/ARC–231A (RT–1987) Very High Frequency/Ultra High Frequency (VHF/UHF) radios maintenance floats; sixty (60) M36E8 Captive Air Training Missiles (CATM); seventy-two (72) Embedded Global Positioning System/Inertial Navigation System with M-code (EAGLE–M) and Multi-Mode Receiver (MMR); thirty-six (36) Common Infrared Countermeasure Systems. The following non-Major Defense Equipment items will also be included: Enhanced Image Intensifier (EI2) cameras; Radar Signal Detecting Sets; Laser Detecting Sets; AN/APX–123A Identification Friend or Foe (IFF) transponders; AN/APR–39 Radar Warning Receiver Signal Detecting Set Improved Data Modems; AN/AVR–2B Laser Warning Set; M299 Missile Launcher; M261 2.75 Inch Rocket Launcher; Small Tactical Terminals; improved countermeasures dispensing systems (ICMD); automatic direction finders; Doppler radar velocity sensors; radar altimeters common core (RACC); tactical air navigation system (TACAN); Global Positioning System receivers; simple key loader; Advanced Weapon System Automatic Machine Guns; rocket launchers; missile launchers; Manned-Unmanned Teaming (MUMT) Unmanned Aerial System (UAS) receiver; MUMT air-air-ground kits; air to ground network radios; transponder test sets; KIV–77 assets; Cartridge Actuated Devices/Propellant Actuated Devices (CAD/PAD); Small Tactical Terminal KOR–24A for Link-16; Longbow Crew Trainer (LCT); tactical engagement simulation (TESS); Maintenance Training Device (MTD); training devices; communication systems; helmets; simulators; generators; aircrew survivability equipment; transportation and organization equipment; spare and repair parts; support equipment; tools and test equipment; technical data and publications; personnel training and training equipment; U.S. Government and contractor technical assistance; technical and logistics support services; and other related elements of program and logistical support. The estimated total cost is $3.8 billion.

The U.S. is committed to the security of Israel, and it is vital to U.S. national interests to assist Israel to develop and maintain a strong and ready self-defense capability. This proposed sale is consistent with those objectives.

The proposed sale will enhance Israel's capability to meet current and future threats by improving its ability to defend Israel's borders, vital infrastructure, and population centers. This proposed sale will increase the interoperability with U.S. forces and conveys U.S. commitment to Israel's security and armed forces modernization. Israel 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 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 require temporary duty travel of five to eight U.S. Government and contractor representatives to Israel for a duration of up to five years to support equipment fielding and training.

There will be no adverse impact on U.S. defense readiness as a result of this proposed sale.

Transmittal No. 25–94

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 AH–64E Apache attack helicopter is the Army's advanced 2-man crew Apache equipped with lethal firepower to perform close air support, anti-armor, and armed reconnaissance missions. It has a network-centric, fully integrated weapon system specifically built to dominate in highly contested and complex combat engagements. The AH–64E is a modern attack helicopter with improved situational awareness, flight performance, and joint operability abilities. It contains sensitive communications and target identification equipment, integrated sensors, and advanced navigation capabilities:

a. The Very High Frequency/Ultra High Frequency AN/ARC–231A (VHF/UHF) radio is a multi-mode software radio providing line of sight and secure/non-secure voice and data communications. The Satellite Communications (SATCOM) provides beyond line of sight secure/non-secure voice and data capabilities on manned and unmanned aviation platforms.

b. The AN/APX–123A Identification Friend or Foe (IFF) provides critical information in response to an IFF interrogator, helping prevent friendly fire. The transponder operation provides

interface capability with the aircraft's Traffic Collision and Avoidance System (TCAS).

c. The Link 16 Datalink is a military tactical data link network providing aircrews with enhanced situational awareness and the ability to exchange target information to Command and Control (C2) assets via Tactical Digital Information Link-Joint. It can provide a range of combat information in real time to both U.S. and allies' combat aircraft and C2 centers.

d. The AN/APR–39 Radar Warning Receiver Signal Detecting Set is a system that provides warning of a radar directed air defense threat and allows appropriate countermeasures.

e. The AN/AVR–2B Laser Warning Set is a passive laser warning system that receives, processes and displays threat information resulting from aircraft illumination by lasers on the aircraft's multi-functional display.

f. The AN/AAR–57 Common Missile Warning System (CMWS) detects energy emitted by threat missile in-flight, evaluates potential false alarm emitters in the environment, declares validity of threat, and selects appropriate countermeasures for defeat.

g. The AH–64E uses two EAGLE–M +MMR embedded GPS navigation systems with a Multi-Mode Receiver. The EAGLE–M +MMR is a self-contained navigation system with an embedded GPS receiver, providing output navigation and GPS timing data. EAGLE's EGI unit houses a 24-channel GPS receiver which is capable of operating in either non-encrypted or encrypted modes.

h. The AN/ASQ–170 Modernized Target Acquisition and Designation Sight/AN/AAQ–11 Pilot Night Vision Sensor (MTADS/PNVS) provides day and night vision, adverse weather target information, and night navigation capabilities. The PNVS provides thermal imaging that permits nap-of-the-earth flight to, from, and within the battle area. MTADS provides the co-pilot gunner with search, detection, recognition, and designation by means of Direct View Optics (DVO) and Forward Looking Infrared (FLIR) sighting systems.

i. The AN/APR–48B Modernized Radar Frequency Interferometer (MRFI) utilizes a detachable User Data Module (UDM) on the M–RFI processor, which contains the Radar Frequency (RF) threat library.

j. The AN/APG–78 Longbow Fire Control Radar (FCR) with Radar Electronics Unit (REU) is an active, low-probability of intercept, millimeter wave radar. The active radar is combined with a passive Radar Frequency Interferometer (RFI) mounted on top of the helicopter mast. The FCR Ground Targeting Mode detects, locates, classifies, and prioritizes armored and aerial vehicles.

k. The Manned-Unmanned Teaming X (MUM-Tx) data link system provides cross-platform communication and teaming between Apache, unmanned aerial systems (UAS), and other interoperable aircraft and ground platforms. It provides the ability to display real-time UAS sensor information and MTADS full motion video feeds.

l. The M299 Missile Launcher is a four-rail launcher designed to carry the complete family of AGM–114 Hellfire missiles.

m. The Hellfire M36E8 Captive Air Training Missile (CATM) is a flight-training missile that consists of a functional guidance section coupled to an inert missile bus. It functions like a tactical missile during captive carry on an aircraft and has absent launch capability, making it suitable for training the aircrew in simulated Hellfire missile target acquisition and lock.

n. The M261 2.75 Inch Rocket Launcher is a three-zone rocket launcher utilized on heavy attack aircraft. It is used to fire the Hydra 70 rocket, an unguided, fin-stabilized air-to-ground rocket that utilizes a variety of warheads to achieve a range of effects.

o. Common Infrared Countermeasures (CIRCM) incorporates defensive infrared countermeasures capabilities into current generation aircraft. It is part of a suite of infrared countermeasures that include a Missile Warning System (MWS) and an Improved Countermeasure Dispenser (ICMD) for flares and chaff.

2. The highest level of information that may be transferred in support of this proposed sale is classified 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 weapon system effectiveness or be used in the development of a system with similar or advanced capabilities.

4. A determination has been made that the Government of Israel 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 are authorized for release and export to the Government of Israel.

[FR Doc. 2026–05142 Filed 3–16–26; 8:45 am]

BILLING CODE 6001–FR–P

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Docket No. CP26–20–000]

Columbia Gas Transmission, LLC; Notice of Virtual Scoping Session for the Proposed Southeast Virginia Energy Storage Project

On January 13, 2026, the staff of the Federal Energy Regulatory Commission (FERC or Commission) issued a *Notice of Scoping Period Requesting Comments on Environmental Issues for the Proposed Southeast Virginia Energy Storage Project, and Notice of Public Scoping Session.* The notice described the project facilities (including a facilities map) and announced a 30-day scoping period that ended on February 12, 2026. On January 30, 2026, the Commission cancelled the public scoping session due to a winter storm and stated a separate notice would be issued to indicate the date and time for a rescheduled scoping session.

In an effort to gather public comments that may have been received at the cancelled scoping session, this notice invites you to attend a virtual public scoping session Commission staff will conduct by telephone for the proposed Southeast Virginia Energy Storage Project (Project). With this notice the Commission is also reopening the scoping period for the project, which will now close on April 3, 2026. This virtual scoping session will be held as follows:

Southeast Virginia Energy Storage Project

Virtual Scoping Session

Date, Time, and Call-In Information

Wednesday, March 31, 2026
6:00 p.m. (EDT)
Call in Number: 1–866–652–5200
Ask to join the Federal Energy Regulatory Commission (FERC) call

The scoping session will begin at 6:00 p.m. EDT and will end once all participants wishing to comment have had the opportunity to do so, or at 8:00 p.m. EDT, whichever comes first. The primary goal of this scoping session is to have you identify the specific environmental issues and concerns that should be considered in the environmental assessment. Individual

comments will be taken one at a time with a court reporter present on the line. This format is designed to receive the maximum amount of comments, in a convenient way during the timeframe allotted.

There will not be a formal presentation by Commission staff when the session begins. You may call at any time after the session begins, at which time you will be placed on hold. Calls will be answered in the order they are received. Once answered, you will have the opportunity to provide your comment directly to a court reporter with FERC staff present on the line. A time limit of 5 minutes may be implemented for each commentor. Please note that your hold times may vary based on the number of callers at any given time.

Your comments will be recorded by the court reporter and become part of the public record for this proceeding. Transcripts of all comments received during the scoping session will be publicly available on FERC's eLibrary system. It is important to note that the Commission provides equal consideration to all comments received, whether filed in written form or provided orally at a virtual scoping session.

As a reminder, the Commission encourages electronic filing of comments and has staff available to assist you at (866) 208–3676, TTY (202) 502–8659, or *FercOnlineSupport@ferc.gov*. Please carefully follow these instructions so that your comments are properly recorded.

(1) You can file your comments electronically using the *eComment* feature, which is located on the Commission's website (*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*) 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 (CP26–20–000) 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.

Additional Information

Additional information about the project is available from the FERC website at *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* 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.

This notice is being sent to the Commission's current environmental mailing list for the Project. 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: March 12, 2026.

Debbie-Anne A. Reese,

Secretary.

[FR Doc. 2026–05185 Filed 3–16–26; 8:45 am]

BILLING CODE 6717–01–P

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Project No. 3063–033]

Blackstone Hydro Associates; Notice of Effectiveness of Withdrawal of Downstream Fishway Effectiveness Monitoring Plan

On October 3, 2024, and supplemented on February 13, 2025, Blackstone Hydro Associates (licensee), filed a Downstream Fishway Effectiveness Monitoring Plan for the Central Falls Hydroelectric Project No. 3063.[1] On February 13, 2026, the licensee filed a request to withdraw its Downstream Fishway Effectiveness Monitoring Plan.

No motion in opposition to the request for withdrawal has been filed, and the Commission has taken no action to disallow the withdrawal. Pursuant to Rule 216(b) of the Commission's Rules of Practice and Procedure,[2] the withdrawal of the application became effective on March 2, 2026, and this proceeding is hereby terminated.

(Authority: 18 CFR 2.1)

Dated: March 12, 2026.

Debbie-Anne A. Reese,

Secretary.

[FR Doc. 2026–05186 Filed 3–16–26; 8:45 am]

BILLING CODE 6717–01–P

[1] *Blackstone Hydro Associates, LLC,* 178 FERC ¶ 62,131 (2022).

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Docket No. RD25–4–000]

Commission Information Collection Activities (FERC–725N) Comment Request; Revision

AGENCY: Federal Energy Regulatory Commission.

ACTION: Notice of information collection and request for comments.

SUMMARY: In compliance with the requirements of the Paperwork Reduction Act of 1995, the Federal Energy Regulatory Commission (Commission or FERC) is soliciting public comment on proposed revisions of the currently approved information collection, FERC–725N, (Mandatory Reliability Standards: TPL Reliability Standards). The 60-day notice for RD25–4 comment period ended on March 2, 2026 with no comments received.

DATES: Comments on the collection of information are due April 16, 2026.

ADDRESSES: Send written comments on FERC–725N to OMB through *https://www.reginfo.gov/public/do/PRA/icrPublicCommentRequest?ref_nbr=202504-1902-006.* You can also visit *https://www.reginfo.gov/public/do/PRAMain* and use the drop-down under ''Currently under Review'' to select the ''Federal Energy Regulatory Commission'' where you can see the open opportunities to provide comments. Comments should be sent within 30 days of publication of this notice.

Please submit a copy of your comments to the Commission via email to *DataClearance@FERC.gov.* You must specify the Docket No. (RD25–4–000) and the FERC Information Collection number (FERC–725N in your email. If you are unable to file electronically,

[2] 18 CFR 385.216(b) (2025).

comments may be filed by USPS mail or by hand (including courier) delivery:

- *Mail via U.S. Postal Service only:* Federal Energy Regulatory Commission, Secretary of the Commission, 888 First Street NE, Washington, DC 20426.
- *All other delivery methods:* Federal Energy Regulatory Commission, Secretary of the Commission, 12225 Wilkins Avenue, Rockville, MD 20852.

Docket: To view comments and issuances in this docket, please visit *https://elibrary.ferc.gov/eLibrary/search*. Once there, you can also sign-up for automatic notification of activity in this docket.

FOR FURTHER INFORMATION CONTACT: Kayla Williams may be reached by email at *DataClearance@FERC.gov,* or by telephone at (202)502–6468.

SUPPLEMENTARY INFORMATION:

Title: FERC–725N, (Mandatory Reliability Standards: TPL Reliability Standards.

OMB Control No.: FERC–725N (1902–0264).

Type of Request: On December 17, 2024, the North American Electric Reliability Corporation (NERC) submitted a petition seeking approval of proposed Reliability Standard TPL–008–1 (Transmission System Planning Performance Requirements for Extreme Temperature Events).[1] Further, NERC seeks approval of the associated implementation plan, violation risk factors, and violation severity levels. NERC also seeks approval of a proposed definition of ''extreme temperature assessment'' for inclusion in the NERC Glossary of Terms Used in NERC Reliability Standards (NERC Glossary).[2] For the reasons discussed below, pursuant In Order No. 896, the Commission directed NERC to submit a new or modified Reliability Standard that addresses the Commission's identified concerns pertaining to transmission system planning for extreme heat and cold weather events that impact the Reliable Operation of the Bulk-Power System.[3] Specifically, the Commission directed NERC to develop a new or modified Reliability Standard that requires the following: (1) development of benchmark planning cases based on major prior extreme heat and cold weather events and/or meteorological projections; (2) planning for extreme heat and cold weather events using steady state and transient stability analyses expanded to cover a range of extreme weather scenarios including the expected resource mix's availability during extreme heat and cold weather conditions; and (3) development of corrective action plans that mitigate certain instances where performance requirements for extreme heat and cold weather events are not met.[4]

The FERC–725N information collection requirements are subject to review by the Office of Management and Budget (OMB) under section 3507(d) of the Paperwork Reduction Act of 1995. OMB's regulations require approval of certain information collection requirements imposed by agency rules. Upon approval of a collection of information, OMB will assign an OMB control number and expiration date. Respondents subject to the filing requirements will not be penalized for failing to respond to these collections of information unless the collections of information display a valid OMB control number. The Commission solicits comments on the need for this information, whether the information will have practical utility, the accuracy of the burden estimates, ways to enhance the quality, utility, and clarity of the information to be collected or retained, and any suggested methods for minimizing respondents' burden, including the use of automated information techniques. The Commission bases its paperwork burden estimates on the additional paperwork burden presented by the proposed new Reliability Standard TPL–008–1. The new defined term ''extreme temperature assessment'' is not expected to generate any new burden as it is a definition used within the body of Reliability Standards. Reliability Standards are objective-based and allow entities to choose compliance approaches best tailored to their systems. Additionally, proposed Reliability Standard TPL–008–1, Requirement R1 identifies each responsible entity that shall complete its responsibilities such that the extreme temperature assessment is completed at least once every five calendar years. The NERC Compliance Registry, as of November 20, 2024, identifies unique U.S. entities that are subject to mandatory compliance with proposed Reliability Standard TPL–008–1, as 62 planning coordinators (PC) and 204 transmission planners (TP). Based on these assumptions, we estimate the following reporting burden:

PROPOSED BURDEN TPL–008–1 DOCKET NO. RD25–4

Reliability standard	Type and number of entity[5]	Number of annual responses per entity	Total number of responses	Average number of burden hours per response[6]	Total burden hours
	(1)	(2)	(1) * (2) = (3)	(4)	(3) * (4) = (5)
Annual Collection TPL–008–1 FERC–725N					
Annual review and record retention	62 (PC) 204 (TP)	1 1	62 204	88 hrs., $70.67/hrs 56 hrs., $70.67/hrs	5,456 hrs., $385,576. 11,424 hrs., $807,334.
Total for TPL–008–1			266		16,880 hrs., $1,192,910.

The annual responses and burden hours for proposed Reliability Standard TPL–008–1 will be 266 responses: 16,880 hours.

Respondents: Businesses or other for-profit institutions; not-for-profit institutions.

Frequency of Responses: On occasion.

Necessity of the Information: This order approves the Reliability Standard pertaining to transmission system planning performance requirements for

[1] Petition at 1.

[2] *Id.* at 16.

[3] *Transmission Sys. Plan. Performance Requirements for Extreme Weather,* Order No. 896, 183 FERC ¶ 61,191 (2023).

[4] *Id.* at P 6.

[5] Number of entities data taken from the NERC compliance registry, dated November 20, 2024.

[6] The estimated hourly cost (salary plus benefits) is a combination based on the Bureau of Labor Statistics (BLS), as of 2024, for 75% of the average of an Electrical Engineer (17–2071) $79.31/hr., 79.31 × .75 = 59.4825 ($59.48-rounded) ($59.48/hour) and 25% of an Information and Record Clerk (43–4199) $44.74/hr., $44.74 × .25% = 11.185 ($11.19 rounded) ($11.19/hour), for a total ($59.48 + $11.19 = $70.67/hour).

extreme temperature events. As discussed above, the Commission proposes to approve proposed Reliability Standard TPL–008–1 pursuant to section 215(d)(2) of the FPA because it establishes transmission system planning performance requirements to help ensure that the Bulk-Power System will operate reliably during extreme heat and extreme cold temperature events.

Internal Review: The Commission has reviewed the proposed Reliability Standard and made a determination that its action is necessary to implement section 215 of the FPA.

Comments: Comments are invited on: (1) whether the collection of information is necessary for the proper performance of the functions of the Commission, including whether the information will have practical utility; (2) the accuracy of the agency's estimate of the burden and cost of the collection of information, including the validity of the methodology and assumptions used; (3) ways to enhance the quality, utility and clarity of the information collection; and (4) ways to minimize the burden of the collection of information on those who are to respond, including the use of automated collection techniques or other forms of information technology.

Dated: March 12, 2026.

Carlos D. Clay,

Deputy Secretary.

[FR Doc. 2026–05159 Filed 3–16–26; 8:45 am]

BILLING CODE 6717–01–P

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Docket No. CP26–133–000]

Transcontinental Gas Pipe Line Company, LLC; Notice of Request Under Blanket Authorization and Establishing Intervention and Protest Deadline

Take notice that on March 3, 2026, Transcontinental Gas Pipe Line Company, LLC (Transco), Post Office Box 1396, Houston, Texas 77251, filed in the above referenced docket, a prior notice request pursuant to sections 157.203, 157.205, 157.208, and 157.210 of the Commission's regulations under the Natural Gas Act (NGA), and Transco's blanket certificate issued in Docket No. CP82–426–000, for authorization to construct their Wharton West Expansion Project. Specifically, the project includes valving and piping modifications at Transco's existing Compressor Station 30 in Wharton County, Texas; installation of a new 12-inch tap (Goliad Delivery Interconnect) on Transco's existing McMullen Lateral in Goliad County, Texas; installation of a new receipt interconnect (White Creek Interconnect) in Live Oak County, Texas; and piping modifications at the existing Meider Valve Site in Live Oak County, Texas. The project will allow Transco to deliver 170,000 Dth/d of incremental firm transportation service to Luminant for the conversion of the Coleto Creek Power Plant from coal-fired to natural gas-fired electric generation. The estimated cost for the project is $7.8 million, all as more fully set forth in the request which is on file with the Commission and open to 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,* or the Public Reference Room at (202) 502–8371, TTY (202) 502–8659. Email the Public Reference Room at *public.referenceroom@ferc.gov.*

Any questions concerning this request should be directed to Greg Williams, Regulatory Analyst Lead, Transcontinental Gas Pipe Line Company, LLC, Post Office Box 1396, Houston, Texas 77251–1396 by phone at (801) 209–6764 or by email at *Greg.Williams@Williams.com.*

Public Participation

There are three ways to become involved in the Commission's review of this project: you can file a protest to the project, you can file a motion to intervene in the proceeding, and you can file comments on the project. There is no fee or cost for filing protests, motions to intervene, or comments. The deadline for filing protests, motions to intervene, and comments is 5:00 p.m. Eastern Time on May 11, 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.*

Protests

Pursuant to section 157.205 of the Commission's regulations under the NGA,[1] any person [2] or the Commission's staff may file a protest to the request. If no protest is filed within the time allowed or if a protest is filed and then withdrawn within 30 days after the allowed time for filing a protest, the proposed activity shall be deemed to be authorized effective the day after the time allowed for protest. If a protest is filed and not withdrawn within 30 days after the time allowed for filing a protest, the instant request for authorization will be considered by the Commission.

Protests must comply with the requirements specified in section 157.205(e) of the Commission's regulations,[3] and must be submitted by the protest deadline, which is 5:00 p.m. Eastern Time on May 11, 2026. A protest may also serve as a motion to intervene so long as the protestor states it also seeks to be an intervenor.

Interventions

Any person 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 [4] and the regulations under the NGA [5] by the intervention deadline for the project, which is 5:00 p.m. Eastern Time on May 11, 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

[1] 18 CFR 157.205.

[2] Persons include individuals, organizations, businesses, municipalities, and other entities. 18 CFR 385.102(d).

[3] 18 CFR 157.205(e).

[4] 18 CFR 385.214.

[5] 18 CFR 157.10.

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.*

All timely, unopposed motions to intervene are automatically granted by operation of Rule 214(c)(1). 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. 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) of all documents filed by the applicant and by all other parties.

Comments

Any person wishing to comment on the project may do so. The Commission considers all comments received about the project in determining the appropriate action to be taken. To ensure that your comments are timely and properly recorded, please submit your comments on or before 5:00 p.m. Eastern Time on May 11, 2026. 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.

How To File Protests, Interventions, and Comments

There are two ways to submit protests, motions to intervene, and comments. In both instances, please reference the Project docket number CP26–133–000 in your submission.

(1) You may file your protest, motion to intervene, and comments by using the Commission's eFiling feature, which is located on the Commission's website (*www.ferc.gov*) 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 ''Protest'', ''Intervention'', or ''Comment on a Filing''; or [6]

(2) You can file a paper copy of your submission by mailing it to the address below. Your submission must reference the Project docket number CP26–133–000.

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 method: Debbie-Anne A. Reese, Secretary, Federal Energy Regulatory Commission, 12225 Wilkins Avenue, Rockville, Maryland 20852.

The Commission encourages electronic filing of submissions (option 1 above) and has eFiling staff available to assist you at (202) 502–8258 or *FercOnlineSupport@ferc.gov.*

Protests and motions to intervene must be served on the applicant either by mail at: Greg Williams, Regulatory Analyst Lead, Transcontinental Gas Pipe Line Company, LLC, Post Office Box 1396, Houston, Texas 77251–1396 or by email (with a link to the document) at *Greg.Williams@Williams.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.

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* 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.*

(Authority: 18 CFR 2.1.)

Dated: March 12, 2026.

Debbie-Anne A. Reese,

Secretary.

[FR Doc. 2026–05189 Filed 3–16–26; 8:45 am]

BILLING CODE 6717–01–P

[6] Additionally, you may file your comments electronically by using the eComment feature, which is located on the Commission's website at *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.

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

Combined Notice of Filings

Take notice that the Commission has received the following Natural Gas Pipeline Rate and Refund Report filings:

Filings Instituting Proceedings

Docket Numbers: RP26–641–000.

Applicants: Iroquois Gas Transmission System, L.P.

Description: Compliance filing: 3.12.26 Annual Fuel and Losses Retention Calculations to be effective N/A.

Filed Date: 3/12/26.

Accession Number: 20260312–5032.

Comment Date: 5 p.m. ET 3/24/26.

Any person desiring to intervene, to protest, or to answer a complaint in any of the above proceedings must file in accordance with Rules 211, 214, or 206 of the Commission's Regulations (18 CFR 385.211, 385.214, or 385.206) on or before 5:00 p.m. Eastern time on the specified comment date. Protests may be considered, but intervention is necessary to become a party to the proceeding.

The filings are accessible in the Commission's eLibrary system (*https://elibrary.ferc.gov/idmws/search/fercgensearch.asp*) by querying the docket number.

eFiling is encouraged. More detailed information relating to filing requirements, interventions, protests, service, and qualifying facilities filings can be found at: *http://www.ferc.gov/docs-filing/efiling/filing-req.pdf.* For other information, call (866) 208–3676 (toll free). For TTY, call (202) 502–8659.

For public inquiries and assistance with making filings such as interventions, comments, or requests for rehearing, the public is encouraged to contact OPP at (202) 502–6595 or *OPP@ferc.gov.*

Dated: March 12, 2026.

Carlos D. Clay,

Deputy Secretary.

[FR Doc. 2026–05158 Filed 3–16–26; 8:45 am]

BILLING CODE 6717–01–P

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Project Nos. 2572–141 and 2458–273]

Great Lake Hydro America, LLC; Notice of Revised Procedural Schedule for Processing of Relicense Applications

On September 30, 2024, Great Lakes Hydro America, LLC (GLHA) filed applications for new major licenses for the 37.5-megawatt (MW) Ripogenus Hydroelectric Project No. 2572 and the 67.9-MW Penobscot Mills Hydroelectric Project No. 2458 (herein referred to as the Projects). On October 15, 2024, Commission staff issued notices of application tendered for filing with the Commission and establishing procedural schedule for relicensing the Projects. The notices included an anticipated schedule for issuing a Notice of Acceptance/Ready for Environmental Analysis by November 2025.

By this notice, Commission staff is updating the procedural schedule, as follows. Further revisions to the schedule may be made as appropriate.

Milestone	Target date
Issue Notice of Acceptance/Ready for Environmental Analysis.	June 10, 2026.

Any questions regarding this notice may be directed to Allan Creamer at (202) 502–8365, or by email at *allan.creamer@ferc.gov.*

(Authority: 18 CFR 2.1)

Dated: March 12, 2026.

Debbie-Anne A. Reese,

Secretary.

[FR Doc. 2026–05188 Filed 3–16–26; 8:45 am]

BILLING CODE 6717–01–P

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

Sunshine Act Meeting Notice

The following notice of meeting is published pursuant to section 3(a) of the government in the Sunshine Act (Pub. L. 94–409), 5 U.S.C. 552b:

AGENCY HOLDING MEETING: Federal Energy Regulatory Commission.

TIME AND DATE: March 19, 2026, 10:00 a.m.

PLACE: Room 2C, 888 First Street NE, Washington, DC 20426. Open to the public.

STATUS: Open.

MATTERS TO BE CONSIDERED: Agenda.

* *Note*—Items listed on the agenda may be deleted without further notice.

CONTACT PERSON FOR MORE INFORMATION: Debbie-Anne A. Reese, Secretary, Telephone (202) 502–8400.

For a recorded message listing items stricken from or added to the meeting, call (202) 502–8627.

This is a list of matters to be considered by the Commission. It does not include a listing of all documents relevant to the items on the agenda. All public documents, however, may be viewed online at the Commission's website at *https://elibrary.ferc.gov/eLibrary/search* using the eLibrary link.

1134TH—MEETING

[Open; March 19, 2026; 10:00 a.m.]

Item No.	Docket No.	Company
	Administrative	
A–1	AD26–1–000	Agency Administrative Matters.
A–2	AD26–2–000	Customer Matters, Reliability, Security and Market Operations.
A–3	AD06–3–000	Market Update.
	Electric	
E–1	EL11–66–001, EL11–66–004, EL11–66–005, EL13–33–000, EL13–33–002, EL14–86–000.	*Martha Coakley, Attorney General of the Commonwealth of Massachusetts, et al.* v. *Bangor Hydro-Electric Company, et al.; ENE (Environment Northeast), et al.* v. *Bangor Hydro-Electric Company, et al.; Attorney General of the Commonwealth of Massachusetts, et al.* v. *Bangor Hydro-Electric Company, et al.*
	EL16–64–000, EL16–64–002, ER15–414–004.	*Belmont Municipal Light Department, et al.* v. *Central Maine Power Company, et al.;* ISO New England Inc.
E–2	RM24–8–000	Virtualization Reliability Standards.
E–3	RM25–8–000	Critical Infrastructure Protection. Reliability Standard CIP–003–11—Cyber Security—Security Management Controls.
E–4	RD25–8–000	North American Electric Reliability Corporation.
E–5	RM23–9–000	Filing Process And Data Collection For The Electric Quarterly Report.
E–6	EL26–7–000	*RWE Clean Energy, LLC* v. *PJM Interconnection, L.L.C.*
E–7	ER19–289–009	Cleco Cajun LLC.
	ER19–2462–007	Macquarie Energy LLC.
	ER18–2264–009	Macquarie Energy Trading LLC.
	ER13–1485–013	Wheelabrator Baltimore, L.P.
	ER10–3253–013	Wheelabrator Bridgeport, L.P.
	ER19–461–004	Wheelabrator Concord Company, L.P.
	ER14–1777–011	Wheelabrator Falls Inc.
	ER18–1310–004	Wheelabrator Millbury Inc.
	ER10–3240–013	Wheelabrator North Andover Inc.
	ER10–3230–013	Wheelabrator Portsmouth Inc.
	ER15–2722–009	Wheelabrator Saugus Inc.
	ER10–3239–013	Wheelabrator Westchester, L.P.
E–8	EC25–148–000	Hill Top Energy Center, LLC and Hill Top Energy LLC.
E–9	EC26–13–000	Conetoe II Solar, LLC, Pumpjack Solar I, LLC, Rio Bravo Solar I, LLC, Rio Bravo Solar II, LLC, Seville Solar One LLC, Seville Solar Two, LLC, Tallbear Seville LLC, Shoreham Solar Commons LLC, Wildwood Solar I, LLC and Wildwood Solar II, LLC.
E–10	ER25–177–000	Southwest Power Pool, Inc.

1134TH—MEETING—Continued

[Open; March 19, 2026; 10:00 a.m.]

Item No.	Docket No.	Company
E–11	ER21–46–002	Mercuria Energy America, LLC.
E–12	ER21–47–002	Tucson Electric Power Company.
E–13	ER21–61–004	El Paso Electric Company.
E–14	EL26–38–000	*Southern Indiana Gas and Electric Company* v. *Midcontinent Independent System Operator, Inc.*
E–15	EL26–36–000	*Northern Indiana Public Service Company LLC* v. *Midcontinent Independent System Operator, Inc.*
E–16	ER21–51–004	bp Energy Company.
	ER21–55–003	Mesquite Power, LLC.
E–17	RM19–15–002	Qualifying Facility Rates and Requirements.
	AD16–16–002	Implementation Issues Under the Public Utility Regulatory Policies Act of 1978.
E–18	ER24–2046–002	Midcontinent Independent System Operator, Inc.
	Gas	
G–1	RP25–740–001	*Baltimore Gas and Electric Company and Washington Gas Light Company* v. *Columbia Gas Transmission, LLC.*
	Hydro	
H–1	P–2514–209	Appalachian Power Company.
H–2	P–1417–277	Central Nebraska Public Power and Irrigation District.
	Certificates	
C–1	CP16–454–009	Rio Grande LNG, LLC.
	CP16–455–006, CP20–481–003	Rio Bravo Pipeline Company, LLC.
	CP24–70–001	Rio Grande LNG, LLC, Rio Grande LNG Train 4, LLC and Rio Grande LNG Train 5, LLC.
C–2	CP25–167–000	Golden Triangle Storage, LLC.
C–3	CP25–94–000, CP25–94–001	Rockies Express Pipeline LLC.
C–4	CP25–531–000	Palo Duro Transmission L.P. and Palo Duro Pipelines (Texas Gathering), L.P.
	CP25–531–001	Palo Duro Transmission L.P.
C–5	CP26–39–000	Rockies Express Pipeline LLC.
	CP26–40–000	MountainWest Overthrust Pipeline, LLC.
C–6	CP25–497–000	Northwest Pipeline LLC.

A free webcast of this event is available through the Commission's website. Anyone with internet access who desires to view this event can do so by navigating to *www.ferc.gov's* Calendar of Events and locating this event in the Calendar. The Federal Energy Regulatory Commission provides technical support for the free webcasts. Please call (202) 502–8680 or email *customer@ferc.gov* if you have any questions.

Immediately following the conclusion of the Commission Meeting, a press briefing will be held in the Commission Meeting Room. Members of the public may view this briefing in the designated overflow room. This statement is intended to notify the public that the press briefings that follow Commission meetings may now be viewed remotely at Commission headquarters but will not be telecast.

Issued: March 12, 2026.

Carlos D. Clay,

Deputy Secretary.

[FR Doc. 2026–05171 Filed 3–13–26; 11:15 am]

BILLING CODE 6717–01–P

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

Combined Notice of Filings #1

Take notice that the Commission received the following exempt wholesale generator filings:

Docket Numbers: EG26–177–000.

Applicants: Oystercatcher Solar, LLC.

Description: Oystercatcher Solar, LLC submits Notice of Self-Certification of Exempt Wholesale Generator Status.

Filed Date: 3/11/26.

Accession Number: 20260311–5229.

Comment Date: 5 p.m. ET 4/1/26.

Take notice that the Commission received the following electric rate filings:

Docket Numbers: ER20–2170–001; ER25–2524–000.

Applicants: New Athens Generating Company, LLC, Selkirk Cogen Partners, L.P., New Athens Generating Company, LLC.

Description: Notice of Non-Material Change in Status of New Athens Generating Company, LLC, et al.

Filed Date: 6/17/25.

Accession Number: 20250617–5300.

Comment Date: 5 p.m. ET 4/2/26.

Docket Numbers: ER26–1726–000.

Applicants: Panther Grove Wind, LLC.

Description: Initial Rate Filing: Panther Grove Wind, LLC Market-Based Rate Tariff to be effective 5/12/2026.

Filed Date: 3/12/26.

Accession Number: 20260312–5003.

Comment Date: 5 p.m. ET 4/2/26.

Docket Numbers: ER26–1727–000.

Applicants: Panther Grove 2 LLC.

Description: Initial Rate Filing: Panther Grove 2 LLC Market-Based Rate Tariff to be effective 5/12/2026.

Filed Date: 3/12/26.

Accession Number: 20260312–5004.

Comment Date: 5 p.m. ET 4/2/26.

Docket Numbers: ER26–1728–000.

Applicants: PJM Interconnection, L.L.C.

Description: 205(d) Rate Filing: Original GIA, Service Agreement No.

7925; Project Identifier No. AE1–114 to be effective 2/10/2026.

Filed Date: 3/12/26.

Accession Number: 20260312–5025.

Comment Date: 5 p.m. ET 4/2/26.

Docket Numbers: ER26–1729–000.

Applicants: California Grid Holdings LLC.

Description: 205(d) Rate Filing: Formula Rate Baseline to be effective 5/12/2026.

Filed Date: 3/12/26.

Accession Number: 20260312–5037.

Comment Date: 5 p.m. ET 4/2/26.

Docket Numbers: ER26–1730–000.

Applicants: AEP Indiana Michigan Transmission Company, Inc.

Description: 205(d) Rate Filing: IMTCo-Mammoth North (Ora Ora) Interim Maintenance Agreement to be effective 5/12/2026.

Filed Date: 3/12/26.

Accession Number: 20260312–5038.

Comment Date: 5 p.m. ET 4/2/26.

Docket Numbers: ER26–1731–000.

Applicants: Southwest Power Pool, Inc.

Description: 205(d) Rate Filing: Revisions to Attachment Z1 for Limit Long-Term Service to be effective 5/12/2026.

Filed Date: 3/12/26.

Accession Number: 20260312–5048.

Comment Date: 5 p.m. ET 4/2/26.

Docket Numbers: ER26–1734–000.

Applicants: Kammer Juniata Transmission, LLC.

Description: 205(d) Rate Filing: Kammer Juniata Formula Rate Filing and Request for Rate Incentives Authorization to be effective 5/12/2026.

Filed Date: 3/12/26.

Accession Number: 20260312–5098.

Comment Date: 5 p.m. ET 4/2/26.

Docket Numbers: ER26–1735–000.

Applicants: PJM Interconnection, L.L.C.

Description: 205(d) Rate Filing: Amendment to GIA, Service Agreement No. 7242; Project Identifier No. AF1–229 to be effective 5/12/2026.

Filed Date: 3/12/26.

Accession Number: 20260312–5108.

Comment Date: 5 p.m. ET 4/2/26.

Take notice that the Commission received the following electric reliability filings:

Docket Numbers: RR26–1–000.

Applicants: North American Electric Reliability Corporation, Western Electricity Coordinating Council.

Description: Petition of North American Electric Reliability Corporation and Western Electricity Coordinating Council for approval of amendments to the WECC Bylaws.

Filed Date: 3/11/26.

Accession Number: 20260311–5258.

Comment Date: 5 p.m. ET 4/1/26.

The filings are accessible in the Commission's eLibrary system (*https://elibrary.ferc.gov/idmws/search/fercgensearch.asp*) by querying the docket number.

Any person desiring to intervene, to protest, or to answer a complaint in any of the above proceedings must file in accordance with Rules 211, 214, or 206 of the Commission's Regulations (18 CFR 385.211, 385.214, or 385.206) on or before 5:00 p.m. Eastern time on the specified comment date. Protests may be considered, but intervention is necessary to become a party to the proceeding.

eFiling is encouraged. More detailed information relating to filing requirements, interventions, protests, service, and qualifying facilities filings can be found at: *http://www.ferc.gov/docs-filing/efiling/filing-req.pdf.* For other information, call (866) 208–3676 (toll free). For TTY, call (202) 502–8659.

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.*

Dated: March 12, 2026.

Carlos D. Clay,

Deputy Secretary.

[FR Doc. 2026–05157 Filed 3–16–26; 8:45 am]

BILLING CODE 6717–01–P

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Project No. 3063–029]

Blackstone Hydro Associates; Notice of Effectiveness of Withdrawal of Operation Compliance Monitoring Plan

On November 21, 2024, Blackstone Hydro Associates (licensee), filed an Operation Compliance Monitoring Plan for the Central Falls Hydroelectric Project No. 3063.[1] On February 13, 2026, the licensee filed a request to withdraw its Operation Compliance Monitoring Plan.

No motion in opposition to the request for withdrawal has been filed, and the Commission has taken no action to disallow the withdrawal. Pursuant to Rule 216(b) of the Commission's Rules of Practice and Procedure,[2] the withdrawal of the application became effective on March 2, 2026, and this proceeding is hereby terminated.

(Authority: 18 CFR 2.1)

Dated: March 12, 2026.

Debbie-Anne A. Reese,

Secretary.

[FR Doc. 2026–05187 Filed 3–16–26; 8:45 am]

BILLING CODE 6717–01–P

[1] *Blackstone Hydro Associates, LLC,* 178 FERC ¶ 62,131 (2022).

[2] 18 CFR 385.216(b) (2025).

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Docket No. CP26–127–000]

Gulf South Pipeline Company, LLC; Notice of Application and Establishing Intervention Deadline

Take notice that on February 27, 2026, Gulf South Pipeline Company, LLC (Gulf South), 9 Greenway Plaza, Suite 2800, Houston, Texas 77046, filed an application under sections 7(c) and 7(e) of the Natural Gas Act (NGA), and Part 157 of the Commission's regulations, requesting authorization for its Petal Cavern Expansion Project (Project). Gulf South requests authorization to construct, own, operate, and maintain a new natural gas storage salt dome cavern, two brine disposal wells, brine and freshwater lines, natural gas pipeline connecting the new cavern to existing headers, and an intercompany check meter at Gulf South's existing Petal Gas Storage Field (Petal) in Forrest County, Mississippi. The Project would add an incremental working storage capacity of 10 billion cubic feet (Bcf) and base gas capacity of approximately 6 Bcf. Gulf South also requests reaffirmation of its market-based rate authority, 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,* or the Public Reference Room at (202) 502–8371, TTY (202) 502–8659. Email the Public Reference Room at *public.referenceroom@ferc.gov.*

Any questions regarding the proposed project should be directed to Juan Eligio Jr., Director, Regulatory Affairs, Gulf South Pipeline Company, LLC, 9 Greenway Plaza, Suite 2800, Houston, Texas 77046, by phone at (713)–479–8158, or by email at *juan.eligio@bwpipelines.com.*

Pursuant to section 157.9 of the Commission's Rules of Practice and Procedure,[1] 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 April 2, 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.*

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)[2] and 385.211[3] of the Commission's regulations under the NGA, any person[4] may file a protest to the application. Protests must comply with the requirements specified in section 385.2001[5] 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 April 2, 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 CP26–127–000 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* 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)* 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 (CP26–127–000).

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.*

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,[6] 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[7] and the regulations under the NGA[8] by the intervention deadline for the project, which is 5:00 p.m. Eastern Time on April 2, 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 CP26–127–000 in your submission.

(1) You may file your motion to intervene by using the Commission's

[1] 18 CFR 157.9.

[2] 18 CFR 157.10(a)(4).

[3] 18 CFR 385.211.

[4] Persons include individuals, organizations, businesses, municipalities, and other entities. 18 CFR 385.102(d).

[5] 18 CFR 385.2001.

[6] 18 CFR 385.102(d).

[7] 18 CFR 385.214.

[8] 18 CFR 157.10.

eFiling feature, which is located on the Commission's website (*www.ferc.gov*) 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 CP26–127–000.

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.*

Protests and motions to intervene must be served on the applicant either by mail at: Juan Eligio Jr., Director, Regulatory Affairs, Gulf South Pipeline Company, LLC, 9 Greenway Plaza, Suite 2800, Houston, Texas 77046, or by email (with a link to the document) at *juan.eligio@bwpipelines.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 [9] motions to intervene are automatically granted by operation of Rule 214(c)(1).[10] 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.[11] 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) 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* 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.*

Intervention Deadline: 5:00 p.m. Eastern Time on April 2, 2026.

(Authority: 18 CFR 2.1)

Dated: March 12, 2026.

Debbie-Anne A. Reese,

Secretary.

[FR Doc. 2026–05190 Filed 3–16–26; 8:45 am]

BILLING CODE 6717–01–P

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Docket No. CP26–117–000]

Gulf South Pipeline Company, LLC; Notice of Application and Establishing Intervention Deadline

Take notice that on February 26, 2026, Gulf South Pipeline Company, LLC (Gulf South), 9 Greenway Plaza, Suite 2800, Houston, Texas 77046, filed an application under section(s) 7(b) and 7(c) of the Natural Gas Act (NGA) and Part 157 of the Commission's regulations requesting authorization for its Petal Storage Capacity Amendment Project (Project). The Project involves amending the storage capacities of Caverns 6 and 12A and the certificated injection and withdrawal capability at Gulf South's existing Petal Gas Storage Field (Petal Storage Complex) located in Forrest County, Mississippi. The purpose of the Project is that the certificated capacity parameters align with the actual physical capabilities of the Petal Storage Complex. Specifically, Gulf South is proposing to amend the total certificated capacity of the Petal Storage Complex from 46.008 billion cubic feet (Bcf) to 41.774 Bcf, and to update its certificated capacity for Cavern 6 from 6.5 Bcf to 3.636 Bcf and for Cavern 12A from 9.75 Bcf to 8.38 Bcf. Also, Gulf South is requesting to reduce the certificated injection capability from 1,738 million standard cubic feet per day (MMscf/d) to approximately 1,661 MMscf/d, and the withdrawal capability from 2,495 MMscf/d to approximately 2,130 MMscf/d. Gulf South requests the Commission to reaffirm its determination that Gulf South is authorized to charge market-based rates, 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,* or the Public Reference Room at (202) 502–8371, TTY (202) 502–8659. Email the Public Reference Room at *public.referenceroom@ferc.gov.*

Any questions regarding the proposed project should be directed to Juan Eligio Jr., Director, Regulatory Affairs, Gulf South Pipeline Company, LLC, 9 Greenway Plaza, Suite 2800, Houston, Texas 77046, by phone at (713) 479–8158, or by email at *Juan.Eligio@bwpipelines.com.*

Pursuant to section 157.9 of the Commission's Rules of Practice and Procedure,[1] 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

[9] The applicant has 15 days from the submittal of a motion to intervene to file a written objection to the intervention.

[10] 18 CFR 385.214(c)(1).

[11] 18 CFR 385.214(b)(3) and (d).

[1] 18 CFR 157.9.

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 April 2, 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.*

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)[2] and 385.211[3] of the Commission's regulations under the NGA, any person[4] may file a protest to the application. Protests must comply with the requirements specified in section 385.2001[5] 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 April 2, 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 CP26–117–000 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* 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*) 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 (CP26–117–000).

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.*

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,[6] 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[7] and the regulations under the NGA[8] by the intervention deadline for the project, which is 5:00 p.m. Eastern Time on April 2, 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 CP26–117–000 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)* 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 CP26–117–000.

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

[2] 18 CFR 157.10(a)(4).

[3] 18 CFR 385.211.

[4] Persons include individuals, organizations, businesses, municipalities, and other entities. 18 CFR 385.102(d).

[5] 18 CFR 385.2001.

[6] 18 CFR 385.102(d).

[7] 18 CFR 385.214.

[8] 18 CFR 157.10.

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.*

Protests and motions to intervene must be served on the applicant either by mail at: Juan Eligio Jr., Director, Regulatory Affairs, Gulf South Pipeline Company, LLC, 9 Greenway Plaza, Suite 2800, Houston, Texas 77046 or by email (with a link to the document) at *Juan.Eligio@bwpipelines.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 [9] motions to intervene are automatically granted by operation of Rule 214(c)(1).[10] 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.[11] 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) 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* 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.*

Intervention Deadline: 5:00 p.m. Eastern Time on April 2, 2026.

(Authority: 18 CFR 2.1)

Dated: March 12, 2026.

Debbie-Anne A. Reese,

Secretary.

[FR Doc. 2026–05191 Filed 3–16–26; 8:45 am]

BILLING CODE 6717–01–P

[9] The applicant has 15 days from the submittal of a motion to intervene to file a written objection to the intervention.

[10] 18 CFR 385.214(c)(1).

[11] 18 CFR 385.214(b)(3) and (d).

FEDERAL COMMUNICATIONS COMMISSION

[OMB 3060–1312; FR ID 335660]

Information Collection Being Reviewed by the Federal Communications Commission

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 the Commission) invites the general public and other Federal agencies to take this opportunity to comment on the following information collection. 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 techniques or other forms of information technology; and ways to further reduce the information collection burden on small business concerns with fewer than 25 employees.

DATES: Written PRA comments should be submitted on or before May 15, 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 Nicole Ongele, FCC, via email *PRA@fcc.gov* and to *nicole.ongele@fcc.gov.*

FOR FURTHER INFORMATION CONTACT: For additional information about the information collection, contact Nicole Ongele, (202) 418–2991.

SUPPLEMENTARY INFORMATION: The FCC may not conduct or sponsor a collection of information unless it displays a currently valid 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 Office of Management and Budget (OMB) control number.

OMB Control Number: 3060–1312.

Title: Section 90.1207(e) and (f) Amendment of Part 90 of the Commission's Rules.

Form Number: N/A.

Type of Review: Revision of a currently approved collection.

Respondents: State, Local or Tribal Government.

Number of Respondents and Responses: 190 respondents, 190 responses.

Estimated Time per Response: 16 hours.

Frequency of Response: On occasion reporting requirement.

Obligation to Respond: Statutory authority for this collection is contained in 47 U.S.C. 154(i), 161, 303(g), 303(r), 332(c)(7), and 1401–1473 of the Communications Act of 1934.

Total Annual Burden: 3,040 hours.

Total Annual Cost: $152,000.

Needs and Uses: This collection will be submitted as a revision of currently approved collection after this 60-day comment period to the Office of Management and Budget (OMB) in order to obtain the full three-year clearance. The purpose of requiring incumbent public safety licensees and public safety applicants in the 4.9 GHz band to submit granular technical data into ULS is to enable the Band Manager at 4.9 GHz to use the granular technical data on public safety deployments to perform its frequency coordination duties and facilitate non-public safety access to the band.[1]

Federal Communications Commission.

Marlene Dortch,

Secretary, Office of the Secretary.

[FR Doc. 2026–05119 Filed 3–16–26; 8:45 am]

BILLING CODE 6712–01–P

[1] Section 90.1207(f) was a one-time collection what was completed on July 9, 2025 and there are no additional burdens associated with this requirement.

FEDERAL COMMUNICATIONS COMMISSION

[OMB 3060–1279; FR ID 335240]

Information Collection Being Submitted for Review and Approval to Office of Management and Budget

AGENCY: Federal Communications Commission.

ACTION: Notice and 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 might further reduce the information collection burden for small business concerns with fewer than 25 employees.

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.

DATES: Written comments and recommendations for the proposed information collection should be submitted on or before April 16, 2026.

ADDRESSES: Comments should be sent to *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* per the above instructions for it to be considered. In addition to submitting in *www.reginfo.gov* also send a copy of your comment on the proposed information collection to Nicole Ongele, FCC, via email to *PRA@fcc.gov* and to *Nicole.Ongele@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 Nicole Ongele at (202) 418–2991. 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: 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: 3060–1279.

Title: Connect America Fund-Alternative Connect America Cost Model (A–CAM) Voluntary Location Adjustment Process and Rural Digital Opportunity Fund (RDOF) Unreasonable Locations Process.

Form Number: N/A.

Type of Review: Revision of a currently approved collection.

Respondents: Business or other for-profit entities, Not-for-profit institutions, Individuals or Households, and State, Local or Tribal Governments.

Number of Respondents and Responses: 115 respondents; 115 responses.

Estimated Time per Response: 5–40 hours.

Frequency of Response: One-time and on occasion reporting requirements.

Obligation to Respond: Voluntary. Statutory authority for this information collection is contained in 47 U.S.C. 151, 154(i), 155(c), 214, 254.

Total Annual Burden: 4,075 hours.

Total Annual Cost: No Cost.

Needs and Uses: This information collection addresses the requirements of Eligible Locations Adjustment Process (ELAP) that the Commission used to facilitate the post-auction review of certain Connect America Fund (CAF) Phase II Auction support recipients' defined deployment obligations (and associated support), on a state-by-state basis, in situations where the number of eligible locations within a state is less than the number of funded locations. *Connect America Fund,* WC Docket No. 10–90, Order, 38 FCC Rcd 1135 (WCB 2023); *Connect America Fund,* WC Docket Nos. 10–90 et al., Order on Reconsideration, 33 FCC Rcd 1380, 1390–92, paras. 23–28 (2018) (*Phase II Auction Reconsideration Order*); *Connect America Fund,* WC Docket No. 10–90, Order, 34 FCC Rcd 10395 (WCB 2019) (adopting rules and requirements necessary to implement this process, consistent with the parameters set forth in the *Phase II Auction Reconsideration Order* and prior Commission guidance for adjusting defined deployment obligations) (*ELAP Order*). CAF Phase II Auction support recipients' participation in this process was voluntary. On February 9, 2023, the Wireline Competition Bureau (WCB) released an order determining that each ELAP participant had met its burden of proof and modifying the obligations and support of each of these participants, on a state-by-state basis. *Connect America Fund,* WC Docket No. 10–90, Order, 38 FCC Rcd 1135 (WCB 2023) (*ELAP Resolution Order*). Accordingly, the Commission proposes to eliminate the information collection requirements related to ELAP now that ELAP has ended.

This information collection also addresses the requirements of a location adjustment process that the Commission adopted for Revised A–CAM I and A–CAM II carriers. The Commission proposes to add information collection requirements for this process. Specifically, the Commission decided that A–CAM support recipients that discover there is a widely divergent number of locations in their funded census blocks as compared to the model-estimated number of locations should have the opportunity to seek an adjustment to modify their deployment obligations. The Commission delegated to the WCB the authority to adjust the number of funded locations downward and reduce associated funding levels. *Connect America Fund et al.,* WC Docket No. 10–90 et al., Report and Order, Order and Order on Reconsideration, and Further Notice of

Proposed Rulemaking, 31 FCC Rcd 3087 (2016) (*2016 Rate-of-Return Reform Order*).

In the *High-Cost Fabric Order,* WCB adopted procedures to implement this process, including permitting Revised A–CAM I and A–CAM II carriers that have fewer locations in eligible 2010 census blocks than the carrier has supported locations pursuant to its A–CAM authorization to seek a voluntary downward adjustment in their location totals by using the Broadband Serviceable Location Fabric (Fabric) to demonstrate the actual number of locations in their service areas. The adjustment will be based on the version of the Fabric used for the Broadband Data Collection (BDC) collection as of June 30, 2026, which is expected to be released to licensees around June 2026, and carriers will have a one-time window to request such an adjustment shortly after this version of the Fabric is made available to licensees. Revised A–CAM I and A–CAM II carriers must request a downward adjustment in WC Docket No. 10–90 and can incorporate Fabric by reference when requesting this adjustment by certifying that they have reviewed the Fabric and there are fewer locations identified in the relevant version of the Fabric in the carriers' service area than the carrier's model-estimated locations total. A carrier can demonstrate that it has met the preponderance of the evidence standard by referencing the Fabric data and WCB will use the A–CAM to determine the adjusted location obligations and support amounts for such carriers. *Connect America Fund et al.,* WC Docket No. 10–90 et al., DA 25–32 (WCB Jan. 10, 2025) (*High-Cost Fabric Order*).

Moreover, the Commission proposes to add information collection requirements for a process to permit certain RDOF carriers to demonstrate that locations within their supported service area are unreasonable to serve. To account for disparities between locations on the ground and those estimated by the Connect America Cost Model and to acknowledge its confidence that the Commission would have access to more accurate location data in the next few years, the Commission directed WCB to seek comment on updated location data and publish revised location counts no later than the end of service milestone year six for RDOF carriers. The Commission also adopted a framework for how service milestones would be revised in various circumstances after WCB had published more accurate location counts. In areas where there are more locations than locations estimated by the CAM, a RDOF carrier has until the end of the eighth calendar year to offer service to the additional locations. Such a RDOF carrier may seek to have its new location count adjusted to exclude additional locations, beyond the number identified by the CAM, that are ineligible, unreasonable to deploy to, or are part of a development that is newly built after the sixth year of support for which the cost and/or time to deploy before the end of the support term would be unreasonable. *Connect America Fund et al.,* WC Docket No. 19–126 et al., Report and Order, 35 FCC Rcd 686, 709–712, paras. 45–55 (2020).

In the *High-Cost Fabric Order,* WCB adopted procedures to implement this process. Specifically, once WCB has announced revised location totals for RDOF carriers in 2027, carriers will have six months to submit any requests to remove locations from their revised locations lists. WCB will set up a data collection system in which carriers should submit a request identifying the locations they claim are unreasonable to serve (*i.e.,* Fabric Location ID), the specific reasons why each location is unreasonable to serve, and evidence to support their claims. The Bureau may then request additional information from the carrier and other stakeholders to verify and assess the carrier's claims. WCB may request additional information to assess a carrier's claim that a location is unreasonable to serve, and a failure to submit this additional information would result in the Bureau finding that the carrier has not demonstrated that it would be unreasonable to serve the location. We therefore propose to revise this information collection.

Federal Communications Commission.

Marlene Dortch,

Secretary, Office of the Secretary.

[FR Doc. 2026–05120 Filed 3–16–26; 8:45 am]

BILLING CODE 6712–01–P

FEDERAL COMMUNICATIONS COMMISSION

[OMB 3060–0783; FR ID 335216]

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 the Commission) invites the general public and other Federal agencies to take this opportunity to comment on the following information collection. 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 techniques or other forms of information technology; and ways to further reduce the information 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 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 Office of Management and Budget (OMB) control number.

DATES: Written PRA comments should be submitted on or before May 18, 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 Nicole Ongele, FCC, via email *PRA@fcc.gov* and to *nicole.ongele@fcc.gov.*

FOR FURTHER INFORMATION CONTACT: For additional information about the information collection, contact Nicole Ongele, (202) 418–2991.

SUPPLEMENTARY INFORMATION:

OMB Control Number: 3060–0783.

Title: Section 90.176, Coordinator Notification Requirements on Frequencies Below 512 MHz or at 769–775/799–805 MHz or at 1427–1432 MHz.

Form No.: N/A.

Type of Review: Extension of a currently approved collection.

Respondents: Business or other for-profit.

Number of Respondents and Responses: 14 respondents; 10,920 responses.

Estimated Time per Response: 0.33 hours.

Frequency of Response: On occasion reporting requirement and third party disclosure requirement.

Obligation to Respond: Required to obtain or retain benefits. Statutory authority for this information collection (IC) is contained in sections 47 U.S.C. 154(i), 161, 303(g), 303(r) and 332(c)(7) of the Communications Act of 1934, as amended.

Total Annual Burden: 3,640 hours.

Total Annual Cost: No cost.

Needs and Uses: This collection will be submitted as an extension after this 60 day comment period to Office of Management and Budget (OMB) in order to obtain the full three-year clearance.

Section 90.176 requires each Private Land Mobile frequency coordinator to provide, within one business day, a listing of their frequency recommendations to all other frequency coordinators in their respective pool, and if requested, an engineering analysis.

Any method can be used to ensure this compliance with the ''one business day requirement'' and must provide, at a minimum, the name of the applicant; frequency or frequencies recommended; antenna locations and heights; and effective radiated power; the type(s) of emissions; the description of the service area; and the date and time of the recommendation. If a conflict in recommendations arises, the effected coordinators are jointly responsible for taking action to resolve the conflict, up to and including notifying the Commission that an application may have to be returned.

This requirement seeks to avoid situations where harmful interference is created because two or more coordinators recommend the same frequency in the same area at approximately the same time to different applicants.

Federal Communications Commission.

Marlene Dortch,

Secretary, Office of the Secretary.

[FR Doc. 2026–05122 Filed 3–16–26; 8:45 am]

BILLING CODE 6712–01–P

FEDERAL DEPOSIT INSURANCE CORPORATION

Sunshine Act Meetings: Notice of Meeting To Be Held With Less Than Seven Days' Advance Notice

TIME AND DATE: 10:00 a.m. on March 19, 2026.

PLACE: This Board meeting will be open to public observation by webcast. Visit *https://www.fdic.gov/news/board-matters/video.html* for a link to the webcast. Members of the media should contact the Office of Communications by Wednesday, March 18, 2026, at *mediarequests@fdic.gov* to attend in person. FDIC Board Members and staff will participate from FDIC Headquarters, 550 17th Street NW, Washington, DC.

Observers requiring auxiliary aids should email *DisabilityProgram@fdic.gov* to make necessary arrangements.

STATUS: Open to public observation via webcast.

MATTERS TO BE CONSIDERED: The Federal Deposit Insurance Corporation's (FDIC) Board of Directors will meet to consider the following matters:

Discussion Agenda

Notice of Proposed Rulemaking: Regulatory Capital Rule: Category I and II Banking Organizations, Banking Organizations with Significant Trading Activity, and Optional Adoption for Other Banking Organizations.

Notice of Proposed Rulemaking: Regulatory Capital Rules: Regulatory Capital and Standardized Approach for Risk-weighted Assets.

Summary Agenda

No substantive discussion of the following items is anticipated. The Board of Directors will resolve these matters with a single vote unless a member of the Board requests that an item be moved to the discussion agenda.

Final Rule: Clarification of Deposit Insurance Coverage for Branches of U.S. Banks in the Federated States of Micronesia, the Marshall Islands, and Palau.

Rescission of Statement of Policy on Qualifications for Failed Bank Acquisitions.

Minutes of Board of Directors' Meeting Previously Distributed.

CONTACT PERSON FOR MORE INFORMATION: For further information, please contact Debra A. Decker, Executive Secretary, FDIC, at *FDICBoardMatters@fdic.gov.*

Authority: 5 U.S.C. 552b.

Dated at Washington, DC, on March 13, 2026.

Federal Deposit Insurance Corporation.

Debra A. Decker,

Executive Secretary.

[FR Doc. 2026–05173 Filed 3–13–26; 11:15 am]

BILLING CODE P

FEDERAL MARITIME COMMISSION

Notice of Agreements Filed

The Commission hereby gives notice of filing of the following agreement under the Shipping Act of 1984. Interested parties may submit comments, relevant information, or documents regarding the agreement to the Secretary by email at *Secretary@fmc.gov,* or by mail, Federal Maritime Commission, 800 North Capitol Street, Washington, DC 20573. Comments will be most helpful to the Commission if received within 12 days of the date this notice appears in the **Federal Register**, and the Commission requests that comments be submitted within 7 days on agreements that request expedited review. Copies of agreements are available through the Commission's website (*www.fmc.gov*) or by contacting the Office of General Counsel at (202) 523–5740 or *GeneralCounsel@fmc.gov.*

Agreement No.: 201464.

Agreement Name: CMA CGM/NEOLINE North Europe—USEC Service Space Charter Agreement.

Parties: CMA CGM S.A., and NEOLINE Armateur.

Filing Party: Joshua Stein, Cozen O'Connor.

Synopsis: The Agreement authorizes CMA CGM to purchase space from NEOLINE on certain vessels NEOLINE operates in the trade between ports in France, United Kingdom, Ireland, Canada and the inland and coastal points served by such ports on the one hand, and U.S. Atlantic Coast, and U.S. inland and coastal points served via such ports on the other hand, and vice versa.

Proposed Effective Date: 4/20/2026.

Location: https://www2.fmc.gov/FMC.Agreements.Web/Public/AgreementHistory/91649.

Dated: March 13, 2026.

Jennifer Everling,

Assistant Secretary.

[FR Doc. 2026–05212 Filed 3–16–26; 8:45 am]

BILLING CODE 6730–02–P

FEDERAL RESERVE SYSTEM

Formations of, Acquisitions by, and Mergers of Bank Holding Companies

The companies listed in this notice have applied to the Board for approval, pursuant to the Bank Holding Company Act of 1956 (12 U.S.C. 1841 *et seq.*) (BHC Act), Regulation Y (12 CFR part 225), and all other applicable statutes and regulations to become a bank holding company and/or to acquire the assets or the ownership of, control of, or the power to vote shares of a bank or bank holding company and all of the banks and nonbanking companies owned by the bank holding company, including the companies listed below.

The public portions of the applications listed below, as well as other related filings required by the

Board, if any, are available for immediate inspection at the Federal Reserve Bank(s) indicated below and at the offices of the Board of Governors. This information may also be obtained on an expedited basis, upon request, by contacting the appropriate Federal Reserve Bank and from the Board's Freedom of Information Office at *https://www.federalreserve.gov/foia/request.htm.* Interested persons may express their views in writing on the standards enumerated in the BHC Act (12 U.S.C. 1842(c)).

Comments received are subject to public disclosure. In general, comments received will be made available without change and will not be modified to remove personal or business information including confidential, contact, or other identifying information. Comments should not include any information such as confidential information that would not be appropriate for public disclosure.

Comments regarding each of these applications must be received at the Reserve Bank indicated or the offices of the Board of Governors, Benjamin W. McDonough, Secretary of the Board, 20th Street and Constitution Avenue NW, Washington, DC 20551–0001, not later than April 16, 2026.

A. Federal Reserve Bank of Atlanta (Erien O. Terry, Assistant Vice President) 1000 Peachtree Street NE, Atlanta, Georgia 30309. Comments can also be sent electronically to *Applications.Comments@atl.frb.org:*

1. *Georgia Banking Company, Inc., Atlanta, Georgia;* to merge with Tandem Bancorp, Inc., and thereby indirectly acquire Tandem Bank, both of Tucker, Georgia.

Board of Governors of the Federal Reserve System.

Erin Cayce,

Assistant Secretary of the Board.

[FR Doc. 2026–05201 Filed 3–16–26; 8:45 am]

BILLING CODE P

FEDERAL RESERVE SYSTEM

Proposed Agency Information Collection Activities; Comment Request

AGENCY: Board of Governors of the Federal Reserve System.

ACTION: Notice, request for comment.

SUMMARY: The Board of Governors of the Federal Reserve System (Board) invites comment on a proposal to extend for three years, without revision, the Registration of Mortgage Loan Originators (CFPB G; OMB No. 7100–0328).

DATES: Comments must be submitted on or before May 18, 2026.

ADDRESSES: You may submit comments, identified by CFPB G, by any of the following methods:

- *Agency Website: https://www.federalreserve.gov/apps/proposals/.* Follow the instructions for submitting comments, including attachments. *Preferred Method.*
- *Mail:* Benjamin W. McDonough, Deputy Secretary and Ombuds, Board of Governors of the Federal Reserve System, 20th Street and Constitution Avenue NW, Washington, DC 20551.
- *Hand Delivery/Courier:* Same as mailing address.
- *Other Means: publiccomments@frb.gov.* You must include the OMB number or the FR number in the subject line of the message.

Comments received are subject to public disclosure. In general, comments received will be made available on the Board's website at *https://www.federalreserve.gov/apps/proposals/* without change and will not be modified to remove personal or business information including confidential, contact, or other identifying information. Comments should not include any information such as confidential information that would not be appropriate for public disclosure. Public comments may also be viewed electronically or in person in Room M–4365A, 2001 C St. NW, Washington, DC 20551, between 9 a.m. and 5 p.m. during Federal business weekdays.

Additionally, commenters may send a copy of their comments to the Office of Management and Budget (OMB) Desk Officer for the Federal Reserve Board, Office of Information and Regulatory Affairs, Office of Management and Budget, New Executive Office Building, Room 10235, 725 17th Street NW, Washington, DC 20503, or by fax to (202) 395–6974.

FOR FURTHER INFORMATION CONTACT: Federal Reserve Board Clearance Officer—Nuha Elmaghrabi—Office of the Chief Data Officer, Board of Governors of the Federal Reserve System, *nuha.elmaghrabi@frb.gov,* (202) 452–3884.

SUPPLEMENTARY INFORMATION: On June 15, 1984, OMB delegated to the Board authority under the Paperwork Reduction Act (PRA) to approve and assign OMB control numbers to collections of information conducted or sponsored by the Board. In exercising this delegated authority, the Board is directed to take every reasonable step to solicit comment. In determining whether to approve a collection of information, the Board will consider all comments received from the public and other agencies.

During the comment period for this proposal, a copy of the proposed PRA OMB submission, including the draft reporting form and instructions, supporting statement (which contains more detail about the information collection and burden estimates than this notice), and other documentation, will be made available on the Board's public website at *https://www.federalreserve.gov/apps/reportingforms/review* or may be requested from the agency clearance officer, whose name appears above. On the page displayed at the link above, you can find the supporting information by referencing the collection identifier, CFPB G. Final versions of these documents will be made available at *https://www.reginfo.gov/public/do/PRAMain,* if approved.

Request for Comment on Information Collection Proposal

The Board invites public comment on the following information collection, which is being reviewed under authority delegated by the OMB under the PRA. Comments are invited on the following:

a. Whether the proposed collection of information is necessary for the proper performance of the Board's functions, including whether the information has practical utility;

b. The accuracy of the Board's estimate of the burden of the proposed information collection, including the validity of the methodology and assumptions used;

c. Ways to enhance the quality, utility, and clarity of the information to be collected;

d. Ways to minimize the burden of information collection on respondents, including through the use of automated collection techniques or other forms of information technology; and

e. Estimates of capital or startup costs and costs of operation, maintenance, and purchase of services to provide information.

At the end of the comment period, the comments and recommendations received will be analyzed to determine the extent to which the Board should modify the proposal.

Proposal Under OMB Delegated Authority To Extend for Three Years, Without Revision, the Following Information Collection

Collection title: Registration of Mortgage Loan Originators.

Collection identifier: CFPB G.

OMB control number: 7100–0328.

General description of collection: In accordance with the Secure and Fair Enforcement for Mortgage Licensing Act (SAFE Act), the Consumer Financial Protection Bureau's (CFPB) Regulation G requires residential mortgage loan originators (MLOs) to register with the Nationwide Multistate Licensing System (NMLS), maintain this registration, obtain a unique identifier, and disclose to consumers, upon request and through the NMLS, their unique identifier and the MLO's employment history as well as publicly adjudicated disciplinary and enforcement actions. The CFPB's regulation also requires the institutions employing MLOs to adopt and follow written policies and procedures to ensure that their employees comply with these requirements and to conduct annual independent compliance tests.

Frequency: Annually.

Respondents: The Board's CFPB G panel comprises state member banks (SMBs) with $10 billion or less in total assets that are not affiliates of insured depository institutions with total assets of more than $10 billion; subsidiaries of such SMBs that are not functionally regulated within the meaning of section 5(c)(5) of the Bank Holding Company Act of 1956; branches and agencies of foreign banks (other than federal branches, federal agencies, and insured state branches of foreign banks); and commercial lending companies owned or controlled by foreign banks (collectively, banking organizations); and the employees of these banking organizations who act as residential MLOs.

Total estimated number of respondents: 15,999.

Total estimated annual burden hours: 22,440.

Board of Governors of the Federal Reserve System.

Erin M. Cayce,

Assistant Secretary of the Board.

[FR Doc. 2026–05172 Filed 3–16–26; 8:45 am]

BILLING CODE 6210–01–P

FEDERAL RESERVE SYSTEM

Change in Bank Control Notices; Acquisitions of Shares of a Bank or Bank Holding Company

The notificants listed below have applied under the Change in Bank Control Act (Act) (12 U.S.C. 1817(j)) and § 225.41 of the Board's Regulation Y (12 CFR 225.41) to acquire shares of a bank or bank holding company. The factors that are considered in acting on the applications are set forth in paragraph 7 of the Act (12 U.S.C. 1817(j)(7)).

The public portions of the applications listed below, as well as other related filings required by the Board, if any, are available for immediate inspection at the Federal Reserve Bank(s) indicated below and at the offices of the Board of Governors. This information may also be obtained on an expedited basis, upon request, by contacting the appropriate Federal Reserve Bank and from the Board's Freedom of Information Office at *https://www.federalreserve.gov/foia/request.htm.* Interested persons may express their views in writing on the standards enumerated in paragraph 7 of the Act.

Comments received are subject to public disclosure. In general, comments received will be made available without change and will not be modified to remove personal or business information including confidential, contact, or other identifying information. Comments should not include any information such as confidential information that would not be appropriate for public disclosure.

Comments regarding each of these applications must be received at the Reserve Bank indicated or the offices of the Board of Governors, Benjamin W. McDonough, Secretary of the Board, 20th Street and Constitution Avenue NW, Washington, DC 20551–0001, not later than April 1, 2026.

A. Federal Reserve Bank of St. Louis (Holly A. Rieser, Senior Manager) P.O. Box 442, St. Louis, Missouri 63166–2034. Comments can also be sent electronically to *Comments.applications@stls.frb.org:*

1. *Gary Hamm and Tarah Hamm, both of Gravette, Arkansas;* to join the Steele Family Control Group, a group acting in concert, to acquire voting shares of Stark Bancshares, Inc., and thereby indirectly acquire voting shares of Grand Missouri Bank, both of Bolivar, Missouri.

Board of Governors of the Federal Reserve System.

Erin Cayce,

Assistant Secretary of the Board.

[FR Doc. 2026–05200 Filed 3–16–26; 8:45 am]

BILLING CODE P

FEDERAL RESERVE SYSTEM

Agency Information Collection Activities: Announcement of Board Approval Under Delegated Authority and Submission to OMB

AGENCY: Board of Governors of the Federal Reserve System.

SUMMARY: The Board of Governors of the Federal Reserve System (Board) is adopting a proposal to extend for three years, without revision, the Notice of Branch Closure (FR 4031; OMB No. 7100–0264).

FOR FURTHER INFORMATION CONTACT: Federal Reserve Board Clearance Officer—Nuha Elmaghrabi—Office of the Chief Data Officer, Board of Governors of the Federal Reserve System, *nuha.elmaghrabi@frb.gov,* (202) 452–3884.

Office of Management and Budget (OMB) Desk Officer for the Federal Reserve Board, Office of Information and Regulatory Affairs, Office of Management and Budget, New Executive Office Building, Room 10235, 725 17th Street NW, Washington, DC 20503, or by fax to (202) 395–6974.

SUPPLEMENTARY INFORMATION: On June 15, 1984, OMB delegated to the Board authority under the Paperwork Reduction Act (PRA) to approve and assign OMB control numbers to collections of information conducted or sponsored by the Board. Board-approved collections of information are incorporated into the official OMB inventory of currently approved collections of information. The OMB inventory, as well as copies of the PRA Submission, supporting statements (which contain more detailed information about the information collections and burden estimates than this notice), and approved collection of information instrument(s) are available at *https://www.reginfo.gov/public/do/PRAMain.* These documents are also available on the Federal Reserve Board's public website at *https://www.federalreserve.gov/apps/reportingforms/review* or may be requested from the agency clearance officer, whose name appears above. On the page displayed at the link above, you can find the supporting information by referencing the collection identifier, FR 4031.

Final Approval Under OMB Delegated Authority of the Extension for Three Years, Without Revision, of the Following Information Collection

Collection title: Notice of Branch Closure.

Collection identifier: FR 4031.

OMB control number: 7100–0264.

General description of collection: The reporting, recordkeeping, and disclosure requirements regarding the closing of any branch of an insured depository institution (IDI) are contained in section 42 of the Federal Deposit Insurance Act, as supplemented by an interagency policy statement on branch closings. The Board uses the information in the FR 4031 to fulfill its statutory obligation

to supervise state member banks (SMBs). Each IDI must adopt a policy regarding the closing of its branches. When a branch is scheduled for closing, the IDI must notify both its appropriate regulator and its customers of the proposed closure.

Frequency: Event-generated.

Respondents: Insured SMBs.

Total estimated number of respondents: 80.

Total estimated annual burden hours: 267.

Current actions: On November 27, 2025, the Board published a notice in the **Federal Register** (90 FR 51328) requesting public comment for 60 days on the extension, without revision, of the FR 4031. The comment period for this notice expired on January 16, 2026. The Board did not receive any comments.

Board of Governors of the Federal Reserve System.

Erin M. Cayce,

Assistant Secretary of the Board.

[FR Doc. 2026–05175 Filed 3–16–26; 8:45 am]

BILLING CODE 6210–01–P

FEDERAL RESERVE SYSTEM

Privacy Act of 1974; System of Records

AGENCY: Board of Governors of the Federal Reserve System.

ACTION: Notice of a modified system of records.

SUMMARY: Pursuant to the provisions of the Privacy Act of 1974, notice is given that the Board of Governors of the Federal Reserve System (Board) proposes to modify an existing system of records, entitled BGFRS–14, ''FRB—General File of Reserve Bank and Branch Directors.'' BGFRS–14 is a system of records that enables Board staff to develop, implement, and communicate the Board's program regarding Federal Reserve Bank and Branch directors including the appointment of Class C directors and Board-appointed Branch directors; the eligibility, conduct, and service of all directors; the composition of Reserve Bank and Branch boards; and the interactions among the Board and the Federal Reserve Bank and Branch directors.

DATES: Comments must be received on or before April 16, 2026. This new system of records will become effective April 16, 2026, without further notice, unless comments dictate otherwise. The Office of Management and Budget (OMB), which has oversight responsibility under the Privacy Act, requires a 30-day period prior to publication in the **Federal Register** in which to review the system and to provide any comments to the agency. The public is then given a 30-day period in which to comment, in accordance with 5 U.S.C. 552a(e)(4) and (11).

ADDRESSES: You may submit comments, identified by *BGFRS–14 ''FRB—General File of Federal Reserve Bank and Branch Directors,''* by any of the following methods:

- *Agency Website: https://www.federalreserve.gov/apps/proposals/.* Follow the instructions for submitting comments, including attachments. *Preferred Method.*
- *Mail:* Benjamin W. McDonough, Secretary, Board of Governors of the Federal Reserve System, 20th Street and Constitution Avenue NW, Washington, DC 20551.
- *Hand Delivery/Courier:* Same as mailing address.
- *Other Means: publiccomments@frb.gov.* You must include the docket number in the subject line of the message.

Comments received are subject to public disclosure. In general, comments received will be made available on the Board's website at *https://www.federalreserve.gov/apps/proposals/* without change and will not be modified to remove personal or business information including confidential, contact, or other identifying information. Comments should not include any information such as confidential information that would be not appropriate for public disclosure. Public comments may also be viewed electronically or in person in Room M–4365A, 2001 C St. NW, Washington, DC 20551, between 9 a.m. and 5 p.m. during Federal business weekdays.

FOR FURTHER INFORMATION CONTACT: Alye Foster, Associate General Counsel, (202) 452–5289, or *alye.s.foster@frb.gov;* Legal Division, Board of Governors of the Federal Reserve System, 20th Street and Constitution Avenue NW, Washington, DC 20551. For users of telephone systems via text telephone (TTY) or any TTY-based Telecommunications Relay Services, please call 711 from any telephone anywhere in the United States.

SUPPLEMENTARY INFORMATION: The Board is modifying BGFRS–14 to update the system to expand the system's purpose, the category of individuals and records covered by the system, the records source categories, and to amend the system-specific routine use. The Board is also taking the opportunity to update the system manager contact information, add a link to the Board's routine uses, and update the policies and practices for storage of Board records.

BGFRS–14 outlines in its purpose and scope the broad purpose of the system, which is that the system facilitates the Board's oversight of the conduct and service of Federal Reserve Bank and Branch directors (''directors''). Upon reviewing the system, staff determined that while ''oversight'' is a broad term, the purpose and use of the system could be revised to more directly identify matters encompassed by the term ''oversight.'' Specifically, staff's oversight of the directors encompasses matters pertaining to the eligibility, conduct, and service related to all directors. It also includes the Board's appointment of Class C directors and Board-appointed Branch directors. This oversight also includes using the data to analyze the composition of Reserve Bank and Branch boards, for example, to track the Board's progress on ensuring that these boards include a variety of perspectives, backgrounds, and experiences. The data is also used to facilitate interactions between the Board and the directors, including through a variety of director conferences throughout the year. The Board is modifying the purpose of the system to clarify what the system encompasses.

The Board has also determined that its oversight of the directors requires the collection of additional information. Specifically, the Board will collect information from additional record sources to include candidates for director positions in addition to both past and present directors. Therefore, the Board is modifying the category of records and category of individuals in the system to encompass biographical and background information for directors and candidates. The Board is also modifying the record sources categories to reflect the collection of contact information for director/candidate staff assistants and demographic information either on a voluntary basis from directors or candidates or from publicly available information.

The Board is amending the existing system-specific routine use because the routine use was incorrectly drafted. Specifically, using the records as background information for determining qualifications for appointment and recording correspondence concerning such persons would not usually involve the disclosure of information outside of the Board. The Board is therefore modifying the use to cover only disclosures outside of the Board to provide information for news releases and other publications and is also

providing a link to the Board's routine uses.

The Board is further modifying the system to indicate that the Board stores records in electronic form and that remaining paper records are now historical records, which the Board will maintain for the appropriate retention period. The Board is also updating the contact information for the system manager.

The Board is also making technical changes to BGFRS–14 consistent with the template laid out in OMB Circular No. A–108. Accordingly, the Board has made technical corrections and non-substantive language revisions to the following categories: ''Policies and Practices for Storage of Records,'' ''Policies and Practices for Retrieval of Records,'' ''Policies and Practices for Retention and Disposal of Records,'' ''Administrative, Technical and Physical Safeguards,'' ''Record Access Procedures,'' ''Contesting Record Procedures,'' and ''Notification Procedures.'' The Board has also created the following new fields: ''Security Classification'' and ''History.''

SYSTEM NAME AND NUMBER:

BGFRS–14 ''FRB—General File of Federal Reserve Bank and Branch Directors''

SECURITY CLASSIFICATION:

Unclassified.

SYSTEM LOCATION:

Board of Governors of the Federal Reserve System, 20th Street and Constitution Avenue NW, Washington, DC 20551.

SYSTEM MANAGER(S):

Lila Stitely, Manager, Corporate Governance Oversight, Office of the Secretary, 20th Street and Constitution Avenue NW, Washington, DC 20551, 202–973–7486, or *lila.z.stitely@frb.gov.*

AUTHORITY FOR MAINTENANCE OF THE SYSTEM:

Sections 3, 4, 11 and 21 of the Federal Reserve Act (12 U.S.C. 248, 302, 485, and 521).

PURPOSE(S) OF THE SYSTEM:

These records are collected and maintained to facilitate the Board in its oversight of the eligibility, conduct, and service of all Federal Reserve Bank and Branch directors; the appointment of Class C directors and Board-appointed Branch directors; the analysis of the composition of Reserve Bank and Branch boards of directors; and interactions among the Board and the Federal Reserve Bank and Branch directors.

CATEGORIES OF INDIVIDUALS COVERED BY THE SYSTEM:

Candidates for, and past and present directors of, the Federal Reserve Banks and their respective Branches, as well as their assistants.

CATEGORIES OF RECORDS IN THE SYSTEM:

Biographical, background, and contact information for Federal Reserve Bank and Branch directors and candidates and other miscellaneous documentation (*e.g.,* oaths of office, resignations) and correspondence regarding the conduct and service of Federal Reserve Bank and Branch directors. The system may also include contact information for assistants to candidates and Bank and Branch directors. The Board may collect demographic information from publicly available information or on a voluntary basis from director candidates and directors.

RECORD SOURCE CATEGORIES:

Information is provided by the candidate or director to whom the record pertains, Federal Reserve Bank staff, candidate and director assistants, and publicly available information obtained by Board staff. Information is also provided by certain third parties, such as news and other information databases, on director candidates.

ROUTINE USES OF RECORDS MAINTAINED IN THE SYSTEM, INCLUDING CATEGORIES OF USERS AND PURPOSES OF SUCH USES:

General routine uses A, C, D, G, I, and J apply to this system. These general routine uses are located at *https://www.federalreserve.gov/files/SORN-page-general-routine-uses-of-board-systems-of-records.pdf* and are published in the **Federal Register** at 83 FR 43872 at 43873–74 (August 28, 2018). Records may be disclosed in order to provide information for news releases and other publications.

POLICIES AND PRACTICES FOR STORAGE OF RECORDS:

Historical paper records in this system are stored in file folders with access limited to staff with a need-to-know. Electronic records are stored on a secure server with access limited to staff with a need-to-know.

POLICIES AND PRACTICES FOR RETRIEVAL OF RECORDS:

Records can be retrieved by name.

POLICIES AND PRACTICES FOR RETENTION AND DISPOSAL OF RECORDS:

Records pertaining to past and present directors, including potential directors who are recommended for Board consideration, are retained for at least five years after the annual cutoff, and may be retained longer, if necessary for administrative or reference purposes. Records pertaining to candidates who are not recommended for Board consideration may be destroyed when no longer needed.

ADMINISTRATIVE, TECHNICAL, AND PHYSICAL SAFEGUARDS:

Access to records is limited to those whose official duties require it. Paper records in this system are stored in file folders with access limited to staff with a need-to-know. The system has the ability to track individual user actions. The audit and accountability controls are based on National Institute of Standards and Technology (NIST) and Board standards, which, in turn, are based on applicable laws and regulations. The controls assist in detecting security violations and performance or other issues in the system. Access to the system is restricted to authorized users within the Board and Federal Reserve System who require access for official business purposes. Users are classified into different roles and common access and usage rights are established for each role. User roles are used to delineate between the different types of access requirements such that users are restricted to data that is required in the performance of their duties. Periodic assessments and reviews are conducted to determine whether users still require access, have the appropriate role, and whether there have been any unauthorized changes.

RECORD ACCESS PROCEDURES:

The Privacy Act allows individuals the right to access records maintained about them in a Board system of records. Your request for access must: (1) contain a statement that the request is made pursuant to the Privacy Act of 1974; (2) provide either the name of the Board system of records expected to contain the record requested or a concise description of the system of records; (3) provide the information necessary to verify your identity; and (4) provide any other information that may assist in the rapid identification of the record you seek.

Current or former Board employees may make a request for access by contacting the Board office that maintains the record. The Board handles all Privacy Act requests as both a Privacy Act request and as a Freedom of Information Act request. The Board does not charge fees to a requestor seeking to access or amend his/her Privacy Act records.

You may submit your Privacy Act request to the—Secretary of the Board,

Board of Governors of the Federal Reserve System, 20th Street and Constitution Avenue NW, Washington, DC 20551.

You may also submit your Privacy Act request electronically by filling out the required information at: *https://foia.federalreserve.gov/.*

CONTESTING RECORD PROCEDURES:

The Privacy Act allows individuals to seek amendment of information that is erroneous, irrelevant, untimely, or incomplete and is maintained in a system of records that pertains to them. To request an amendment to your record, you should clearly mark the request as a ''Privacy Act Amendment Request.'' You have the burden of proof for demonstrating the appropriateness of the requested amendment and you must provide relevant and convincing evidence in support of your request.

Your request for amendment must: (1) provide the name of the specific Board system of records containing the record you seek to amend; (2) identify the specific portion of the record you seek to amend; (3) describe the nature of and reasons for each requested amendment; (4) explain why you believe the record is not accurate, relevant, timely, or complete; and (5) unless you have already done so in a related Privacy Act request for access or amendment, provide the necessary information to verify your identity.

NOTIFICATION PROCEDURES:

Same as ''Access procedures'' above. You may also follow this procedure in order to request an accounting of previous disclosures of records pertaining to you as provided for by 5 U.S.C. 552a(c).

EXEMPTIONS PROMULGATED FOR THE SYSTEM:

Certain portions of this system of records may be exempt from 5 U.S.C. 552a(c)(3), (d), (e)(1), (e)(4)(G), (H), and (I), and (f) of the Privacy Act pursuant to 5 U.S.C. 552a(k)(5).

HISTORY:

This SORN was previously published in the **Federal Register** at 73 FR 24984 at 24997 (May 6, 2008). The SORN was also amended to incorporate two new routine uses required by OMB at 83 FR 43872 (August 28, 2018).

Board of Governors of the Federal Reserve System.

Benjamin W. McDonough,

Secretary of the Board.

[FR Doc. 2026–05156 Filed 3–16–26; 8:45 am]

BILLING CODE 6210–01–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Agency for Toxic Substances and Disease Registry

[Docket No. ATSDR–2026–0001]

Nominations for Substances To Be Evaluated for Toxicological Profile Development

AGENCY: Agency for Toxic Substances and Disease Registry (ATSDR), Department of Health and Human Services (HHS).

ACTION: Notice with comment period.

SUMMARY: The Agency for Toxic Substances and Disease Registry (ATSDR), within the Department of Health and Human Services (HHS), announces that it is soliciting nominations of substances to be evaluated for an upcoming set of toxicological profiles. ATSDR is opening a docket for the public to submit nominations and provide comments on which toxicological profiles are developed next. Members of the public, government agencies, or private organizations may comment on which substances they are concerned about so that ATSDR may take this information into consideration when developing future toxicological profiles.

DATES: Written comments must be received on or before May 18, 2026.

ADDRESSES: You may submit comments, identified by Docket No. ATSDR–2026–0001 by either of the methods listed below. Do not submit comments by email. ATSDR does not accept comments by email.

- *Federal eRulemaking Portal: http://www.regulations.gov.* Follow the instructions for submitting comments.
- *Mail:* Agency for Toxic Substances and Disease Registry, Office of Innovation and Analytics, 4770 Buford Highway, Mail Stop S106–5, Atlanta, GA, 30341–3717. Attn: Docket No. ATSDR–2026–0001.

Instructions: All submissions received must include the agency name and Docket Number. All relevant comments received will be posted without change to *http://www.regulations.gov,* including any personal information provided. For access to the docket to read background documents or comments received, go to *http://www.regulations.gov*.

FOR FURTHER INFORMATION CONTACT: Farhana Rahman, Agency for Toxic Substances and Disease Registry, Office of Innovation and Analytics, 4770 Buford Highway, Mail Stop S106–5, Atlanta, GA, 30341–3717; Email: *ATSDRToxProfileFRNs@cdc.gov*; Phone: 1–800–232–4636.

SUPPLEMENTARY INFORMATION: The Superfund Amendments and Reauthorization Act of 1986 (SARA) [42 U.S.C. 9601 *et seq.*] amended the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (CERCLA or Superfund) [42 U.S.C. 9601 *et seq.*] by establishing certain requirements for ATSDR and the U.S. Environmental Protection Agency (EPA) concerning hazardous substances most commonly found at facilities on the CERCLA National Priorities List (NPL). Among these statutory requirements is a mandate for the Administrator of ATSDR to prepare toxicological profiles for each substance included on the Priority List of Hazardous Substances, also known as the Substance Priority list (SPL). This list identifies 275 hazardous substances found at NPL sites that ATSDR has determined currently pose the most significant potential threat to human health. For more information on ATSDR's SPL, visit *https://www.atsdr.cdc.gov/programs/substance-priority-list.html*.

Substances To Be Evaluated for Toxicological Profile Development

Each year, ATSDR develops a list of substances to be considered for toxicological profile development. The nomination process includes consideration of all substances on ATSDR's SPL, as well as other substances nominated by the public.

Submission of Nominations for Toxicological Profile Development

This notice invites public nominations of substances for toxicological profile development. If nominating a substance that is not on the SPL, please include the rationale for the nomination and any supporting data. ATSDR will evaluate data and information associated with nominated substances and will determine the final list of substances to be chosen for toxicological profile development.

Public Participation

Interested persons or organizations are invited to participate by submitting nominations for substances. These submissions may include written views and data to support the nomination. Please note that comments received, including attachments and other supporting materials, are part of the public record and are subject to public disclosure. Comments will be posted on *https://www.regulations.gov*. Therefore, do not include any information in your comment or supporting materials that you consider confidential or inappropriate for public disclosure. If

you include your name, contact information, or other information that identifies you in the body of your comments, that information will be on public display. ATSDR will review all submissions and may choose to redact, or withhold, submissions containing private or proprietary information such as Social Security numbers, medical information, inappropriate language, or duplicate/near duplicate examples of a mass-mail campaign related to substances being nominated. Do not submit comments by email. ATSDR does not accept comments by email.

Donata Green,

Associate Director, Office of Policy, Planning and Partnerships, Agency for Toxic Substances and Disease Registry.

[FR Doc. 2026–05164 Filed 3–16–26; 8:45 am]

BILLING CODE 4163–70–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Centers for Disease Control and Prevention

[30Day–26–0134]

Agency Forms Undergoing Paperwork Reduction Act Review

In accordance with the Paperwork Reduction Act of 1995, the Centers for Disease Control and Prevention (CDC) has submitted the information collection request titled ''Land travel-related Public Health Activities'' to the Office of Management and Budget (OMB) for review and approval. CDC previously published a ''Proposed Data Collection Submitted for Public Comment and Recommendations'' notice on January 13, 2026 to obtain comments from the public and affected agencies. CDC received one comment related to the previous notice. This notice serves to allow an additional 30 days for public and affected agency comments.

CDC will accept all comments for this proposed information collection project. The Office of Management and Budget is particularly interested in comments that:

(a) Evaluate whether the proposed collection of information is necessary for the proper performance of the functions of the agency, including whether the information will have practical utility;

(b) Evaluate the accuracy of the agencies estimate of the burden of the proposed collection of information, including the validity of the methodology and assumptions used;

(c) Enhance the quality, utility, and clarity of the information to be collected;

(d) Minimize the burden of the 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; and

(e) Assess information collection costs.

To request additional information on the proposed project or to obtain a copy of the information collection plan and instruments, call (404) 639–7570. 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.* Find this particular information collection by selecting ''Currently under 30-day Review—Open for Public Comments'' or by using the search function. Direct written comments and/or suggestions regarding the items contained in this notice to the Attention: CDC Desk Officer, Office of Management and Budget, 725 17th Street NW, Washington, DC 20503 or by fax to (202) 395–5806. Provide written comments within 30 days of notice publication.

Proposed Project

Land travel-related Public Health Activities (OMB Control No. 0920–0134, Exp. 3/31/2026)—Revision—National Center for Emerging and Zoonotic Diseases (NCEZID), Centers for Disease Control and Prevention (CDC).

Background and Brief Description

The goal of this information collection is to ensure that, consistent with the authorities in the Public Health Service Act and CFR parts 70 and 71, Centers for Disease Control and Prevention (CDC) is able to prevent the introduction, transmission and spread of communicable diseases from foreign countries into the United States or from one State or possession into any other State or possession.

This information collection focuses on collecting necessary information needed for CDC to conduct public health response and follow up in the event an individual with a confirmed or suspected communicable disease is known to have traveled via land conveyance (*e.g.,* bus, train, other) across an international land border or state borders while infectious or potentially infectious, presenting a risk of disease spread to others on the conveyance.

This information collection includes collection of conveyance, passenger and crew contact information from land conveyance operators (for example, via manifests) for contact investigations. Additionally, this information collection includes forms to obtain information on the outcomes of the contact investigations carried out by international, state, local, or territorial public health professionals to assess the impacts of CDC public health activities. With this current submission, CDC is requesting a Revision that will consolidate all land travel activity-related information collections under one OMB Control Number, thereby improving efficiency of CDC's land travel activities PRA submission process. In this Revision, CDC plans to keep one form in the previously approved version of 0920–0134, and add two that are currently approved under other OMB Control Numbers. CDC is also requesting to add four new information collection tools related to land travel that are based on similar tools for air travel. All other information collection tools currently approved in 0920–0134 are undergoing other requests to be moved into other approved OMB packages. With the aggregation of these land activity tools to simplify the PRA process, CDC is recommending revising the previous title from ''*Foreign Quarantine Regulations (42 CFR 71)*'' to ''*Land travel-related Public Health Activities.*''

CDC requests OMB approval for a total estimated 154 annual burden hours. There are no costs to respondents other than their time to participate.

ESTIMATED ANNUALIZED BURDEN HOURS

Type of respondents	Form name	Number of respondents	Number of responses per respondent	Average burden per response (in hours)
Master of vessel or person in charge of conveyance.	*Report by the master of a vessel or person in charge of conveyance of the incidence of a communicable disease occurring while in interstate travel (42 CFR 70.4)* (OMB Control No. 0920–0488).	100	1	7/60
Traveler	*Land Travel Illness or Death Investigation Form* (OMB Control No. 0920–0134).	200	1	15/60
Traveler	*Land Passenger Locator Form*	210	1	5/60
Land Conveyance Operator Medical/Safety Officer or Equivalent/Computer and Information Systems Manager.	International Land Conveyance Manifest Order Template.	10	1	150/60
Land Conveyance Operator Medical/Safety Officer or Equivalent/Computer and Information Systems Manager.	Domestic Land Conveyance Manifest Order Template.	30	1	90/60
State/Local/Territorial or International Public Health Staff.	General Land Contact Investigation Outcome Reporting Form (OMB Control No. 0920–0900).	20	1	5/60
State/Local/Territorial or International Public Health Staff.	TB Land Contact Investigation Outcome Reporting Form.	20	1	10/60

Jeffrey M. Zirger,

Lead, Information Collection Review Office, Office of Public Health Ethics and Regulations, Office of Science, Centers for Disease Control and Prevention.

[FR Doc. 2026–05194 Filed 3–16–26; 8:45 am]

BILLING CODE 4163–18–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Centers for Disease Control and Prevention

[30Day–26–0488]

Agency Forms Undergoing Paperwork Reduction Act Review

In accordance with the Paperwork Reduction Act of 1995, the Centers for Disease Control and Prevention (CDC) has submitted the information collection request titled ''Aviation-related Public Health Activities'' to the Office of Management and Budget (OMB) for review and approval. CDC previously published a ''Proposed Data Collection Submitted for Public Comment and Recommendations'' notice on January 13, 2026 to obtain comments from the public and affected agencies. CDC received one comment related to the previous notice. This notice serves to allow an additional 30 days for public and affected agency comments.

CDC will accept all comments for this proposed information collection project. The Office of Management and Budget is particularly interested in comments that:

(a) Evaluate whether the proposed collection of information is necessary for the proper performance of the functions of the agency, including whether the information will have practical utility;

(b) Evaluate the accuracy of the agencies estimate of the burden of the proposed collection of information, including the validity of the methodology and assumptions used;

(c) Enhance the quality, utility, and clarity of the information to be collected;

(d) Minimize the burden of the 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; and

(e) Assess information collection costs.

To request additional information on the proposed project or to obtain a copy of the information collection plan and instruments, call (404) 639–7570. 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.* Find this particular information collection by selecting ''Currently under 30-day Review—Open for Public Comments'' or by using the search function. Direct written comments and/or suggestions regarding the items contained in this notice to the Attention: CDC Desk Officer, Office of Management and Budget, 725 17th Street NW, Washington, DC 20503 or by fax to (202) 395–5806. Provide written comments within 30 days of notice publication.

Proposed Project

Aviation-related Public Health Activities (OMB Control No. 0920–0488, Exp. 3/31/2026)—Revision—National Center for Emerging and Zoonotic Infectious Diseases (NCEZID), Centers for Disease Control and Prevention (CDC).

Background and Brief Description

The goal of this information collection is to ensure that, consistent with the authorities in the Public Health Service Act and CFR parts 70 and 71, CDC is able to prevent the introduction, transmission and spread of communicable diseases from foreign countries into the United States or from one state or possession into any other state or possession.

This information collection focuses on gathering information needed for CDC to conduct public health response and follow up in the event an individual is known to have traveled on an inbound international or interstate flight while infectious (confirmed case) or potentially infectious (suspected case), presenting a risk of disease spread to others. The information collection includes obtaining conveyance, passenger and crew contact information from airlines (aka manifests) for contact investigations. Additionally, this information collection includes forms to obtain information on the outcomes of the contact investigations carried out by state, local, or territorial public health

professionals to assess the impacts of CDC regulatory activities.

Historically, these aviation-related information collection activities were approved under this and other OMB Control Numbers as outlined below. With this current submission, CDC is requesting a Revision that will consolidate all aviation-related information collections under one OMB Control Number. The purpose of aggregating these tools is to simplify the PRA process, creating efficiency when revisions are needed for aviation information collections. As such, CDC is recommending revising the previous title from ''Report of Illness or Death: Interstate Travel of Persons (42 CFR part 70),'' to ''Aviation-related Public Health Activities.''

CDC requests OMB approval for an estimated 2,583 annual burden hours. There is no cost to respondents other than their time to participate.

ESTIMATED ANNUALIZED BURDEN HOURS

Type of respondents	Form name	Number of respondents	Number of responses per respondent	Average burden per response (in hours)
Pilot in command (domestic flights)	*Report of death or illness onboard aircraft (42 CFR 70.11)* (OMB Control No 0920–0488) (No Form).	500	1	7/60
Pilot in Command (international flights)	*Death/Illness Reports from Aircraft (42 CFR 71.21(b))* (OMB Control No 0920–0134) (No Form).	1,400	1	7/60
Isolated or Quarantined Individuals	*Report by Persons in Isolation or Surveillance (42 CFR 71.33)* (OMB Control No 0920–0134) (No Form).	11	1	3/60
Traveler	*Air Travel Illness or Death Investigation Form* (OMB Control No 0920–0488) (OMB Control No 0920–0134).	2,500	1	15/60
Traveler	Public Health Passenger Locator Form: limited onboard exposure* (*international flights*) (OMB Control No 0920–1181).	545	1	5/60
Traveler	Public Health Passenger Locator Form: limited onboard exposure* (*domestic flights*) (OMB Control No 0920–1181).	545	1	5/60
Traveler	*Air Travel Illness or Death Investigation Form* (OMB Control No 0920–0488) (OMB Control No 0920–0134).	2,500	1	15/60
Traveler	Public Health Passenger Locator Form: limited onboard exposure* (*international flights*) (OMB Control No 0920–1181).	545	1	5/60
Airline Medical Officer or Equivalent/Computer and Information Systems Manager.	Domestic Airline Manifest Order Template (OMB Control No 0920–1181).	500	1	90/60
Airline Medical Officer or Equivalent/Airline Administrative or Safety Manager.	International Airline Manifest Order Template (OMB Control No 0920–1180).	350	1	150/60
State/Local/Territorial or International Public Health Staff.	General Contact Investigation Outcome Reporting Form—Air (OMB Control No 0920–0900).	60	1	5/60
State/Local/Territorial or International Public Health Staff.	Measles Contact Investigation Outcome Reporting Form—Air (OMB Control No 0920–0900).	72	1	5/60
State/Local/Territorial or International Public Health Staff.	Rubella Contact Investigation Outcome Reporting Form—Air (OMB Control No 0920–0900).	1	1	5/60
State/Local/Territorial or International Public Health Staff.	TB Aircraft Contact Investigation Outcome Reporting Form (OMB Control No 0920–0900).	51	1	10/60

Jeffrey M. Zirger,

Lead, Information Collection Review Office, Office of Public Health Ethics and Regulations, Office of Science, Centers for Disease Control and Prevention.

[FR Doc. 2026–05195 Filed 3–16–26; 8:45 am]

BILLING CODE 4163–18–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Centers for Disease Control and Prevention

Solicitation of Nominations for Appointment to the Advisory Committee on Breast Cancer in Young Women

AGENCY: Centers for Disease Control and Prevention (CDC), Department of Health and Human Services (HHS).

ACTION: Notice.

SUMMARY: In accordance with the Federal Advisory Committee Act, the Centers for Disease Control and Prevention (CDC), within the Department of Health and Human Services (HHS), is seeking nominations for membership on the Advisory Committee on Breast Cancer in Young Women (ACBCYW). The ACBCYW consists of 15 experts in fields associated with breast cancer, disease prevention, early detection, diagnosis, public health, social marketing, genetic screening and counseling, treatment, rehabilitation, palliative care, and survivorship in young women, or in related disciplines with a specific focus on young women.

DATES: Nominations for membership on the ACBCYW must be received no later than April 20, 2026. Packages received

after this time will not be considered for the current membership cycle.

ADDRESSES: All nominations should be mailed to Kimberly E. Smith, M.B.A., M.H.A. c/o ACBCYW Secretariat, Centers for Disease Control and Prevention, 3719 North Peachtree Road, Building 100, Chamblee, Georgia 30341 or emailed (recommended) to *acbcyw@cdc.gov.*

FOR FURTHER INFORMATION CONTACT: Kimberly E. Smith, M.B.A., M.H.A., Designated Federal Officer, National Center for Chronic Disease Prevention and Health Promotion, Centers for Disease Control and Prevention, 4770 Buford Highway NE, Mailstop S107–4, Atlanta, Georgia 30341. Telephone: (404) 498–0073; *acbcyw@cdc.gov.*

SUPPLEMENTARY INFORMATION: Nominations are being sought for individuals who have expertise and qualifications necessary to contribute to the accomplishments of the objectives of the Advisory Committee on Breast Cancer in Young Women (ACBCYW). Nominees will be selected based on expertise in the fields of breast health, breast cancer, disease prevention and risk reduction, survivorship (including metastatic breast cancer), hereditary breast and ovarian cancer (HBOC), or in related disciplines with a specific focus on young women. Persons with personal experience with early onset breast cancer are also eligible to apply. This includes but may not be limited to breast cancer survivors 45 years of age and younger and caregivers of said persons. Federal employees will not be considered for membership. Members may be invited to serve up to four-year terms. Selection of members is based on candidates' qualifications to contribute to the accomplishment of ACBCYW objectives (*https://www.cdc.gov/breast-cancer/php/advisory-committee/*).

Department of Health and Human Services policy stipulates that committee membership be balanced in terms of points of view represented and the committee's function. Appointments shall be made free from discrimination on the basis of race, religion, color, national origin, age, disability, or sex. Nominees must be U.S. citizens and cannot be full-time employees of the U.S. Government. Current participation on Federal workgroups or prior experience serving on a Federal advisory committee does not disqualify a candidate; however, HHS policy is to avoid excessive individual service on advisory committees and multiple committee memberships. Committee members are Special Government Employees, requiring the filing of financial disclosure reports at the beginning and annually during their terms. The Centers for Disease Control and Prevention (CDC) reviews potential candidates for ACBCYW membership each year and provides a slate of nominees for consideration to the Secretary of HHS for final selection. HHS notifies selected candidates of their appointment near the start of the term in December 2026, or as soon as the HHS selection process is completed. Note that the need for different expertise varies from year to year and a candidate who is not selected in one year may be reconsidered in a subsequent year. Candidates should submit the following items:

- Current curriculum vitae, including complete contact information (telephone numbers, mailing address, email address)
- At least one letter of recommendation from person(s) not employed by HHS. Candidates may submit letter(s) from current HHS employees if they wish, but at least one letter must be submitted by a person not employed by an HHS agency (*e.g.,* CDC, National Institutes of Health, Food and Drug Administration).
- A biographical sketch of the nominee (150 words or less)

Nominations may be submitted by the candidate or by the person/organization recommending the candidate. CDC will collect and retain nominations received for up to two years to create a pool of potential ACBCYW nominees. When a vacancy occurs, CDC will review nominations and may contact nominees at that time.

The Director, Office of Strategic Business Initiatives, Office of the Chief Operating Officer, Centers for Disease Control and Prevention, has been delegated the authority to sign **Federal Register** notices pertaining to announcements of meetings and other committee management activities, for both the Centers for Disease Control and Prevention and the Agency for Toxic Substances and Disease Registry.

Kalwant Smagh,

Director, Office of Strategic Business Initiatives, Office of the Chief Operating Officer, Centers for Disease Control and Prevention.

[FR Doc. 2026–05136 Filed 3–16–26; 8:45 am]

BILLING CODE 4163–18–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Centers for Disease Control and Prevention

[30Day–26–1260]

Agency Forms Undergoing Paperwork Reduction Act Review

In accordance with the Paperwork Reduction Act of 1995, the Centers for Disease Control and Prevention (CDC) has submitted the information collection request titled ''Maritime Illness Database and Reporting System (MIDRS)'' to the Office of Management and Budget (OMB) for review and approval. CDC previously published a ''Proposed Data Collection Submitted for Public Comment and Recommendations'' notice on November 21, 2025 to obtain comments from the public and affected agencies. CDC received 2 related to the previous notice. This notice serves to allow an additional 30 days for public and affected agency comments.

CDC will accept all comments for this proposed information collection project. The Office of Management and Budget is particularly interested in comments that:

(a) Evaluate whether the proposed collection of information is necessary for the proper performance of the functions of the agency, including whether the information will have practical utility;

(b) Evaluate the accuracy of the agencies estimate of the burden of the proposed collection of information, including the validity of the methodology and assumptions used;

(c) Enhance the quality, utility, and clarity of the information to be collected;

(d) Minimize the burden of the 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; and

(e) Assess information collection costs.

To request additional information on the proposed project or to obtain a copy of the information collection plan and instruments, call (404) 639–7570. 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.* Find this particular information collection by selecting ''Currently under 30-day Review—Open

for Public Comments'' or by using the search function. Direct written comments and/or suggestions regarding the items contained in this notice to the Attention: CDC Desk Officer, Office of Management and Budget, 725 17th Street NW, Washington, DC 20503 or by fax to (202) 395–5806. Provide written comments within 30 days of notice publication.

Proposed Project

Maritime Illness Database and Reporting System (MIDRS) (OMB Control No. 0920–1260, Exp. 3/31/2026)—Extension—National Center for Environmental Health (NCEH), Centers for Disease Control and Prevention (CDC).

Background and Brief Description

The purpose of this Extension Information Collection Request (ICR) is to request a three-year Paperwork Reduction Act (PRA) Clearance for CDC's Maritime Illness Database and Reporting System (MIDRS) surveillance system. Operationally, CDC has divided the responsibilities for enforcing foreign quarantine regulations between the Vessel Sanitation Program (VSP) and the Division of Global Migration and Quarantine (DGMQ). VSP takes the lead on overseeing acute gastroenteritis (AGE) illness surveillance and outbreak investigation activities on passenger ships using MIDRS, while DGMQ monitors all non-AGE illnesses and deaths on passenger vessels as well as all diseases of public health concern on all other conveyances with international itineraries bound for the U.S. under ''Foreign Quarantine Regulations (42 CFR part 71)'' (OMB Control No. 0920–0134, Exp. 03/31/2026).

The MIDRS data collection system consists of a surveillance system that receives information electronically through a web portal or email receiver; data can also be submitted by phone or email and entered in MIDRS by VSP. AGE cases reported in MIDRS are cumulative totals for the entire voyage and do not represent the number of active AGE cases at any given port of call or at disembarkation. The AGE log, 72-hour food/activity history questionnaires and other required documentation are completed and maintained on the ship. Data collected will allow VSP to quickly detect AGE outbreaks, provide epidemiologic and sanitation guidance to stop the outbreak, craft public health recommendations to prevent future outbreaks, and monitor AGE illness trends to identify important changes over time.

There are two types of respondents for this data collection: (1) Cruise ship medical staff or other designated personnel who report AGE cases; and (2) AGE cases who provide information for the 72-hour food/activity history questionnaires. Of note, VSP will not receive any information from or about the AGE cases; this information is collected and owned by the cruise line and maintained on the ship as part of the AGE case's medical record. VSP reviews these records during operational inspections to confirm they are available if needed, and if there is an AGE outbreak or report of unusual AGE illness for a particular voyage.

VSP has amended the burden table to better reflect submission patterns, while still accounting for potential increases in counts due to the addition of new ships to fleets and increases in shore-side AGE cases, which leads to increases in cruise ship AGE case counts.

CDC requests OMB approval for an estimated 5,769,350 annual burden hours. There is no cost to respondents other than their time to participate.

ESTIMATED ANNUALIZED BURDEN HOURS

Type of respondents	Form name	Number of respondents	Number of responses per respondent	Average burden per response (in hours)
Cruise ship medical staff or other designated personnel.	AGE Illness Report 24 hours before arrival (via web portal or email receiver).	270	30	3/60
	AGE Illness Report 24 hours before arrival (via email or phone).	30	30	3/60
	AGE Illness Report 4 hours before arrival (via web portal or email receiver).	216	30	3/60
	AGE Illness Report 4 hours before arrival (via email or phone).	24	30	3/60
	Special Reports exceeding 2%–3% AGE Threshold (via web portal, email receiver, email, or phone).	180	4	3/60
	Daily AGE Logs	180	12	3/60
	Recordkeeping of AGE Surveillance Records	300	1	8,760
Cruise ship crew	72-hour Food/Activity History Template (AGE cases).	18,000	1	10/60
	Three-day Pre-embarkation AGE Illness Assessment (all crew members).	9,720,000	1	3/60
	Interviews to Determine AGE Status (initial, 24-hr, 48-hr) * asymptomatic cabin mates and immediate contacts of symptomatic crew.	90,000	2	5/60
	Last Symptom Check and Return to Work Clearance (food and nonfood employees).	18,000	1	3/60
Cruise ship passengers	72-hour food/activity history questionnaires (AGE cases).	45,000	1	10/60
Cruise ship engineering staff or other designated personnel.	Recordkeeping of Engineering and Sanitation Records.	300	1	8,760

Jeffrey M. Zirger,

Lead, Information Collection Review Office, Office of Public Health Ethics and Regulations, Office of Science, Centers for Disease Control and Prevention.

[FR Doc. 2026–05196 Filed 3–16–26; 8:45 am]

BILLING CODE 4163–18–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Centers for Medicare & Medicaid Services

[Document Identifier: CMS–10108]

Agency Information Collection Activities: Proposed Collection; Comment Request

AGENCY: Centers for Medicare & Medicaid Services, Health and Human Services (HHS).

ACTION: Notice.

SUMMARY: The Centers for Medicare & Medicaid Services (CMS) is announcing an opportunity for the public to comment on CMS' intention to collect information from the public. Under the Paperwork Reduction Act of 1995 (PRA), federal agencies are required to publish notice in the **Federal Register** concerning each proposed collection of information (including each proposed extension or reinstatement of an existing collection of information) and to allow 60 days for public comment on the proposed action. Interested persons are invited to send comments regarding our burden estimates or any other aspect of this collection of information, including the necessity and utility of the proposed information collection for the proper performance of the agency's functions, the accuracy of the estimated burden, ways to enhance the quality, utility, and clarity of the information to be collected, and the use of automated collection techniques or other forms of information technology to minimize the information collection burden.

DATES: Comments must be received by May 18, 2026.

ADDRESSES: When commenting, please reference the document identifier or OMB control number. To be assured consideration, comments and recommendations must be submitted in any one of the following ways:

1. *Electronically.* You may send your comments electronically to *http://www.regulations.gov.* Follow the instructions for ''Comment or Submission'' or ''More Search Options'' to find the information collection document(s) that are accepting comments.

2. *By regular mail.* You may mail written comments to the following address: CMS, Office of Strategic Operations and Regulatory Affairs, Division of Regulations Development, Attention: Document Identifier: _____ OMB Control Number: __, Room C4–26–05, 7500 Security Boulevard, Baltimore, Maryland 21244–1850.

To obtain copies of a supporting statement and any related forms for the proposed collection(s) summarized in this notice, please access the CMS PRA website by copying and pasting the following web address into your web browser: *https://www.cms.gov/Regulations-and-Guidance/Legislation/PaperworkReductionActof1995/PRA-Listing.*

FOR FURTHER INFORMATION CONTACT: William N. Parham at (410) 786–4669.

SUPPLEMENTARY INFORMATION:

Contents

This notice sets out a summary of the use and burden associated with the following information collections. More detailed information can be found in each collection's supporting statement and associated materials (see **ADDRESSES**).

Under the PRA (44 U.S.C. 3501–3520), federal agencies must obtain approval from the Office of Management and Budget (OMB) for each collection of information they conduct or sponsor. The term ''collection of information'' is defined in 44 U.S.C. 3502(3) and 5 CFR 1320.3(c) 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 requires federal agencies to publish a 60-day notice in the **Federal Register** concerning each proposed collection of information, including each proposed extension or reinstatement of an existing collection of information, before submitting the collection to OMB for approval. To comply with this requirement, CMS is publishing this notice.

Information Collection

1. *Type of Information Collection Request:* Extension of a currently approved collection; *Title of Information Collection:* Medicaid Managed Care and Supporting Regulations; *Use:* The information that is required to be reported under 42 CFR part 438 is used by states for program administration and by CMS for program compliance monitoring and policy development. The three templates included in this collection of information request (Managed Care Program Annual Report (MCPAR), Medical Loss Ratio (MLR) Reporting Template, and Network Adequacy and Access Assurances Tool) are unchanged and are used for state reporting to CMS. States are also required to include certain requirements in their contracts with their managed care plans. Managed care plans must distribute certain information to their enrollees (ex. handbooks and notices) and to their providers (ex. practice guidelines and notices). *Form Number:* CMS–10108 (OMB control number: 0938–0920); *Frequency:* Occasionally; *Affected Public:* Private sector (business or other for-profit and not-for-profit institutions), and State, local or Tribal Government; *Number of Respondents:* 738; *Total Annual Responses:* 15,132,343; *Total Annual Hours:* 1,850,067. (For policy questions regarding this collection contact Amy Gentile at 410–786–3499.)

William N. Parham, III,

Director, Division of Information Collections and Regulatory Impacts, Office of Strategic Operations and Regulatory Affairs.

[FR Doc. 2026–05199 Filed 3–16–26; 8:45 am]

BILLING CODE 4120–01–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Centers for Medicare & Medicaid Services

[Document Identifier: CMS–10609]

Agency Information Collection Activities: Submission for OMB Review; Comment Request

AGENCY: Centers for Medicare & Medicaid Services, Health and Human Services (HHS).

ACTION: Notice.

SUMMARY: The Centers for Medicare & Medicaid Services (CMS) is announcing an opportunity for the public to comment on CMS' intention to collect information from the public. Under the Paperwork Reduction Act of 1995 (PRA), federal agencies are required to publish notice in the **Federal Register** concerning each proposed collection of information, including each proposed extension or reinstatement of an existing collection of information, and to allow a second opportunity for public comment on the notice. Interested persons are invited to send comments regarding the burden estimate or any other aspect of this collection of information, including the necessity and utility of the proposed information collection for the proper performance of the agency's functions, the accuracy of the estimated burden, ways to enhance

the quality, utility, and clarity of the information to be collected, and the use of automated collection techniques or other forms of information technology to minimize the information collection burden.

DATES: Comments on the collection(s) of information must be received by the OMB desk officer by April 16, 2026.

ADDRESSES: 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.* Find this particular information collection by selecting ''Currently under 30-day Review—Open for Public Comments'' or by using the search function.

To obtain copies of a supporting statement and any related forms for the proposed collection(s) summarized in this notice, please access the CMS PRA website by copying and pasting the following web address into your web browser: *https://www.cms.gov/Regulations-and-Guidance/Legislation/PaperworkReductionActof1995/PRA-Listing.*

FOR FURTHER INFORMATION CONTACT: William Parham at (410) 786–4669.

SUPPLEMENTARY INFORMATION: Under the Paperwork Reduction Act of 1995 (PRA) (44 U.S.C. 3501–3520), federal agencies must obtain approval from the Office of Management and Budget (OMB) for each collection of information they conduct or sponsor. The term ''collection of information'' is defined in 44 U.S.C. 3502(3) and 5 CFR 1320.3(c) 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 publish a 30-day notice in the **Federal Register** concerning each proposed collection of information, including each proposed extension or reinstatement of an existing collection of information, before submitting the collection to OMB for approval. To comply with this requirement, CMS is publishing this notice that summarizes the following proposed collection(s) of information for public comment.

1. *Type of Information Collection Request:* Extension of a currently approved collection; *Title of Information Collection:* Medicaid Program Face-to-Face Requirements for Home Health Services and Supporting Regulations; *Use:* Physicians (or for medical equipment, authorized non-physician practitioners (NPPs) including nurse practitioners, clinical nurse specialists, and physician assistants) must document that there was a face-to-face encounter with the Medicaid beneficiary prior to the physician making a certification that home health services are required. The burden associated with this requirement is the time and effort to complete this documentation. The burden also includes writing, typing, or dictating the face-to-face documentation and signing/dating the documentation.

Section 3708 of the Coronavirus Aid, Relief, and Economic Security (CARES) Act permits nurse practitioners (NPs), clinical nurse specialists (CNSs), and physician assistants (PAs) to certify the need for home health services and to order services in the Medicare and Medicaid programs. As such, under CMS–5531–IFC, CMS amended 42 CFR 440.70 to remove the requirement that the NPPs have to communicate the clinical finding of the face-to-face encounter to the ordering physician. With expanding authority to order home health services, the CARES Act also provided that such practitioners are now capable of independently performing the face-to-face encounter for the patient for whom they are the ordering practitioner, in accordance with state law. *Form Number:* CMS–10609 (OMB control number: 0938–1319); *Frequency:* Occasionally; *Affected Public:* Private sector; *Number of Respondents:* 381,785; *Total Annual Responses:* 2,495,355; *Total Annual Hours:* 416,724. (For policy questions regarding this collection contact Alexandra Eitel at 410–786–0790.)

William N. Parham III,

Director, Division of Information Collections and Regulatory Impacts, Office of Strategic Operations and Regulatory Affairs.

[FR Doc. 2026–05203 Filed 3–16–26; 8:45 am]

BILLING CODE 4120–01–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Health Resources and Services Administration

Agency Information Collection Activities: Submission to OMB for Review and Approval; Public Comment Request; Ryan White HIV/AIDS Program: Allocations Report Forms, OMB No. 0915–0318—Revision

AGENCY: Health Resources and Services Administration (HRSA), Department of Health and Human Services.

ACTION: Notice.

SUMMARY: In compliance with the Paperwork Reduction Act of 1995, HRSA submitted an Information Collection Request (ICR) to the Office of Management and Budget (OMB) for review and approval. Comments submitted during the first public review of this ICR will be provided to OMB. OMB will accept further comments from the public during the review and approval period. OMB may act on HRSA's ICR only after the 30-day comment period for this notice has closed.

DATES: Comments on this ICR should be received no later than April 16, 2026.

ADDRESSES: 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.* Find this information collection by selecting ''Currently under Review—Open for Public Comments'' or by using the search function.

FOR FURTHER INFORMATION CONTACT: To request a copy of the clearance requests submitted to OMB for review, email Samantha Miller, the HRSA Information Collection Clearance Officer, at *paperwork@hrsa.gov* or call (301) 443–3983.

SUPPLEMENTARY INFORMATION:

Information Collection Request Title: Ryan White HIV/AIDS Program: Allocations Report Forms, OMB No. 0915–0318—Revision

Abstract: HRSA administers the Ryan White HIV/AIDS Program (RWHAP) authorized under Title XXVI of the Public Health Service Act. The RWHAP Allocations Report enables HRSA to monitor and track the use of grant funds for compliance with statutory, program and grants requirements. To avoid duplication and reduce recipient reporting burden, HRSA created an electronic grantee contract management system (GCMS) that includes data required for the Allocations Report. Recipients can access GCMS year-round to upload or manually enter data on their service provider contractors or subrecipients, the RWHAP core medical and support services provided, and their funding amounts. Data required for the Allocations Report are automatically prepopulated from GCMS.

Background Regarding Allocations and Expenditures Reports: Recipients funded under RWHAP Parts A, B, C, and D are required to report financial data to HRSA at the beginning (Allocations Report) and at the end (Expenditures Report) of their grant budget period. The Allocations Report requests information recipients already collect, including the use of RWHAP grant funds for core medical and support services; and on various

program components, such as administration, planning and evaluation, and clinical quality management. Additionally, RWHAP Parts A and B recipients funded under the Ending the HIV Epidemic in the U.S. (EHE) initiative are also required to report allocations of the grant budget period in the EHE Allocations and Expenditure Reports. This enables HRSA to track and report progress toward meeting the EHE goals.

For this submission, HRSA proposes extending the following report forms in their current status:

- *RWHAP Part A Allocations Report*
- *RWHAP Part B Allocations Report*
- *RWHAP Part B Supplemental Allocations Report*
- *RWHAP Part C Allocations Report*
- *RWHAP Part D Allocations Report*
- *Ending the HIV Epidemic (EHE) Initiative Allocations Report*

This collection is considered a revision package because there is an estimated decline of 268 burden hours due to RWHAP recipients' increased familiarity with reporting requirements introduced in the currently approved collection.

A 60-day notice was published in the **Federal Register** on Month December 19, 2025, vol. 90, No. 242; pp. 59535–36. There were no public comments.

Need and Proposed Use of the Information: Accurate allocation records of recipients receiving RWHAP and EHE funding are necessary for HRSA to fulfill its monitoring and oversight responsibilities.

Likely Respondents: RWHAP Part A, Part B, Part C, Part D and EHE initiative 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 use 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
Part A Allocations Report	52	1	52	2	104
Part B Allocations Report	54	1	54	6	324
Part B Supplemental Allocations Report	33	1	33	2	66
Part C Allocations Report	346	1	346	3	1,038
Part D Allocations Report	116	1	116	5	580
EHE Allocations Report	47	1	47	4	188
Total	648				2,300

Maria G. Button,

Director, Executive Secretariat.

[FR Doc. 2026–05133 Filed 3–16–26; 8:45 am]

BILLING CODE 4165–15–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

National Institutes of Health

National Institute of Environmental Health Sciences; Notice of Partially Closed Meeting

Pursuant to section 1009 of the Federal Advisory Committee Act, as amended, notice is hereby given of a meeting of the Board of Scientific Counselors, National Institute of Environmental Health Sciences.

The meeting will be partially open to the public as indicated below, with attendance limited to space available. Individuals who plan to attend as well as those who need special assistance, such as sign language interpretation or other reasonable accommodations, must notify the Contact Person listed below in advance of the meeting. The open session will be videocast and can be accessed from the NIH Videocasting and Podcasting website (*http://videocast.nih.gov/*).

The meeting 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 intramural programs and projects as well as the grant applications and/or contract proposals 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 and/or contract proposals, the disclosure of which would constitute a clearly unwarranted invasion of personal privacy.

Name of Committee: Board of Scientific Counselors, National Institute of Environmental Health Sciences.

Date: June 15, 2026.

Closed: 8:00 a.m. to 9:00 a.m.

Agenda: To review and evaluate welcome and Discussion of Past Board Reviews, and BSC Discussion of Review.

Address: NIEHS, 111 TW Alexander Drive, Research Triangle Park, NC 27709.

Meeting Format: Virtual.

Open: 9:15 a.m. to 9:45 a.m.

Agenda: Meeting Overview.

Address: NIEHS, 111 TW Alexander Drive, Research Triangle Park, NC 27709.

Meeting Format: Virtual.

Open: 9:45 a.m. to 12:15 p.m.

Agenda: Q & A Sessions.

Address: NIEHS, 111 TW Alexander Drive, Research Triangle Park, NC 27709.

Meeting Format: Virtual.

Closed: 12:15 p.m. to 1:30 p.m.

Agenda: To review and evaluate working Lunch.

Address: NIEHS, 111 TW Alexander Drive, Research Triangle Park, NC 27709.

Meeting Format: Virtual.

Open: 1:30 p.m. to 2:45 p.m.

Agenda: Poster Session.

Address: NIEHS, 111 TW Alexander Drive, Research Triangle Park, NC 27709.

Meeting Format: Virtual.

Closed: 2:45 p.m. to 3:30 p.m.

Agenda: To review and evaluate closed Session with Fellows, Biologists, and Staff Scientists.

Address: NIEHS, 111 TW Alexander Drive, Research Triangle Park, NC 27709.

Meeting Format: Virtual.

Closed: 3:30 p.m. to 4:00 p.m.

Agenda: To review and evaluate closed BSC Discussion.

Address: NIEHS, 111 TW Alexander Drive, Research Triangle Park, NC 27709.

Meeting Format: Virtual.

Closed: 4:00 p.m. to 5:00 p.m.

Agenda: To review and evaluate closed—Debriefing to NIEHS/DIR Leadership.

Address: NIEHS, 111 TW Alexander Drive, Research Triangle Park, NC 27709.

Meeting Format: Virtual.

Contact Person: Darryl C. Zeldin, MD, Scientific Director, National Institute of Environmental Health Sciences, NIH, DHHS, 111 T.W. Alexander Drive, Bldg. 101, Room A214, Research Triangle Park, NC 27709, (984) 287–3641, *zeldin@niehs.nih.gov.*

Any interested person may file written comments with the committee by forwarding the statement to the Contact Person listed on this notice. The statement should include the name, address, telephone number and when applicable, the business or professional affiliation of the interested person.

Any member of the public interested in presenting oral comments to the committee may notify the Contact Person listed on this notice at least 10 days in advance of the meeting. Interested individuals and representatives of an organization may submit a letter of intent, a brief description of the organization represented and a short description of the oral presentation. Only one representative of an organization may be allowed to present oral comments and presentations may be limited to five minutes. Both printed and electronic copies are requested for the record. In addition, any interested person may file written comments with the committee by forwarding the statement to the Contact Person listed on this notice. The statement should include the name, address, telephone number and when applicable, the business or professional affiliation of the interested person.

In the interest of security, NIH has procedures at *https://www.nih.gov/about-nih/visitor-information/campus-access-security* for entrance into on-campus and off-campus facilities. All visitor vehicles, including taxicabs, hotel, and airport shuttles will be inspected before being allowed on campus. Visitors attending a meeting on campus or at an off-campus federal facility will be asked to show one form of identification (for example, a government-issued photo ID, driver's license, or passport) and to state the purpose of their visit.

(Catalogue of Federal Domestic Assistance Program Nos. 93.115, Biometry and Risk Estimation—Health Risks from Environmental Exposures; 93.142, NIEHS Hazardous Waste Worker Health and Safety Training; 93.143, NIEHS Superfund Hazardous Substances—Basic Research and Education; 93.894, Resources and Manpower Development in the Environmental Health Sciences; 93.113, Biological Response to Environmental Health Hazards; 93.114, Applied Toxicological Research and Testing, National Institutes of Health, HHS)

Dated: March 12, 2026.

Denise M. Santeufemio,

Supervisory Program Analyst, Office of Federal Advisory Committee Policy.

[FR Doc. 2026–05150 Filed 3–16–26; 8:45 am]

BILLING CODE 4140–01–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; Biomarkers for Cancer Diagnosis and Therapy.

Date: April 15, 2026.

Time: 9:00 a.m. to 1:30 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: Asifa Haider, Ph.D., Scientific Review Officer, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Drive, Room 803C, Bethesda, MD 20892, (301) 480–2190, *haidera2@csr.nih.gov.*

Name of Committee: Center for Scientific Review Special Emphasis Panel; Fellowships: Neurodevelopment, Oxidative Stress and Synaptic Plasticity.

Date: April 15–16, 2026.

Time: 9:30 a.m. to 6:00 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: Baila Sara Hall, Ph.D., Scientific Review Officer, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Drive, Bethesda, MD 20892, (301) 443–9285, *baila.hall@nih.gov.*

Name of Committee: Oncology 1—Basic Translational Integrated Review Group; Gene Regulation in Cancer Study Section.

Date: April 15–16, 2026.

Time: 9:30 a.m. to 6:30 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: Manzoor A. Zarger, Ph.D., Scientific Review Officer, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Drive, Room 6208, MSC 7804, Bethesda, MD 20892, (301) 435–2477, *zargerma@csr.nih.gov.*

Name of Committee: Center for Scientific Review Special Emphasis Panel; Program Projects: NIDA Core Center of Excellence Grants (P30).

Date: April 15, 2026.

Time: 10:00 a.m. to 6:00 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: Tianhong Wang, M.D., Ph.D., Scientific Review Officer, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Drive, Bethesda, MD 20892, (301) 594–9259, *wangt3@mail.nih.gov.*

Name of Committee: Center for Scientific Review Special Emphasis Panel; Fellowships: Infectious Diseases and Immunology B Review Panel.

Date: April 15–16, 2026.

Time: 10:00 a.m. to 7:00 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: Diana Maria Ortiz-Garcia, Ph.D., Scientific Review Officer, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Drive, Bethesda, MD 20892, (301) 594–5614, *diana.ortiz-garcia@nih.gov.*

Name of Committee: Biobehavioral and Behavioral Processes Integrated Review Group; Child Psychopathology and Developmental Disabilities Study Section.

Date: April 15–16, 2026.

Time: 10:00 a.m. to 6:00 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: Robin Lori Thompson, Ph.D., Scientific Review Officer, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Drive, Bethesda, MD 20892, (301) 480–4933, *robin.thompson@nih.gov.*

Name of Committee: Genes, Genomes, and Genetics Integrated Review Group; Maximizing Investigators' Research Award—F Study Section.

Date: April 15–16, 2026.

Time: 10:00 a.m. to 9:00 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: Brian Paul Chadwick, Ph.D., Scientific Review Officer, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Drive, Bethesda, MD 20892, (301) 594–3586, *chadwickbp@csr.nih.gov.*

Name of Committee: Center for Scientific Review Special Emphasis Panel; Member Conflict: Research Grant in Atherosclerosis and Vascular Pathology.

Date: April 15, 2026.

Time: 11:00 a.m. to 4:00 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: Zhihong Shan, Ph.D., M.D., Scientific Review Officer, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Drive, Bethesda, MD 20892, (301) 827–7085, *zhihong.shan@nih.gov*.

Name of Committee: Biobehavioral and Behavioral Processes Integrated Review Group; Language and Communication Study Section.

Date: April 15–16, 2026.

Time: 1:30 p.m. to 4:00 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: Natalie S. Dailey, Ph.D., Scientific Review Officer, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Drive, Bethesda, MD 20892, (301) 827–4451, *daileyns@csr.nih.gov*.

(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: March 13, 2026.

Margaret N. Vardanian,

Program Analyst, Office of Federal Advisory Committee Policy.

[FR Doc. 2026–05209 Filed 3–16–26; 8:45 am]

BILLING CODE 4140–01–P

INTERNATIONAL TRADE COMMISSION

[Investigation No. TA–201–075 (Evaluation)]

Crystalline Silicon Photovoltaic Cells Whether or Not Partially or Fully Assembled Into Other Products: Evaluation of the Effectiveness of Import Relief

AGENCY: United States International Trade Commission.

ACTION: Institution and scheduling of an investigation under section 204(d) of the Trade Act of 1974 (19 U.S.C. 2254(d)).

SUMMARY: Pursuant to section 204(d) of the Trade Act of 1974 (''the Act''), the Commission has instituted investigation No. TA–201–075, Crystalline Silicon Photovoltaic (''CSPV'') Cells (Whether or Not Partially or Fully Assembled Into Other Products) (''CSPV products''), for the purpose of evaluating the effectiveness of the relief action imposed by the President on imports of CSPV products under section 203 of the Act, which terminated on February 6, 2026.

DATES: February 6, 2026.

FOR FURTHER INFORMATION CONTACT: Celia Feldpausch (202–205–2387), 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 investigation may be viewed on the Commission's electronic docket (EDIS) at *https://edis.usitc.gov*.

SUPPLEMENTARY INFORMATION:

Background.—On January 23, 2018, the President, pursuant to section 203 of the Act (19 U.S.C. 2253), issued Proclamation 9693, imposing a safeguard measure on imports of CSPV products in the form of (a) a tariff-rate quota on imports of solar cells not partially or fully assembled into other products and (b) an increase in duties on imports of modules. The proclamation was published in the **Federal Register** on January 25, 2018 (83 FR 3541). The measure took effect on February 7, 2018, for a period of four years, or through February 7, 2022. The President imposed the measure following receipt of a report from the Commission in November 2017 under section 202 of the Trade Act (19 U.S.C. 2252) that contained an affirmative determination, remedy recommendations, and certain additional findings (see Crystalline Silicon Photovoltaic Cells (Whether or not Partially or Fully Assembled into Other Products), Investigation No. TA–201–75, USITC Publication 4739, November 2017).

On March 6, 2020, the Commission issued a report pursuant to a request from the United States Trade Representative under section 204(a)(4) of the Trade Act (19 U.S.C. 2254(a)(4)), regarding the probable economic effect on the domestic CSPV cell and module manufacturing industry of modifying the safeguard measure (see Crystalline Silicon Photovoltaic Cells, Whether or Not Partially or Fully Assembled Into Other Products: Advice on the Probable Economic Effect of Certain Modifications to the Safeguard Measure, No. TA–201–075 (Modification), USITC Publication 5032, March 2020). Subsequently, the President issued Proclamation 10101, determining that the domestic industry had begun to make a positive adjustment to import competition and modifying in part the action applicable to imports covered by the safeguard measure (85 FR 65639, October 16, 2020).

On December 8, 2021, in response to a petition seeking extension of the safeguard measure filed on behalf of Auxin Solar Inc. and Suniva and a petition filed on behalf of Hanwha Q CELLS USA, Inc., LG Electronics USA, Inc., and Mission Solar Energy LLC, the Commission issued its determination and report pursuant to section 204(c) of the Act (19 U.S.C. 2254(c)), finding that the safeguard measure continued to be necessary to prevent or remedy the serious injury to the domestic industry, and that there was evidence that the domestic industry was making a positive adjustment to import competition (see Crystalline Silicon Photovoltaic Cells (Whether or not Partially or Fully Assembled into Other Products): Extension of Action, Investigation No. TA–201–075 (Extension), USITC Publication 5266, December 2021). On February 4, 2022, the President issued Proclamation 10339 (87 FR 7357, February 9, 2022), pursuant to section 203(e)(1)(B) of the Act (19.U.S.C. 2253(e)(1)(B)), extending the safeguard measure on CSPV and parts thereof for an additional period of four years, or through February 6, 2026.

Section 204(d) of the Act requires the Commission, following termination of a relief action, to evaluate the effectiveness of the action in facilitating positive adjustment by the domestic industry to import competition, consistent with the reasons set out by the President in the report submitted to the Congress under section 203(b) of the Act. The Commission is required to submit a report on the evaluation to the President and the Congress no later than 180 days after the day on which the relief action was terminated. Section 204(d)(2) requires the Commission to hold a hearing in the course of conducting its evaluation.

For further information concerning the conduct of the investigation, hearing procedures, and rules of general application, consult the Commission's Rules of Practice and Procedure, part 201, subparts A through E (19 CFR part 201), and part 206, subparts A and F (19 CFR part 206).

Participation in the investigation and public service list.—Persons wishing to

participate in the investigation as parties must file an entry of appearance with the Secretary to the Commission, as provided in section 201.11 of the Commission's rules, not later than 21 days after publication of this notice in the **Federal Register**. The Secretary will prepare a public service list containing the names and addresses of all persons, or their representatives, who are parties to the investigation upon the expiration of the period for filing entries of appearance.

Please note the Secretary's Office will accept only electronic filings during this time. Filings must be made through the Commission's Electronic Document Information System (EDIS, *https://edis.usitc.gov*.) No in-person paper-based filings or paper copies of any electronic filings will be accepted until further notice.

Limited disclosure of confidential business information (CBI) under an administrative protective order (APO) and CBI service list.—Pursuant to 206.54(e) of the Commission's rules, the Secretary will make CBI gathered in this investigation available to authorized applicants under the APO issued in the investigation in accordance with the procedures set forth in section 206.17 of the rules, provided that the application is made not later than 21 days after the publication of this notice in the **Federal Register**. The Secretary will maintain a separate service list for those parties authorized to receive CBI under the APO.

Hearing.—As required by statute, the Commission has scheduled a hearing in connection with this investigation. The hearing will be held beginning at 9:30 a.m. on June 12, 2026. Requests to appear at the hearing should be filed in writing with the Secretary to the Commission on or before June 5, 2026. Any requests to appear as a witness via videoconference must be included with your request to appear. Requests to appear via videoconference must include a statement explaining why the witness cannot appear in person; the Chairman, or other person designated to conduct the investigation, may in their discretion for good cause shown, grant such a request. Requests to appear as remote witness due to illness or a positive COVID–19 test result may be submitted by 3:00 p.m. the business day prior to the hearing. Further information about participation in the hearing will be posted on the Commission's website at *https://www.usitc.gov/calendarpad/calendar.html*.

All parties and nonparties desiring to appear at the hearing and make oral presentations should attend a prehearing conference, if deemed necessary, to be held at 9:30 a.m. on June 10, 2026. Parties shall file and serve written testimony and presentation slides in connection with their presentation at the hearing by no later than noon on June 11, 2026. Oral testimony and written materials to be submitted at the public hearing are governed by sections 201.6(b)(2) and 201.13(f) of the Commission's rules. Parties must submit any request to present a portion of their hearing testimony *in camera* no later than 7 business days prior to the date of the hearing.

Written submissions.—Each party is encouraged to submit a prehearing brief to the Commission. The deadline for filing prehearing briefs is June 5, 2026. Parties may also file posthearing briefs. The deadline for filing posthearing briefs is June 22, 2026. In addition, any person who has not entered an appearance as a party to the investigation may submit a written statement concerning the matters to be addressed in the report on or before June 22, 2026. All written submissions must conform with the provisions of section 201.8, 206.7, and 206.8 of the Commission's rules; any submissions that contain confidential business information must also conform with the requirements of section 201.6 of the Commission's rules. Any confidential business information that is provided will be subject to limited disclosure under the APO (see above) and may be included in the report that the Commission sends to the President and the U.S. Trade Representative. The Commission's *Handbook on Filing Procedures,* available on the Commission's website at *https://www.usitc.gov/documents/handbook_on_filing_procedures.pdf,* elaborates upon the Commission's procedures with respect to filings.

Additional written submissions to the Commission, including requests pursuant to section 201.12 of the Commission's rules, will not be accepted unless good cause is shown for accepting such submissions, or unless the submission is pursuant to a specific request by a Commissioner or Commission staff.

In accordance with sections 201.16(c) and 206.8 of the Commission's rules, each document filed by a party to the investigation must be served on all other parties to the investigation (as identified by the public 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.

Authority: This investigation is being conducted under authority of 204(d) of the Trade Act of 1974; this notice is published pursuant to section 206.3 of the Commission's rules.

By order of the Commission.

Issued: March 13, 2026.

Lisa Barton,

Secretary to the Commission.

[FR Doc. 2026–05170 Filed 3–16–26; 8:45 am]

BILLING CODE 7020–02–P

INTERNATIONAL TRADE COMMISSION

[Investigation No. 337–TA–1430]

Certain Urine Splash Guards and Components Thereof; Notice of Commission Final Determination Finding a Violation of Section 337; Issuance of a General Exclusion Order and Cease and Desist Orders; Termination of the Investigation

AGENCY: U.S. International Trade Commission.

ACTION: Notice.

SUMMARY: Notice is hereby given that the U.S. International Trade Commission (''Commission'') has found a violation of section 337 of the Tariff Act of 1930, as amended, in the above-captioned investigation by respondents Hezeyunjiangjixieshebeiyouxiangongsi (d/b/a Maomaohouse) (''Maomaohouse'') of Shenzhen, China; Guangzhou Lesenyu Dianzishangwu Youxiangongsi (d/b/a Le Sengyu) (''Le Sengyu'') of Guangzhou, China; Hefeiweifengshidaishidaimaoyiyouxiangongsi (d/b/a HealthSTEC) (''HealthSTEC'') of Hefei City, China; ShenzhenShi Julonghui Trading Co., Ltd. (d/b/a Edermurs) (''Edermurs'') of Shenzhen, China; and Shenzhenshi Lishian Keji Youxiangongsi (d/b/a Lishian) (''Lishian'') of Shenzhen, China (collectively, ''the Defaulting Respondents''). The Commission has determined to issue: (1) a general exclusion order (''GEO''); and (2) cease and desist orders (''CDOs'') against Maomaohouse, Le Sengyu, HealthSTEC, and Lishian. The investigation is terminated.

FOR FURTHER INFORMATION CONTACT: Houda Morad, Esq., Office of the General Counsel, U.S. International Trade Commission, 500 E Street SW, Washington, DC 20436, telephone (202) 708–4716. Copies of non-confidential documents filed in connection with this investigation may be viewed on the Commission's electronic docket (EDIS) at *https://edis.usitc.gov.* For help accessing EDIS, please email *EDIS3Help@usitc.gov.* General information concerning the Commission

may also be obtained by accessing its internet server at *https://www.usitc.gov.* Hearing-impaired persons are advised that information on this matter can be obtained by contacting the Commission's TDD terminal on (202) 205–1810.

SUPPLEMENTARY INFORMATION: The Commission instituted this investigation on January 13, 2025, based on a complaint filed by Kids By Parents, Inc. (''Complainant'') of Potomac, Maryland. 90 FR 2745–46 (Jan. 13, 2025). The complaint alleges violations of section 337 of the Tariff Act of 1930, as amended (19 U.S.C. 1337) (''section 337''), in the importation into the United States, the sale for importation, and the sale within the United States after importation of certain urine splash guards and components thereof by reason of the infringement of claims 1 and 2 of U.S. Patent No. 7,870,619 (''the '619 patent'') and claims 1–3 of U.S. Patent No. 11,812,901 (''the '901 patent'') (collectively, ''the Asserted Patents''). *Id.* at 2745. The complaint further alleges that a domestic industry exists. *Id.* In addition to the Defaulting Respondents, the notice of investigation names the following as respondents: Shenzhenshi Dijiaaotuman Trading Co., Ltd. (d/b/a Tigaman) (''Tigaman'') of Shenzhen, China; Junyaxincaiwuzixunyouxiangongsi (d/b/a Junyxin) (''Junyxin'') of Xiamen City, China; Shenzhenshiranbodianziyouxiangongsi (d/b/a Eurbus) (''Eurbus'') of Shenzhen, China; Shenzhen Paisi Industrial Co., Ltd. (d/b/a Sunyoka123) (''Sunyoka123'') of Shenzhen, China; and Shenzhen Sibaite Industrial Co., Ltd. (d/b/a SeLucky) (''SeLucky'') of Shenzhen, China (collectively, ''the Settling Respondents''). *Id.* at 2746. The Office of Unfair Import Investigations (''OUII'') is also a party to the investigation. *Id.*

The Commission previously terminated the investigation as to the Settling Respondents based on settlement. *See* Order No. 5 (Mar. 11, 2025), *unreviewed by* Comm'n Notice (Apr. 1, 2025) (Sunyoka123); Order No. 6 (Mar. 11, 2025), *unreviewed by* Comm'n Notice (Apr. 1, 2025) (SeLucky); Order No. 7 (Mar. 11, 2025), *unreviewed by* Comm'n Notice (Apr. 1, 2025) (Eurbus); Order No. 10 (Apr. 1, 2025), *unreviewed by* Comm'n Notice (Apr. 22, 2025) (Tigaman); Order No. 11 (Apr. 1, 2025), *unreviewed by* Comm'n Notice (Apr. 22, 2025) (Junyxin).

On May 28, 2025, the Commission found the Defaulting Respondents in default for failure to respond to the complaint, notice of investigation, and order to show cause. *See* Order No. 13 (May 6, 2025), *unreviewed by* Comm'n Notice (May 28, 2025).

On June 30, 2025, Complainant filed a motion for summary determination of a violation of section 337 against the Defaulting Respondents. Complainant also requested that the Commission issue a GEO and CDOs, and set a bond of one hundred percent (100%) of the entered value of infringing articles imported during the period of Presidential review. On July 10, 2025, OUII filed a response in support of the motion. No other responses were filed.

On September 17, 2025, the ALJ issued an ID (Order No. 16) granting in part Complainant's motion for summary determination of violation of section 337 by the Defaulting Respondents. Specifically, the ALJ granted Complainant's motion with respect to claims 1 and 2 of the '619 patent and claims 1 and 2 of the '901 patent, but not with respect to claim 3 of the '901 patent. The ALJ also issued a recommended determination (''RD'') recommending that the Commission issue a GEO and CDOs against Maomaohouse, Le Sengyu, HealthSTEC, and Lishian, but not Edermurs. The ALJ further recommended that the Commission set a bond of one hundred percent (100%) of the entered value of infringing articles during the period of Presidential review.

On December 8, 2025, the Commission terminated the investigation with respect to claim 3 of the '901 patent, thereby terminating the investigation before the ALJ. *See* Order No. 18 (Sept. 29, 2025), *unreviewed by* Comm'n Notice (Dec. 8, 2025).

On September 22, 2025, the Commission issued a notice seeking public interest submissions from the public and interested government agencies by October 22, 2025. *See* 90 FR 46252–53 (Sept. 25, 2025). Due to the lapse in appropriations, on November 17, 2025, the Commission issued a second notice seeking public interest submissions from the public and interested government agencies by December 12, 2025. *See* 90 FR 52431–32 (Nov. 20, 2025). No public interest submissions were received from the public and interested government agencies in response to the post-RD notices or from the parties pursuant to Commission Rule 210.50 (19 CFR 210.50).

On December 3, 2025, the Commission issued a notice determining to review the ID (Order No. 16) in part. Comm'n Notice (Dec. 3, 2025), 90 FR 56799–800 (Dec. 8, 2025) (''Remedy Notice''). Specifically, the Commission determined to review the ID's findings relating to the domestic industry requirement. *See id.* The Commission also requested written submissions from parties to the investigation, interested government agencies, and any other interested parties on the issues of remedy, the public interest, and bonding. *Id.*

On December 19, 2025, Complainant and OUII filed written submissions on remedy, the public interest, and bonding. On January 5, 2026, OUII filed a reply to Complainant's written submission. No other written submissions were received in response to the Remedy Notice.

Having reviewed the record of the investigation, including the ID, the RD, and the parties' submissions, the Commission has determined to affirm the ID's finding that the domestic industry requirement is met. Consequently, the Commission affirms the ID's finding of a violation of section 337 against the Defaulting Respondents.

As explained in the Commission Opinion issued concurrently herewith, the Commission has determined that the appropriate remedy is: (1) a GEO; and (2) CDOs against Maomaohouse, Le Sengyu, HealthSTEC, and Lishian. The Commission has further determined that the public interest factors enumerated in section 337(d) and (g) (19 U.S.C. 1337(d), (g)) do not preclude issuance of the above referenced remedial orders. Additionally, the Commission has determined to set a bond of one hundred percent (100%) of the entered value of the covered products during the period of Presidential review pursuant to section 337(j) (19 U.S.C. 1337(j)). The investigation is terminated.

The Commission's orders and opinion were delivered to the President and to the United States Trade Representative on the day of their issuance.

The Commission's vote for this determination took place on March 12, 2026.

The authority for the Commission's determination is contained in section 337 of the Tariff Act of 1930, as amended (19 U.S.C. 1337), and in Part 210 of the Commission's Rules of Practice and Procedure (19 CFR part 210).

By order of the Commission.

Issued: March 12, 2026.

Lisa Barton,

Secretary to the Commission.

[FR Doc. 2026–05124 Filed 3–16–26; 8:45 am]

BILLING CODE 7020–02–P

DEPARTMENT OF LABOR

Employee Benefits Security Administration

[Exemption Application No. D–11981]

Proposed Exemption From Certain Prohibited Transaction Restrictions Involving AT&T Inc. (Together With AT&T Inc.'s Affiliates, AT&T or the Applicant) Located in Dallas, Texas

AGENCY: Employee Benefits Security Administration, Labor.

ACTION: Notice of proposed amendment of PTE 2014–06.

SUMMARY: This document contains a notice of pendency before the Department of Labor (the Department) of a proposed amendment to Prohibited Transaction Exemption (PTE) 2014–06.

DATES:

Exemption date: If this proposed exemption is granted, Sections I, II and III of PTE 2014–06 would be in effect between September 9, 2013, to October 14, 2018; and Sections IV, V, VI, and VII of PTE 2014–06, which are added by this amendment, would be in effect between October 15, 2018, to April 5, 2023.

Comments due: Written comments and requests for a public hearing on the proposed exemption must be received by the Department by June 17, 2026.

ADDRESSES: All written comments and requests for a hearing should be submitted to the Employee Benefits Security Administration (EBSA), Office of Exemption Determinations, Attention: Application No. D–11981:

- via email to *e-OED@dol.gov*; or
- online through *https://www.regulations.gov*. Follow the ''Submit a comment'' instructions.

Any such comments or requests should be sent before the end of the scheduled comment period. The application for exemption and the comments received will be available for public inspection in the Public Disclosure Room of the Employee Benefits Security Administration, U.S. Department of Labor, Room N–1515, 200 Constitution Avenue NW, Washington, DC 20210. See **SUPPLEMENTARY INFORMATION** below for additional information regarding comments.

FOR FURTHER INFORMATION CONTACT: Ms. Anna Vaughan of the Department at (202) 693–8565. (This is not a toll-free number.)

SUPPLEMENTARY INFORMATION:

Comments: Persons are encouraged to submit all comments electronically and not to follow with paper copies. Comments should state the nature of the person's interest in the proposed exemption and how the person would be adversely affected by the exemption, if granted. Any person who may be adversely affected by an exemption can request a hearing on the exemption if their request includes: (1) the name, address, telephone number, and email address of the person making the request; (2) the nature of the person's interest in the exemption and the manner in which the person would be adversely affected by the exemption; and (3) a statement of the issues to be addressed and a general description of the evidence to be presented at the hearing. The Department will grant a hearing request made in accordance with the requirements above when the Department finds that a hearing is necessary to fully explore material factual issues identified by the requestor, and the Department will publish a hearing notice in the **Federal Register**. The Department may decline to hold a hearing if it finds that: (1) the hearing request does not meet the requirements above; (2) the only issues identified for exploration at the hearing are matters of law; or (3) the factual issues identified can be fully explored through the submission of evidence in written (including electronic) form.

Warning: The Department will include all comments received in the public record without change and will make them available online at *https://www.regulations.gov*. The Department notes that it will include any personal information provided in the public record and online, unless the commenter claims that any of the information included is confidential or the disclosure of such information is restricted by statute. If you submit a comment, EBSA recommends that you include your name and other contact information in the body of your comment, but DO NOT submit information that you consider to be confidential, or otherwise protected (such as a Social Security number or an unlisted phone number), or confidential business information that you do not want publicly disclosed. If EBSA cannot read your comment due to technical difficulties and cannot contact you for clarification, EBSA might not be able to consider your comment.

Additionally, the *https://www.regulations.gov* website is an ''anonymous access'' system, which means EBSA will not know your identity or contact information unless you provide it in the body of your comment. If you send an email directly to EBSA without going through *https://www.regulations.gov,* your email address will be automatically captured and included as part of the comment that is placed in the public record and made available on the internet.

Proposed Amendment to PTE 2014–06

The Department is considering granting the amendment to PTE 2014–06 [1] pursuant to its authority under ERISA section 408(a) and Code Section 4975(c)(2), and in accordance with the Department's exemption procedures.[2] PTE 2014–06 permitted AT&T Inc. to contribute 320 million Series A Cumulative Preferred Membership Interests of AT&T Mobility II LLC (the Preferred Interests) to the SBC Master Pension Trust (the Trust), which is the trust that holds the assets of the AT&T Pension Benefit Plan (the Plan). The proposed amendment does not affect the amount of benefits that participants are entitled to receive under the Plan.

As discussed in further detail below, following the Trust's acquisition of the Preferred Interests, AT&T Inc. negotiated with the Independent Fiduciary of the Plan to modify certain terms and provisions relevant to the Plan's continued holding of the Preferred Interests, to enhance the transferability of the Preferred Interests. These modifications occurred on October 15, 2018 (the Modifications). The Independent Fiduciary approved the Modifications as being beneficial to the Plan, after requesting that AT&T Inc. make an additional $80 million contribution to the Plan, which AT&T Inc. did. The Applicant requested this amendment so that the exemptive relief and conditions of PTE 2014–06 would be consistent with the Modifications.

As described in more detail below, following the Modifications, the Independent Fiduciary disposed of the Preferred Interests. It is the Department's understanding that the Trust has not held the Preferred Interests since April 5, 2023. Therefore, the relief in this exemption ends on that date.

As initially granted, PTE 2014–06 had three sections (Sections I, II and III). Those sections remain effective from September 9, 2013, through October 14,

[1] 79 FR 43072 (July 24, 2014). Unless otherwise noted, the facts and representations of PTE 2014–06 are incorporated herein.

[2] 29 CFR part 2570, subpart B (75 FR 66637, 66644, October 27, 2011). Effective December 31, 1978, section 102 of the Reorganization Plan No. 4 of 1978, 5 U.S.C. App. 1 (1996), transferred the authority of the Secretary of the Treasury to issue administrative exemptions under the Code Section 4975(c)(2) to the Secretary of Labor. Accordingly, the Department is proposing this exemption under its sole authority. Any references hereinafter to sections of ERISA shall be deemed to refer to the corresponding sections of the Code, unless indicated otherwise.

2018. The proposed amendment adds new Sections IV through VI, which remain effective from October 15, 2018, through April 5, 2023. This proposed amendment also adds new Section VII, which clearly describes the effective dates for Sections I through VI.

Benefits of the Exemption: As described in more detail below, the Department is proposing relief based on the Trust's receipt of an additional $80,000,000 in cash from AT&T in connection with the Modifications, as well as the Applicant's representations that the Modifications would increase the transferability of the Preferred Interests.

Summary of Facts and Representations [3]

1. *AT&T Inc.* AT&T Inc. is a holding company that maintains its principal offices in Dallas, Texas. Together with its affiliates, AT&T Inc. provides telecommunication services worldwide.

2. *AT&T Mobility II LLC (AT&T Mobility or the Issuer).* AT&T Mobility is a wholly owned subsidiary of AT&T that provides wireless services marketed under AT&T's name.

3. *The AT&T Pension Benefit Plan (i.e., the Plan) and the SBC Master Pension Trust (i.e., the Trust).* The Plan is a noncontributory qualified defined benefit pension plan sponsored by AT&T, covering substantially all U.S. bargained and non-bargained employees of participating subsidiaries of AT&T. The Plan provides retirement, disability, death and certain other ancillary benefits to approximately 286,355 Plan participants. The assets of the Plan are held in the Trust, which is administered and maintained by the AT&T Inc. Benefit Plan Investment Committee. As of December 31, 2023, the Trust had total assets of approximately $30,018,512,000.[4]

4. *PTE 2014–06.* On July 24, 2014, the Department granted exemptive relief from ERISA sections 406(a)(1)(A), 406(a)(1)(B), 406(a)(1)(D), 406(a)(1)(E), 406(a)(2), 406(b)(1), 406(b)(2) and 407(a),[5] effective September 9, 2013, for: (a) the one-time, in-kind contribution (the Contribution) by AT&T of 320 million Series A Cumulative Perpetual Preferred Membership Interests (*i.e.,* the Preferred Interests) of AT&T Mobility to the Trust; (b) the holding of the Preferred Interests by the Trust on behalf of the Plan; (c) the disposition of the Preferred Interests by the Trust in connection with the Independent Fiduciary's exercise of a put option (the Put Option); (d) the disposition of the Preferred Interests by the Trust in connection with AT&T's exercise of a call option (the Call Option); and (e) certain changes or adjustments relating to the Preferred Interests resulting from a Change of Control of AT&T Mobility.[6]

5. According to AT&T, the Contribution enhanced the Plan's funding by providing substantially in excess of the amount of contributions required to be made by AT&T by applicable pension rules. At the time of the Contribution, the Plan was underfunded by approximately $9.32 billion. The Contribution added approximately $9.21 billion in assets, which included the value of the Preferred Interests and other cash payments.[7] AT&T acknowledged that, in addition to funding the Plan, the Contribution benefitted AT&T by decreasing the corporation's pension liabilities, as would be viewed favorably by lenders and the capital markets. These benefits allowed AT&T the flexibility to invest further in its business.

6. The Contribution significantly enhanced the Plan's cash flow. Among other things, the Preferred Interests have accrued cumulative distributions of $1.75 per Preferred Interest per year. At the time of the Contribution, these distributions provided $560 million in annual cash flow to the Trust, which represented approximately 11% of the Trust's annual cash flow requirements to pay benefits. As a condition of PTE 2014–06, the Department required AT&T to make a lump-sum cash contribution of $700 million in addition to the contribution of the Preferred Interests. Further, to ensure that AT&T would not solely rely on the value of the Preferred Interests to meet its funding obligations, the Department required AT&T to make an additional lump sum cash contribution to the Plan no later than September 19, 2019, in an amount equal to AT&T's minimum required contribution obligation to the Plan for the period from 2013–2017. In determining the amount required to satisfy the minimum contribution obligation, AT&T could not count the value of the Preferred Interests to the extent the value exceeded 10% of the Plan's assets on January 1, 2018, and AT&T could not consider any contributions that it had paid over those years (if any).[8]

7. The rights and obligations of the parties in connection with the transactions covered by PTE 2014–06 were primarily governed by these three agreements:

(a) *Contribution Agreement.* The Contribution of Preferred Interests was made pursuant to a Contribution Agreement dated August 30, 2013, involving: (i) Brock Fiduciary Services LLC, the Plan's Independent Fiduciary; (ii), JPMorgan Chase Bank, N.A., as directed trustee of the Trust; and (iii) AT&T Inc. and (iv) AT&T Mobility (the Contribution Agreement). The Contribution Agreement governed the terms and conditions of the Contribution of the Preferred Interests, the Call Option and the Put Option and provided the definitions of Option Price [9] and Change in Control for the purposes of such terms. The Call Option, in general terms, provided AT&T with the right to purchase all or any portion of the Preferred Interests from the Trust at a price equal to the Option Price, upon the occurrence of

[3] The Department notes that availability of this amendment and PTE 2014–06 are subject to the express condition that the material facts and representations contained in application D–11981 are true and complete, and accurately describe all material terms of the transactions covered by the amendment. If there is any material change in a transaction covered by the amendment, or in a material fact or representation described in the application, the amendment will cease to apply as of the date of such change.

[4] In 2019, the Plan and the Trust merged with the Time Warner Inc. Pension Benefit Plan and the Time Warner Inc. Master Pension Trust, respectively, as result of AT&T's acquisition of Time Warner Inc. on June 14, 2018.

[5] For a discussion of the how the transactions covered by PTE 2014–06 violate the prohibited transaction provisions of ERISA, please refer to the Notice of Proposed Exemption Involving AT&T Inc., at 78 FR 55107 (September 9, 2013).

[6] The term ''Change of Control'' was described in PTE 2014–06 as: (1) the occurrence of any merger, reorganization or other transaction that results in AT&T, directly or indirectly, owning less than fifty percent of the capital or profits interests (where the Issuer remains taxable as a partnership), or equity (if the Issuer becomes taxable as a corporation), of the Issuer, exclusive of the Preferred Interests; or (2) a transfer of fifty percent or more of the Plan liabilities and Trust assets to an entity not under common control with AT&T Inc.

[7] The Applicant states that the Preferred Interests were initially valued at approximately $9.2 billion and that the Trust ultimately received a total of $13.1 billion in proceeds from: (1) the sale of certain Preferred Interests, (2) the exercise of the Put Option to AT&T on two separate dates, and (3) dividends from the Preferred Interests.

[8] As of January 1, 2018, the Preferred Interests represented 16.8% of Plan assets with the result that Preferred Interests constituting 6.8% of the Plan's holdings were not counted in determining the minimum contribution obligation. According to AT&T, no additional contribution was required to be made to the Plan.

[9] The ''Option Price'' of a Preferred Interest for purposes of PTE 2014–06 generally means, an amount equal to the greater of: (1) The Fair Market Value of the Preferred Interest determined by the Independent Fiduciary as of the last date of the calendar quarter preceding the date of notice of exercise of a Call Option or Put Option; or (2) the sum of $25.00 per share (*i.e.,* $8 billion in the aggregate) plus any accrued and unpaid Distributions.

certain dates or events.[10] The Put Option, in general terms, permitted the Independent Fiduciary to require AT&T or AT&T Mobility to purchase the Preferred Interests from the Trust at the Option Price, on or after the earliest of certain dates or events.[11] Furthermore, the Contribution Agreement governed the settlement method of the Put Option and Call Option, including that AT&T could settle the options by delivering unregistered shares of AT&T stock to the Trust. The Call Option and the Put Option generally provided the only means by which the Preferred Interests could be transferred out of the Trust by the Independent Fiduciary, absent the Issuer's consent. The Call Option was generally exercisable by AT&T on or after September 9, 2018, and the Put Option was generally exercisable by the Independent Fiduciary on behalf of the Plan on or after September 9, 2020.

(b) *LLC Agreement.* The Preferred Interests, which were the subject of the Contribution, were governed by the Second Amended and Restated Limited Liability Company Agreement of AT&T Mobility II LLC. The LLC Agreement also describes the limitations and obligations of the Issuer, AT&T Mobility, while the Preferred Interests are outstanding, as well as providing a definition of ''fair market value'' for purposes of the Independent Fiduciary's valuation of the Preferred Interests, as described in more detail below.

(c) *Registration Rights Agreement.* AT&T had the right to pay for any Preferred Interests purchased pursuant to the Put Option or the Call Option by delivering unregistered AT&T Shares to the Trust. The Registration Rights Agreement generally required AT&T to register the AT&T Shares (if any) that were delivered to the Trust pursuant to the Call Option or the Put Option.[12]

8. *The Independent Fiduciary's Discretion Under PTE 2014–06.* The Independent Fiduciary was given sole authority to: (a) exercise all rights of the Trust with respect to the Preferred Interests, including but not limited to negotiating and accepting any amendments to the Contribution Agreement; (b) enter into any agreements for the benefit of the Plan and the Trust, to carry out the purposes of its obligations under PTE 2014–06; (c) enter into any agreements, incur reasonable costs on behalf of the Plan and the Trust, or pledge or hypothecate assets of the Trust in order to carry out interest rate swap transactions and credit default swap transactions, and (d) make any decision to monetize or otherwise dispose of any and all of the AT&T Shares received by the Trust in exchange therefor pursuant to the Contribution Agreement.

9. *The Modifications to PTE 2014–06 Covered by this Proposed Amendment.*[13] The Independent Fiduciary negotiated with AT&T Inc. to make certain modifications to the terms and provisions of the Contribution Agreement, the LLC Agreement, and the Registration Rights Agreement. These modifications became effective on October 15, 2018 (*i.e.,* the Modifications). AT&T explains that the Modifications primarily enhanced the transferability of the Preferred Interests.

Specifically, the Modifications:

(a) provided that the Preferred Interests are transferable by the Trust and all subsequent holders of the Preferred Interests without the Issuer's (*i.e.,* AT&T Mobility's) prior approval; [14]

(b) provided that the Put Option may be exercised by any holder of the Preferred Interests; [15]

(c) gave the Issuer (*i.e.,* AT&T Mobility) the right to redeem the Preferred Interests during specific periods on or after September 9, 2022, (four years later than AT&T was originally permitted) while removing the redemption trigger relating to the fully funded status of the Trust under Generally Accepted Accounting Principles; [16] and

(d) preserved all of the Trust's rights with respect to the Preferred Interests, except for the following: (i) the Put Option was modified so that during each calendar quarter, it may be exercised by the Trust (and any subsequent transferee) only during specific periods that alternate with the periods during which the Redemption Option may be exercised, and (ii) the Registration Rights Agreement was modified to change the consequences to AT&T if it were to fail to register AT&T Inc. common stock received by the Trust as a result of the exercise of the Put Option or the Redemption Option (the Failure to Register Modification).

10. Before the Failure to Register Modification, under PTE 2014–06, if the Trust exercised the Put Option and AT&T delivered unregistered AT&T Shares to the Plan in exchange for the Preferred Interests, and AT&T failed to register such AT&T Shares, then AT&T was obligated to repurchase those unregistered AT&T Shares at their fair market value (as determined by the Independent Fiduciary). Following the Failure to Register Modification, if AT&T failed to register the AT&T Shares delivered to the Plan in exchange for the Preferred Interests, AT&T was prohibited from declaring any dividends on its outstanding common stock and from making any ''Restricted Share Repurchases'' as defined in the Registration Rights Agreement. Further, the obligation of AT&T to purchase back the unregistered AT&T Shares from the Trust was removed from the Registration Rights Agreement.

11. *Description of the Independent Fiduciary.* The Independent Fiduciary represents that it has extensive experience as an independent fiduciary and as an appraiser of non-publicly traded securities, including securities of the same type as the Preferred Interests. The Independent Fiduciary represents further that: (a) it is independent of, and unrelated to, AT&T; (b) it does not directly or indirectly receive any compensation or other consideration from AT&T; [17] (c) the compensation for

[10] These dates/events are: (1) during the twelve-month period following the date AT&T issues an annual report reflecting that the Plan is fully funded; (2) on or after a Change of Control; or (3) on or after the fifth anniversary of the date on which the Preferred Interests are contributed to the Trust (September 9, 2018).

[11] These dates/events were: (1) The first date that the Issuer's debt-to-total-capitalization ratio (as defined in the Contribution Agreement) exceeds that of AT&T; (2) the date on which AT&T, Inc. is rated below investment grade for two consecutive calendar quarters by at least two of the following rating agencies: (x) Standard & Poor's Ratings Services, (y) Moody's Investor Services, Inc., or (z) FitchRatings, Inc.; (3) a Change of Control; or (4) the seventh anniversary of the date on which the Preferred Interests are contributed to the Trust (September 9, 2020).

[12] The Registration Rights Agreement was agreed to by and among AT&T, the Trust, and Brock, effective August 30, 2013.

[13] This proposed amendment does not provide relief from the requirements of, or specific sections of, any law not noted herein. Accordingly, AT&T is responsible for ensuring compliance with any other laws applicable to this transaction.

[14] The Independent Fiduciary and AT&T further agreed that the Issuer will cooperate with private placement offerings in furtherance of any transfer, sale, or assignment of the Preferred Interests, in whole or in part, provided that the Issuer will select the investment banking firm to conduct each of such private placement offerings, provide the financial information, document preparation and other support required for such private placement offering to the holder of the Preferred Interests and/or the investment bank on a timely basis and the Issuer will bear all costs associated with such private placement offerings.

[15] The Modifications accomplished (b) by removing the Call Option from the Contribution Agreement and adding a redemption option (the Redemption Option) to the LLC Agreement.

[16] Under PTE 2014–06, AT&T was entitled to exercise the Call Option at any time during the twelve-month period following the date AT&T issues an annual report reflecting that the Plan is fully funded. AT&T never exercised the Call Option pursuant to this provision.

[17] The Independent Fiduciary represents that the fees and expenses it receives as Independent Fiduciary will be paid by the Plan, although for convenience, AT&T may, from time to time, pay the Independent Fiduciary's fees and expenses and receive reimbursement from the Plan to the extent permitted by law.

its services is not contingent upon, or in any way affected by, its decisions; and (d) it has not previously provided services to AT&T.

12. In addition, the Independent Fiduciary has not entered into and will not enter into any agreement, arrangement, or understanding that includes any provision that provides for the direct or indirect indemnification or reimbursement of the Independent Fiduciary by the Plan or other party for any failure to adhere to its contractual obligations or to state or Federal laws applicable to the Independent Fiduciary's work; or waives any rights, claims, or remedies of the Plan under ERISA, state, or Federal law against the Independent Fiduciary with respect to the transactions that are the subject of this exemption.

Finally, the Applicant represents that the selection of Brock as the Independent Fiduciary was based solely on Brock's qualifications to serve as a qualified independent fiduciary and was made after a prudent process that included a determination that Brock did not have any interests in any party in interest involved in the covered transactions or in the covered transactions themselves which may affect the exercise of Brock's best judgment as a fiduciary.

13. *The Independent Fiduciary's Reasons why the Modifications are in the Interest of the Plans.* The Independent Fiduciary made the following representations regarding its negotiation and analysis of the Modifications, as reported to the Department on November 8, 2019 (the Independent Fiduciary Report).

a. *Transferability at the Holder's Discretion.* Prior to the Modifications, the Preferred Interests could not be transferred to a third party without the approval of AT&T. This could have had a limiting effect on the marketability of the Preferred Interests, especially since a third-party transferee would have no assurance that a similar approval would be granted to the third-party for further transfer should the third-party want to resell the Preferred Interests. The Modifications simplify the transferability of the Preferred Interests and enhance the marketability of the Preferred Interests, by giving discretion to the party holding such securities to transfer them.

According to the Independent Fiduciary, given that the Preferred Interests accounted for approximately 17% of the Plan's assets,[18] the Plan benefited from simplifying the transferability of the Preferred Interests without having to meet the conditions for exercising the Put Option. This Modification, which makes the Preferred Interests transferable solely at the discretion of the holder, significantly enhances the Plan's flexibility to reduce its exposure to a single security. Interest rate conditions may provide the Plan with the opportunity to obtain better value by selling the Preferred Interests to a third party rather than exercising the Put Options before the Redemption Option became exercisable in 2022.

b. *Elimination of Call Option Triggering Event related to Plan's Fully Funded Status and Replacement of Call Option with Redemption Option.* Under PTE 2014–06, the Call Option could be exercised by AT&T upon the earlier of: the occurrence of certain events described in the Contribution Agreement; or September 9, 2018. As part of the Modifications, the Call Option was replaced with the Redemption Option, which is exercisable on substantially the same terms, conditions and obligations as the Call Option was, except that (i) there is no trigger relating to the fully funded status of the Trust, and (ii) the exercise of the Redemption Option by the Issuer is only permissible periodically after September 9, 2022 (other than as a result of a Change of Control). The combined Modifications thus amount to a net elimination of AT&T's right to call the Preferred Interests if the Plan becomes fully funded, which is a positive for the Plan.

c. *Alternating Exercise of Put Options and Redemption Options and Giving a Put Option to Subsequent Purchasers.* Starting September 9, 2020, the Put Option will be exercisable during the first and last 15 business days of each quarter, instead of at any time of the Independent Fiduciary's choosing. These exercise periods will alternate with the periods during which the Redemption Right may be exercised by the Issuer. The Independent Fiduciary states that this restriction on the timing of the exercise of the Put Option has minimal impact, since any decision to exercise the Put Option would be the result of an advance deliberate consideration and analysis, and the timing for determination of the Option Price (*i.e.,* the last day of the immediately preceding calendar quarter) does not change. Should Brock decide on short notice that exercising the Put Option would be the right course of action for the Plan, the limitation would mean a delay of not more than a few weeks for its effective implementation, while the Preferred Interests would continue to accrue cumulative distributions of $1.75 per Preferred Interest per year, equal to a 7% return.

The Independent Fiduciary also notes that it negotiated for a Put Option to be added to the LLC Agreement to be exercisable by subsequent holders of the Preferred Interests.[19] This new Put Option would be substantially identical to the Put Option in the Contribution Agreement, except that the Issuer, rather than AT&T, would be the counterparty. According to Brock, this has had a positive impact on the potential sale value of the Preferred Interests, because it provides prospective third-party purchasers with an additional avenue for liquidity if they acquire the Preferred Interests from the Plan.

d. *Modification to Registration Rights Agreement.* According to the Independent Fiduciary, replacing AT&T's obligation repurchase unregistered AT&T Shares delivered in exchange for the Preferred Interests with a prohibition of AT&T paying dividends on its common stock so long as unregistered AT&T Shares remain outstanding represents a de minimis change that applies to a highly remote possibility, to which the Independent Fiduciary attaches no cost or value. For this restriction to come into effect, AT&T would have to: (i) elect to deliver AT&T Shares rather than cash when the Redemption Option or the Put Options are exercised; and (ii) be unable to qualify for a registration statement.[20] Just as improbable, AT&T would then decide to stop paying dividends on outstanding AT&T Shares rather than remedy the situation by voluntarily buying back the unregistered AT&T Shares held by the Trust. Such a remote scenario would plausibly occur only in a situation where AT&T is in effect insolvent. But that would mean that AT&T's common stock would be worth almost nothing, making a purchase of the Preferred Interests virtually impossible (and impracticable) using common stock.

14. *Additional Contribution to the Plan.* The Independent Fiduciary

[18] As of the date of the Independent Fiduciary's Report, dated October 11, 2018.

[19] The right to exercise the existing Put Option under the Contribution Agreement would remain solely that of the Plan. As in the case of the Redemption Option, adding a Put Option to the LLC Agreement was necessary to accommodate making the Preferred Interests freely transferable to third parties.

[20] The Applicant states that the current Registration Rights Agreement requires AT&T to use its reasonable best efforts to file a shelf registration or other securities forms for an offering of the AT&T Shares. Further, the Applicant states that AT&T does not envision any path where it elects not to register the AT&T Shares or cannot register the shares.

represents that it negotiated an additional $80 million cash payment to the Plan from AT&T to coincide with the Modifications. According to the Independent Fiduciary, the $80 million contribution represented roughly half of the Independent Fiduciary's estimate of the risk-adjusted tax savings to AT&T that AT&T would have received in connection with the Plan's agreement to the Modifications by October 15, 2018.[21] While the $80 million contribution arguably represented only an acceleration of future contributions, because AT&T ultimately has the obligation to fund the Plan, this contribution benefits the Plan not only because of its certainty but because it could be immediately invested on a tax-deferred basis. The Independent Fiduciary states that, although the benefits of the Modifications themselves outweigh the negatives, it insisted that AT&T agree to make a material cash contribution to the Plan as an added incentive.

15. *Proceeds Received by the Trust for the Interests.* The Independent Fiduciary, acting on behalf of the Trust, disposed of the Preferred Interests over the course of 3 transactions, on September 28, 2020, February 7, 2023, and April 5, 2023. While the first transaction was a sale to independent third parties, the second two transactions involved the Independent Fiduciary's exercise of the Put Option. Based on a representation from the Independent Fiduciary, the summary of the proceeds received by the Trust is as follows:

Sale or put exercise date	September 28, 2020	February 7, 2023[22]	April 5, 2023	Combined
Sale or Put	Sale to PIMCO Entities	Put to AT&T	Put to AT&T	
Number of Interests Sold or Put	106,666,666	656,033	212,677,301	320,000,000
Proceeds received[23]				Total proceeds
Sale/Put Price	$2,839,999,982.25	$16,400,825.00	$5,316,932,525.00	$8,173,333,332.25
Accrued Preferred Return to Sale/Put Date	$45,111,111.18	$114,805.78	$97,181,711.15	$142,407,628.11
Proceeds Received	$2,885,111,093.43	$16,515,630.78	$5,414,114,236.15	$8,315,740,960.36
Proceeds per interest				Average per interest
Sale/Put Price	$26.62500000	$25.00000000	$25.00000000	$25.54166666
Accrued Preferred Return to Sale/Put Date	$0.42291667	$0.17500000	$0.45694444	$0.44502384
Total per Interest	$27.04791667	$25.17500000	$25.45694444	$25.98669050

a. *Third Party Sale.* On September 28, 2020, the Independent Fiduciary directed the sale of 106,666,666 Preferred Interests in a private offering to several funds advised or sub-advised by PIMCO Investment Management (the PIMCO Funds).[24] The Applicant states that the timing of the sale was based on the Independent Fiduciary's review of market conditions and the composition of assets held by the Trust. The Applicant represents that the PIMCO Funds were neither parties in interest to the Plan nor related to AT&T or its affiliates. According to the Applicant, it was originally expected that the Preferred Interests would be sold to multiple investors given the size of the offering, but late in the process PIMCO asked if they could purchase the entire amount. The Applicant represents that the price per Preferred Interest in the sale to the PIMCO Funds was $27.048, for a total of $2,885,111,093.43. The Applicant represents that, according to the Independent Fiduciary, the price was the result of an arm's length negotiation and representative of the market value of the Preferred Interests. According to the Independent Fiduciary's letter to the Trust dated February 18, 2021, the sale was made at a price significantly higher than the Trust would have obtained had the Independent Fiduciary elected to exercise the Put Option.[25]

b. *Exercise #1 of Put Option.* The Applicant represents that on February 6, 2023, the Independent Fiduciary directed the exercise of the Put Option for 656,033 Preferred Interests, causing the Preferred Interests to be transferred to AT&T pursuant to the terms of PTE 2014–06. The price per Preferred Interest paid by AT&T to the Plan in the connection with the February 6th exercise of the Put Option was $25.175 per Preferred Interest, for a total purchase price of $16,515,630.78. The Applicant represents that this option price equals the Independent Fiduciary's valuation of the Preferred Interests pursuant to its most recently completed valuation report.[26]

c. *Exercise #2 of Put Option.* The Applicant represents that, on April 5, 2023, the Independent Fiduciary

[21] The Applicant represents that in fact there was no tax benefit in 2018 because the deduction was already taken in 2013 when the Preferred Interests were contributed. In this regard, the tax benefit stemming from the Modifications would only have been received if the IRS disallowed the earlier deduction (which it did not do) and then permitted AT&T to take it when AT&T modified the securities in 2018 to enhance their transferability.

[22] The Applicant represents that the Put Notice was received from the Independent Fiduciary for 213,333,334 Preferred Interests on December 27, 2022, during the allowable window. However, the Contribution Agreement includes a ''Put 12-Month Cap'', under which AT&T was not obligated by the Put Option to purchase more than one-third of the original shares in a given 12-month period of time. On January 27, 2023, 656,033 Preferred Interests were released from the 12-month cap, so it was agreed that AT&T would purchase those shares at that time. Winter storms in Dallas, coupled with the physical share certificates having been moved from New York to Louisiana, drove the need for extra time to complete the settlement process, which was completed on Feb. 7, 2023.

[23] Between November 1, 2013 and February 1, 2023, the Trust received total dividend payments of $4,747,600,000. Together with the $8,315,740,960.36 proceeds received by the Trust from the sale and put transactions, the Trust received a total cash amount of $13,062,600,000 from the Preferred Interests, $3,852,260,000 more than the Preferred Interests' initial valuation of $9,210,000,000.

[24] The Applicant represents that AT&T Mobility selected Credit Suisse as the investment banking firm to conduct the offering. The Applicant represents that Credit Suisse shared its views with the Independent Fiduciary regarding market conditions, target buyers, valuation of Preferred Interests and marketing strategy. Based on the expressed views of Credit Suisse, the Independent Fiduciary decided to move forward with the sale.

[25] The record for the Exemption Application, No. D–11981, provides more information regarding the sale of the Preferred Interests to the PIMCO Funds, including the Independent Fiduciary's quarterly valuation report dated October 26, 2020, and the pricing memorandum for the Preferred Interests sold in the private placement.

[26] The Independent Fiduciary's quarterly valuation report dated January 20, 2023, is a part of the public record for Exemption Application No. D–11981 and can be requested by contacting the Department's Public Disclosure Office.

directed the exercise of the Put Option for the remaining 212,677,301 Preferred Interests held by the Trust, causing the Preferred Interests to be transferred to AT&T pursuant to the terms of PTE 2014–06. The price per Preferred Interest paid by AT&T to the Plan in the connection with the April 5th exercise of the Put Option was $25.4569 per Preferred Interest, for a total purchase price of $5,414,114,236.15. According to the Applicant, the price that AT&T paid for the Preferred Interests exceeded the valuation provided by the Independent Fiduciary in its most recent quarterly valuation report because it included the accrued and unpaid distribution between April 1, 2023, to April 5, 2023.[27]

16. *Need for Exemptive Relief.* The Applicant does not believe that AT&T's unilateral waiver of its rights vis-à-vis the transferability of the Preferred Interests requires an amendment to the terms of PTE 2014–06. However, according to the Applicant, the proposed changes to the timing of the Put Option and revisions to the Registration Rights Agreement could require an amendment to the conditions to PTE 2014–06, because the definition of ''Put Option'' in PTE 2014–06 provides for different periods during which the Independent Fiduciary can exercise the Put Option on behalf of the Plan. Further, the definitions of the Preferred Interests, Redemption Option, and certain other operative terms have been changed to take into account the Modifications, as described above. Therefore, in order to avoid a technical violation of PTE 2014–06 resulting from the definitional change in those terms, this proposed amendment amends PTE 2014–06 to be consistent with the Modifications described above as of the date they were effective (October 15, 2018).

17. The Department notes that the Independent Fiduciary exercised the Put Option to cause AT&T to buy back all the remaining Preferred Interests held by the Trust on April 5, 2023, in exchange for cash. Because the Trust did not hold the Preferred Interests or any AT&T Shares received in respect of any Preferred Interests after the Independent Fiduciary's exercise of the Put Option, exemptive relief is only provided to AT&T and the Plan under this exemption until April 5, 2023.

18. The modifications described above are reflected in the following revisions to PTE 2014–06 (which include new conditions required by the Department):

a. *New Section IV. Definitions.* The Department is proposing the following revisions to the ''Definitions'' section in PTE 2014–06:

- A new definition of ''Modifications'' was added, to describe the modifications negotiated and approved by the Independent Fiduciary that became effective on October 15, 2018.
- A new definition of ''LLC Agreement'' was added and would mean: the Fourth Amended and Restated Limited Liability Company Agreement of AT&T Mobility II LLC, effective October 15, 2018.
- The definition of ''Call Option'' would reflect the right of AT&T under the Contribution Agreement to purchase the Preferred Interests from the Trust, from September 1, 2013, until October 14, 2018, at which point the Call Option was replaced by the Redemption Option effective October 15, 2018.
- The definition of ''Put Option'' reflects that, after September 9, 2020, any holder of the Preferred Interests (including the Trust) can exercise the Put Option during the first and last 15 business days of each fiscal quarter instead of at any time of the holder's choosing.
- A new definition of ''Redemption Option'' was added to reflect the right of the Issuer under the LLC Agreement to redeem the Preferred Interests in whole or in part (i) upon a Change of Control or (ii) on or after September 9, 2022, during the ''Exercise Period.''
- The definition of ''Exercise Period'' was added to reflect the alternating periods of time within which the Preferred Interests can be redeemed by the Issuer pursuant to the Redemption Option and/or put to AT&T or the Issuer by any holder of the Preferred Interests (including the Independent Fiduciary on behalf of the Trust) pursuant to the Put Option.
- The definition of ''Option Price'' reflects revisions to the Contribution Agreement and the LLC Agreement that removed the Call Option from the Contribution Agreement and added a Redemption Option and Put Option to the LLC Agreement, and to better reflect the understanding of the term by the parties. Further, references to ''the occurrence of prior events'' are no longer included in the definition of Option Price but are instead included in a new definition.
- Definitions of ''Fair Market Value of the Preferred Interest'' and ''Contingent Event'' have been added, to better clarify and confirm the parties' understanding of these terms and to reflect the removal of the Call Option from the Contribution Agreement and addition of the Redemption Option and Put Option to the LLC Agreement, each effective October 15, 2018.
- The definition of ''Change of Control'' differs in that clause (ii), specifying an event involving the transfer of fifty percent or more of the Plan liabilities and Trust assets to an entity not under common control with AT&T, now only applies for purposes of the Contribution Agreement.
- The definition of ''Distributions'' was added for clarification and refers to the distribution rights carried by the Preferred Interests of $1.75 per Preferred Interest.

b. *New Section V. Effective October 15, 2018: Covered Transactions.* This new section differs from the PTE 2014–06 ''Covered Transactions'' section as follows:

- No relief is being provided for the contribution of the Preferred Interests by AT&T to the SBC Master Pension Trust, since that contribution was a one-time transaction covered by PTE 2014–06, as initially granted.
- The section provides other non-substantive changes to streamline and/or clarify the covered transactions.

c. *New Section VI. Effective as of October 15, 2018: Conditions.* This new section differs from the PTE 2014–06 ''Covered Transactions'' section as follows:

- Requires that the Independent Fiduciary have discretion regarding the disposition of AT&T Shares in accordance with the Investment Management Agreement (which was amended as of October 15, 2018) and the Registration Rights Agreement.
- Requires that any modification of the Plan's rights and obligations under any term, definition or condition of the amendment, including any Modification, must be negotiated and approved in advance on behalf of the Plan by the Independent Fiduciary.
- Includes a new requirement that the selection of the Independent Fiduciary is based solely on the Independent Fiduciary's qualifications pursuant to a prudent process and with the understanding that the Independent Fiduciary has no interest in the transaction that could affect the best exercise of its duties as a fiduciary.
- New conditions requiring that neither the Plan nor any third party may indemnify the Independent Fiduciary or the Independent Appraiser, for (or limit in any way) any liability that is attributable to negligence or violations of ERISA, state or Federal law (as applicable), and no contract or

[27] The Independent Fiduciary's quarterly valuation report dated April 12, 2023, is a part of the public record for Exemption Application No. D–11981 and can be requested by contacting the Department's Public Disclosure Office.

instrument purports to waive any such liability.

• A new condition requiring that the terms of any transactions between the Plan and a purchaser of Preferred Interests or any AT&T Shares be no less favorable to the Plan than arms' length terms between unrelated parties.

• A new condition requiring that the Preferred Interests must be transferable by the Trust and by all subsequent holders of the Preferred Interests at the holder's sole discretion.

• A new condition requiring that AT&T must have made the additional cash payment to the Plan of $80 million no later than October 15, 2018, in connection with the Modifications.

• A new condition prohibiting AT&T from declaring any dividends on, or making any repurchases of, any AT&T Shares, in the event that the Trust held any unregistered AT&T Shares that were received in exchange for the Preferred Interests.

• A new condition requiring that all the material facts and representations set forth in the Summary of Facts and Representation be true and accurate and that the Applicant will promptly inform the Department in the event any material fact or representation ceases to be true and accurate.

• A requirement that the records necessary to prove adherence to the conditions of the exemption are maintained for 6 years from the later of the date that exemptive relief under the exemption is needed, or the date of publication of the final exemption.

• A new condition requiring that AT&T make available to the Department all records necessary to ensure that each condition of this exemption has been met within 30 days of request by the Department.

Department's Note: Section VI may contain additional modifications not mentioned directly above that are intended to clarify or streamline the conditions in PTE 2014–06. The Department cautions the Applicant to closely read the operative language of the proposed exemption during the comment period and notify the Department in a written comment if they have concerns about adherence to any of the conditions described therein.

d. *New Section VII. Effective Dates.* This new section provides the effective dates for all sections of the exemption. In this regard, Sections I, II, and III of PTE 2014–06 are effective from September 9, 2013, through October 14, 2018; and Sections IV, V, VI, and VII of PTE 2014–06 (added by this amendment) are effective from October 15, 2018, through April 5, 2023.

19. *The Department's Findings.* The Department has the authority under ERISA section 408(a) to grant and amend exemptions from the prohibited transaction provisions of ERISA section 406 if the Department finds that the transaction is in the interest and protective of the rights of the affected plan and its participants and beneficiaries and is administratively feasible.[28] The Department's findings required under ERISA section 408(a) are discussed below.

20. *The Proposed Amendment is ''In the Interests of the Plan.''* The Department has tentatively determined that the proposed amendment is in the interest of the Plan and its participants and beneficiaries since, among other things, the Modifications allow the Plan to more freely transfer the Preferred Interests, and the Plan received an $80 million cash contribution in return for agreeing to the Modifications.

21. *The Proposed Amendment is ''Protective of the Plan.''* The Department has tentatively determined that the proposed amendment is protective of the Plan and its participants and beneficiaries since, among other things, the Modifications were negotiated by a qualified, experienced Independent Fiduciary acting solely on behalf of the Trust. Further, in addition to the new requirements of this amendment, described above, all protections of PTE 2014–06 not affected by the Modifications will remain in place.

22. *The Proposed Amendment is ''Administratively Feasible.''* The Department has tentatively determined that the proposed amendment is administratively feasible since, among other things, the Independent Fiduciary represented the interests of the Plan for all purposes with respect to the Plan's holding of the Preferred Interests and must confirm to the Department that all of the conditions of this amendment have been met.

23. *Summary.* Given the conditions described above, the Department has tentatively determined that the relief sought by the Applicant satisfies the statutory requirements for an exemption under ERISA section 408(a).

Notice to Interested Persons

Notice of the proposed exemption will be provided to all interested persons in the manner approved by the Department and will contain the documents described therein and a supplemental statement required by 29 CFR 2570.43(a)(2). The supplemental statement will inform interested persons of their right to comment on and to request a hearing with respect to the pending exemption. All written comments and/or requests for a hearing must be received by the Department by June 17, 2026. All comments will be made available to the public.

Warning: If you submit a comment, EBSA recommends that you include your name and other contact information in the body of your comment, but DO NOT submit information that you consider to be confidential, or otherwise protected (such as Social Security number or an unlisted phone number) or confidential business information that you do not want publicly disclosed. All comments may be posted on the internet and can be retrieved by most internet search engines.

General Information

The attention of interested persons is directed to the following:

(1) The fact that a transaction is the subject of an exemption under ERISA section 408(a) and/or Code section 4975(c)(2) does not relieve a fiduciary or other party in interest or disqualified person from certain other provisions of ERISA and/or the Code, including any prohibited transaction provisions to which the exemption does not apply and the general fiduciary responsibility provisions of ERISA section 404, which, among other things, require a fiduciary to discharge their duties respecting the plan solely in the interest of the plan and its participants and beneficiaries and in a prudent manner in accordance with ERISA section 404(a)(1)(B); nor does it affect the requirement of Code section 401(a) that the plan must operate for the exclusive benefit of the employees of the employer maintaining the plan and their beneficiaries;

(2) Before an exemption may be granted under ERISA section 408(a) and/or Code section 4975(c)(2), the Department must find that the exemption is administratively feasible, in the interests of the plan and of its participants and beneficiaries, and protective of the rights of participants and beneficiaries of the plan;

(3) The proposed exemption, if granted, would be supplemental to, and not in derogation of, any other provisions of ERISA and/or the Code, including statutory or administrative exemptions and transitional rules. Furthermore, the fact that a transaction is subject to an administrative or statutory exemption is not dispositive of whether the transaction is, in fact, a prohibited transaction; and

[28] Regulations at 29 CFR 2570.30 to 2570.52 describe the procedures for applying for an administrative exemption under ERISA.

(4) The proposed exemption, if granted, would be subject to the express condition that the material facts and representations contained in the application are true and complete at all times and that the application accurately describes all material terms of the transactions which are the subject of the exemption.

Proposed Amendment to PTE 2014–06

Based on the foregoing facts and representations submitted by AT&T, Inc. (together with AT&T Inc.'s affiliates, AT&T or the Applicant), the Department is considering amending PTE 2014–06 (79 FR 43072, July 24, 2014), an individual exemption previously granted by the Department under the authority of section 408(a) of the Employee Retirement Income Security Act of 1974, as amended (ERISA) and section 4975(c)(2) of the Internal Revenue Code of 1986, as amended (the Code), and in accordance with the procedures set forth in 29 CFR part 2570, subpart B (76 FR 66637, 66644, October 27, 2011), as follows:

Section IV. Definitions

For purposes of Sections V and VI:

(a) The term ''Affiliate'' means:

(1) Any person directly or indirectly through one or more intermediaries, controlling, controlled by, or under common control with the person;

(2) Any officer, director, employee, relative, or partner in any such person;

(3) Any corporation or partnership of which such person is an officer, director, partner, or employee.

For the purposes of clause (a)(1) above, the term ''control'' means the power to exercise a controlling influence over the management or policies of a person other than an individual.

(b) The term ''AT&T Mobility'' means AT&T Mobility II LLC.

(c) The term ''AT&T Shares'' means shares of AT&T Inc. common stock.

(d) The term ''Call Option'' means the right of AT&T under the Contribution Agreement to purchase all or any portion of the Preferred Interests from the Trust, from September 1, 2013, until October 14, 2018. Effective October 15, 2018, the Call Option was replaced by the Redemption Option, described below.

(e) The term ''Change of Control'' means: (i) the occurrence of any merger, reorganization or other transaction that results in AT&T Inc., directly or indirectly, owning less than fifty percent of the capital or profits interests (where AT&T Mobility remains taxable as a partnership), or equity (if AT&T Mobility becomes taxable as a corporation), of AT&T Mobility exclusive of the Preferred Interests and/or (ii) solely for purposes of the Contribution Agreement, a transfer of fifty percent or more of the Plan liabilities and Trust assets to an entity not under common control with AT&T Inc.

(f) The term ''Committee'' means the AT&T Inc. Benefit Plan Investment Committee, which has been delegated the power and authority to appoint and remove trustees and investment managers, and to enter into and amend trust agreements and other agreements relating to the management of Plan assets and, in respect of such power and authority, has been designated by AT&T Services, Inc. as a ''named fiduciary'' of the Plan.

(g) The term ''Contingent Event'' means (1) the first date that the Issuer's ''debt-to-total-capitalization ratio'' (as defined in the Contribution Agreement and the LLC Agreement, as applicable) exceeds that of AT&T, (2) the date on which AT&T is rated below investment grade for two consecutive calendar quarters by at least two of the following rating agencies: (x) S&P Global Ratings, (y) Moody's, or (z) Fitch Group, or (3) a Change of Control.

(h) The term ''Contribution Agreement'' means the Amended and Restated Contribution Agreement between Brock Fiduciary Services LLC, JPMorgan Chase Bank, N.A., as Directed Trustee of the Trust, AT&T Inc. and AT&T Mobility II LLC, dated October 15, 2018.

(i) The term ''Distributions'' means distribution rights carried by the Preferred Interests of $1.75 per Preferred Interest, for a total of $560 million per year in cash payable to the Trust as measured on the date of the Contribution, in accordance with the terms of the Contribution Agreement.

(j) The term ''Exercise Period'' means, with respect to the Put Option, the period comprised of the first 15 business days and the last 15 business days of any fiscal quarter of AT&T; and with respect to the Redemption Option, the period beginning on the 26th business day of any fiscal quarter of AT&T and ending on the 35th business day of such quarter.

(k) The term ''Fair Market Value of the Preferred Interest'' means (1) in cases of the exercise of the Put Option on or after September 9, 2020 (other than an exercise prior to September 9, 2022 as the result of a Contingent Event) OR upon the exercise of the Redemption Option on or after September 9, 2022, an amount determined based upon $25.00 per Preferred Interest plus any accrued and unpaid Distributions and market conditions at the time; and (2) in cases of the exercise of the Put Option prior to September 9, 2022 as the result of a Contingent Event OR upon the exercise of the Redemption Option prior to September 9, 2022, an amount determined based upon the sum of: (x) $25.00 per Preferred Interest plus any accrued and unpaid Distributions, and (y) the present value of future Distributions through and ending on September 9, 2022 (excluding accrued and unpaid Distributions accounted for in (x) immediately above).

(l) The term ''Investment Management Agreement'' means the Investment Management Agreement by and between AT&T Services, Inc., the AT&T Benefit Plan Investment Committee, AT&T Inc. and Brock Fiduciary Services LLC, amended as of October 15, 2018.

(m) The term ''Independent Appraiser'' means an individual or entity meeting the definition of a ''Qualified Independent Appraiser'' under 29 CFR 2570.31(i) retained to determine, on behalf of the Plan, the Fair Market Value of the Preferred Interests as of the date of the Contribution and while the Preferred Interests are held on behalf of the Plan. For avoidance of doubt, the Independent Appraiser may be the Independent Fiduciary, provided it qualifies as a Qualified Independent Appraiser.

(n) The term ''Independent Fiduciary'' means Brock Fiduciary Services LLC and any other fiduciary who: (1) is independent or unrelated to AT&T Inc. and its Affiliates and has the appropriate training, experience, and facilities to act on behalf of the Plan regarding the covered transactions in accordance with the fiduciary duties and responsibilities prescribed by ERISA (including, if necessary, the responsibility to seek the counsel of knowledgeable advisors to assist in its compliance with ERISA); and (2) if relevant, succeeds Brock Fiduciary Services LLC pursuant to the terms of the Investment Management Agreement, Independent Fiduciary Agreement, or other relevant agreement. The Independent Fiduciary will not be deemed to be independent of and unrelated to AT&T Inc. and its Affiliates if: (i) such fiduciary directly or indirectly controls, is controlled by or is under common control, with AT&T and its Affiliates; (ii) such fiduciary directly or indirectly receives any compensation or other consideration in connection with any transaction described in this proposed amendment other than for acting as an Independent Fiduciary in connection with the transactions described herein, provided that the

amount or payment of such compensation is not contingent upon, or in any way affected by, the Independent Fiduciary's ultimate decision; and (iii) the annual gross revenue received by the Independent Fiduciary, during any year of its engagement, from AT&T Inc. and its Affiliates, exceeds two percent (2%) of the Independent Fiduciary's annual gross revenue from all sources (for federal income tax purposes) for its prior tax year. For the purposes of this Section IV(n), the term ''control'' has the meaning set forth in Section IV(a) above.

(o) The term ''Independent Fiduciary Agreement'' means the Independent Fiduciary Agreement dated May 1, 2012, as amended, by and among AT&T Services, AT&T Inc. and Brock Fiduciary Services LLC.

(p) The term ''Issuer'' means AT&T Mobility II LLC.

(q) The term ''LLC Agreement'' means the Fourth Amended and Restated Limited Liability Company Agreement of AT&T Mobility II LLC, effective October 15, 2018.

(r) The term ''Modifications'' means the modifications negotiated and approved by the Independent Fiduciary that became effective on October 15, 2018, that, in general: (1) provide that the Preferred Interests are transferable by the Trust and all subsequent holders of the Preferred Interests without the Issuer's prior approval; (2) provide that the Put Option may be exercised by any holder of the Preferred Interests; (3) remove the Call Option from the Contribution Agreement, and add the Redemption Option to the LLC Agreement, whereby AT&T Mobility has the right to redeem the Preferred Interests; and (4) preserve all of the Trust's rights with respect to the Preferred Interests, except for the following: (i) the Put Option was modified so that during each calendar quarter, it may be exercised only during specific periods that alternate with the periods during which the Redemption Option may be exercised, and (ii) the Registration Rights Agreement was modified to change the consequences to AT&T if it were to fail to register AT&T Inc. common stock received by the Trust as a result of the exercise of the Put Option or the Redemption Option.

(s) The term ''Option Price'' means an amount equal to the greater of: (1) the Fair Market Value of the Preferred Interest, determined by the Independent Fiduciary as of the last date of the calendar quarter preceding the date of exercise of the Redemption Option or the Put Option, as the case may be, or for the portion of Preferred Interests that are not immediately purchased by AT&T or the Issuer pursuant to the Redemption Option or the Put Option because of the limitation on AT&T's obligation to purchase the Preferred Interests pursuant to the Put Option to no more than 106,666,667 Preferred Interests in any twelve month period, (except in the event of a Change of Control) the Fair Market Value of the Preferred Interest, determined by the Independent Fiduciary as of the last date of the calendar quarter immediately preceding the date such portion of the Preferred Interest is actually purchased by AT&T Inc.; and (2) the sum of $25.00 (*i.e.,* $8 billion in the aggregate) plus any accrued and unpaid Distributions.

(t) The term ''Plan'' means the AT&T Pension Benefit Plan.

(u) The term ''Preferred Interests'' means the Series A Cumulative Perpetual Preferred Membership Interests in AT&T Mobility, an indirect wholly owned limited liability company subsidiary of AT&T Inc., as such Preferred Interests were modified effective October 15, 2018, pursuant to the Contribution Agreement, the LLC Agreement and the Registration Rights Agreement.

(v) The term ''Put Option'' means the right of the Independent Fiduciary on behalf of the Trust to require AT&T to purchase the Preferred Interests pursuant to the terms and conditions set forth in the Contribution Agreement; or the right of any holder of the Preferred Interests (including the Independent Fiduciary on behalf of the Trust) to require the Issuer to purchase the Preferred Interests pursuant to the terms and conditions set forth in the LLC Agreement, as applicable, at the Option Price per Preferred Interest, at any time and from time to time on or after the earliest of: (1) the first date that the Issuer's debt-to-total-capitalization ratio exceeds that of AT&T; (2) the date on which AT&T Inc. is rated below investment grade for two consecutive calendar quarters by at least two of the following rating agencies: (x) S&P Global Ratings, (y) Moody's, or (z) Fitch Group; (3) a Change of Control; or (4) on or after September 9, 2020, as long as the exercise is within the Exercise Period.

(w) The term ''Redemption Option'' means the right of the Issuer to redeem the Preferred Interests in whole or in part pursuant to the terms and conditions set forth in the LLC Agreement, at the Option Price per Preferred Interest at any time and from time to time on or after the earliest of: (1) a Change of Control; or (2) September 9, 2022, the ninth anniversary of the date on which the Preferred Interests were contributed to the Trust, as long as such redemption is within the Exercise Period.

(x) The term ''Registration Rights Agreement'' means the Amended and Restated Registration Rights Agreement by and among AT&T Inc., the SBC Master Pension Trust and Brock Fiduciary Services LLC, as Independent Fiduciary and investment manager with respect to the AT&T Pension Benefit Plan, a participating plan in the SBC Master Pension Trust, dated October 15, 2018.

(y) The term ''Trust'' means the SBC Master Pension Trust, established and maintained pursuant to an agreement between AT&T Inc. and JPMorgan Chase Bank, N.A., as amended and restated effective as of February 1, 2012.

Section V. Covered Transactions

Effective October 15, 2018, the restrictions of ERISA sections 406(a)(1)(A), 406(a)(1)(B), 406(a)(1)(D), 406(a)(1)(E), 406(a)(2), 406(b)(1), 406(b)(2), and 407(a) and the sanctions resulting from the application of Code section 4975 (a) and (b), by reason of Code section 4975(c)(1)(A), 4975(c)(1)(B), 4975(c)(1)(D) and 4975(c)(1)(E), shall not apply to AT&T and the Plan with respect to the following transactions, provided that the conditions described in Section VI are satisfied:

(a) The holding of the Preferred Interests by the Trust on behalf of the Plan;

(b) The granting by the Trust to the Issuer of the Redemption Option, and the disposition of the Preferred Interests in connection with the exercise of the Redemption Option; and

(c) The holding by the Trust of the Put Option, and the disposition by the Trust of the Preferred Interests in connection with the Trust's exercise of the Put Option.

VI. Conditions

Relief for the transactions described in Section V of this proposed amendment is conditioned upon the parties' adherence to the following requirements, in accordance with the Definitions provided in Section IV:

(a) The Preferred Interests had a liquidation value of $25 per Preferred Interest and carry distribution rights of $1.75 per Preferred Interest (*i.e.,* the Distributions), for a total of $560 million per year in cash payable to the Trust as measured on the date of the Contribution, in accordance with the terms of the Contribution Agreement;

(b) The Plan did not incur fees, costs or other charges in connection with the transactions described in Section V, other than fees and expenses of the

Independent Fiduciary for duties required by this exemption, as amended, as described herein;

(c) For the duration of the Investment Management Agreement, an Independent Fiduciary acted solely on behalf of the Plan and the Trust, represented the Plan's interests for all purposes with respect to the Preferred Interests, and determined, prior to entering into any of the transactions described in Section V, that each such transaction was in the interest of the Plan;

(d) The selection of the Independent Fiduciary was based solely on the Independent Fiduciary's qualifications to serve as a qualified independent fiduciary and was made after a prudent process that included a determination that the Independent Fiduciary is qualified to perform the work required in connection with this exemption, and that the Independent Fiduciary does not have any interests in any party in interest involved in the covered transactions or in the covered transactions themselves which may affect the exercise of such fiduciary's best judgment as a fiduciary;

(e) For the duration of the Investment Management Agreement, the Independent Fiduciary had complete discretion regarding the disposition of any AT&T Shares received in exchange for Preferred Interests, in accordance with the Investment Management Agreement, as further defined below, and the Registration Rights Agreement;

(f) The Independent Fiduciary negotiated and approved, on behalf of the Plan and the Trust, the terms and conditions of the Contribution Agreement, including the terms of the Preferred Interests and the Call Option set forth in the Contribution Agreement, as well as the terms of the Redemption Option and the Put Option set forth in the LLC Agreement, and terms of the Investment Management Agreement and the Registration Rights Agreement, and any modification of the Plan's rights and obligations under any term, definition or condition of the amendment, including the Modifications, in advance of such term, condition or modification;

(g) The Independent Fiduciary managed the holding and disposition of the Preferred Interests and took whatever action it deemed necessary to protect the rights of the Plan with respect to the Preferred Interests or the AT&T Shares received in connection with the exercise of the Redemption Option or the Put Option;

(h) The Independent Fiduciary monitored AT&T and the Issuer to determine whether a Change of Control, or a different Contingent Event, had occurred that permits the Trust to dispose of the Preferred Interests;

(i) The Independent Fiduciary: did not enter into any agreement, arrangement, or understanding that includes any provision that provides for the direct or indirect indemnification or reimbursement of the Independent Fiduciary by the Plan or other party for any failure to adhere to its contractual obligations or to state or Federal laws applicable to the Independent Fiduciary's work; or waive any rights, claims, or remedies of the Plan under ERISA, state, or Federal law against the Independent Fiduciary with respect to the transactions that are the subject of this exemption;

(j) An Independent Appraiser, acting on behalf of the Plan, determined the Fair Market Value of the Preferred Interests contributed to the Trust on behalf of the Plan as of the date of the Contribution and while the Preferred Interests were held on behalf of the Plan, and for all purposes under this exemption, consistent with sound principles of valuation. The Independent Appraiser: did not enter into, any agreement, arrangement, or understanding that included any provision that provides for the direct or indirect indemnification or reimbursement of the Independent Appraiser by the Plan or any other party for any failure to adhere to its contractual obligations or to state or Federal laws applicable to the Independent Appraiser's work; or waive any rights, claims or remedies of the Plan or its participants and beneficiaries under ERISA, the Code, or other Federal and state laws against the Independent Appraiser with respect to the transactions that are the subject of this exemption;

(k) The terms of any transactions between the Plan and a purchaser of Preferred Interests or any AT&T Shares received in connection with the Preferred Interests were no less favorable to the Plan than terms negotiated at arm's length under similar circumstances between unrelated third parties determined by the Independent Fiduciary at the time the contractual terms with respect to such transactions, including without limitation, the Put Option and the Redemption Option, were entered into;

(l) The Preferred Interests ranked senior to any other equity holders of the Issuer in respect of: the right to receive Distributions; and the right to receive Distributions or payments out of the assets of the Issuer upon liquidation of the Issuer, in accordance with the terms of the Contribution Agreement;

(m) In the event that the Distributions were in arrears, AT&T was restricted from making certain transfers of cash out of the Issuer or declaring dividends on and repurchasing AT&T Shares, in accordance with the terms of the Contribution Agreement;

(n) AT&T was not permitted to declare any dividends on, or make any repurchases of, AT&T Shares during any time there remained any unregistered AT&T Shares held by the Trust that were received in exchange for the Preferred Interests;

(o) The Committee and the Independent Fiduciary maintain for a period of six (6) years from the later of (1) the latest date that exemptive relief under this exemption, as amended, is necessary to avoid engaging in a non-exempt prohibited transaction, or (2) the date of publication of this amendment, in a manner that is convenient and accessible for audit and examination, the records necessary to enable the persons described in paragraph (p)(1) below to determine whether conditions of this exemption have been met, except that (1) a prohibited transaction will not be considered to have occurred if, due to circumstances beyond the control of the Committee and/or the Independent Fiduciary, the records are lost or destroyed prior to the end of the six-year period, and (2) no party in interest other than the Committee or the Independent Fiduciary shall be subject to the civil penalty that may be assessed under ERISA section 502(i) if the records are not maintained, or are not available for examination as required by paragraph (p) below; and

(p)(1) Except as provided in section (2) of this paragraph and not withstanding any provisions of subsections (a)(2) and (b) of ERISA section 504, the records referred to in paragraph (o) above shall be unconditionally available at their customary location during normal business hours to:

(i) any duly authorized employee or representative of the Department or the Internal Revenue Service;

(ii) AT&T or any duly authorized representative of AT&T;

(iii) the Independent Fiduciary or any duly authorized representative of the Independent Fiduciary;

(iv) the Committee or any duly authorized representative of the Committee; and

(v) any participant or beneficiary of the Plan, or any duly authorized representative of such participant or beneficiary;

(2) None of the persons described above in paragraph (p)(1) (iii) or (v) shall be authorized to examine the trade

secrets of AT&T or commercial or financial information that is privileged or confidential, and should AT&T refuse to disclose information on the basis that such information is exempt from disclosure; AT&T shall by the close of the thirtieth (30th) day following the request, provide a written notice advising that person of the reasons for the refusal and that the Department may request such information;

(q) Notwithstanding any provision in this exemption, as amended, to the contrary, the Preferred Interests were transferable by the Trust and all subsequent holders of the Preferred Interests at the holder's sole discretion in accordance with the terms of the LLC Agreement;

(r) AT&T made an additional cash payment to the Trust of $80 million dollars no later than October 15, 2018, solely in connection with the Modifications described herein;

(s) All the material facts and representations set forth in the Summary of Facts and Representation must be true and accurate and the Applicant will promptly inform the Department in the event that it becomes aware that any material fact or representation is no longer true and accurate; and

(t) AT&T must provide to the Department the records necessary to demonstrate that the conditions of this exemption, as amended, have been met, within 30 days from the date the Department requests such records.

Section VII. Exemption Dates

(a) Sections I, II and III of PTE 2014–06 are in effect between September 9, 2013, to October 14, 2018.

(b) Sections IV, V and VI of PTE 2014–06, which are added by this amendment, are in effect October 15, 2018, to April 5, 2023.

Christopher Motta,

Acting Director, Office of Exemption Determinations, Employee Benefits Security Administration, U.S. Department of Labor.

[FR Doc. 2026–05165 Filed 3–16–26; 8:45 am]

BILLING CODE 4510–29–P

DEPARTMENT OF LABOR

Employment and Training Administration

Agency Information Collection Activities for H–2B Foreign Labor Certification Program; Comment Request

AGENCY: Employment and Training Administration, Department of Labor.

ACTION: Notice.

SUMMARY: The Department of Labor's (DOL) Employment and Training Administration (ETA) is soliciting comments concerning a proposed revision to the information collection request (ICR) titled ''H–2B Foreign Labor Certification Program,'' and related information collection and retention requirements (OMB Control Number 1205–0509), which covers Forms ETA–9142B, Appendices A, B, C, and D, ETA–9142B, Final Determination, H–2B Seafood Industry Attestation, and related form instructions. This action seeks to renew these forms. The Department also proposes to eliminate the Form ETA–9155, H–2B Registration and pertinent instructions, as employers are not required to complete and submit this form. This comment request is part of continuing Departmental efforts to reduce paperwork and respondent burden in accordance with the Paperwork Reduction Act of 1995 (PRA).

DATES: Consideration will be given to all written comments received by May 18, 2026.

ADDRESSES: To submit written comments and/or request a copy of this ICR (*e.g.,* forms, instructions; supporting documentation; etc.), for free, please send an email to Brian Pasternak, Administrator, Office of Foreign Labor Certification, by email at *ETA.OFLC.Forms@dol.gov.*

FOR FURTHER INFORMATION CONTACT: Brian Pasternak, Administrator, Office of Foreign Labor Certification, by email at *ETA.OFLC.Forms@dol.gov.*

(Authority: 44 U.S.C. 3506(c)(2)(A).)

SUPPLEMENTARY INFORMATION: DOL, in its continuing efforts to reduce paperwork and respondent burden, conducts a pre-clearance consultation program to provide the general public and Federal agencies an opportunity to comment on proposed and/or continuing collections of information before submitting them to the Office of Management and Budget (OMB) for final approval. This program ensures the public provides all necessary data in the desired format, the reporting burden (time and financial resources) is minimized, collection instruments are clearly understood, and the impact of collection requirements can be properly assessed.

This information collection is required by Sections 101(a)(15)(H)(ii)(b) and 214(c) of the Immigration and Nationality Act (INA) (8 U.S.C. 1011(a)(15)(H)(ii)(b) and 1184(c)), as well as 8 CFR 214.2(h)(6), 20 CFR 655, Subpart A, and 29 CFR 503. The H–2B program enables employers to bring nonimmigrant foreign workers to the United States to perform non-agricultural work of a temporary nature. *See* 8 U.S.C. 1101(a)(15)(H)(ii)(b). The Department of Homeland Security (DHS) consults with DOL with respect to the H–2B program, and DOL provides advice on whether U.S. workers capable of performing the temporary services or labor are available. *See* 8 U.S.C. 1184(c)(1), INA Section 214(c)(1) (providing for DHS to consult with ''appropriate agencies of the Government''). Under DHS regulations, an H–2B petition for temporary employment must be accompanied by an approved temporary labor certification from DOL, which serves as DOL's consultative advice to DHS regarding whether a qualified U.S. worker is available to fill the petitioning H–2B employer's job opportunity and whether a foreign worker's employment in the job opportunity will adversely affect the wages or working conditions of similarly employed U.S. workers. *See* 8 CFR 214.2(h)(6)(iii)(A), (iv)(A). DHS and DOL jointly promulgated regulations establishing the processes by which an employer must obtain a prevailing wage and temporary labor certification from DOL, and the rights and obligations of workers and employers. *See* 20 CFR 655, subpart A; 29 CFR part 503; 8 CFR 214.2(h)(6)(iii)–(iv). The information contained in the Form ETA–9142B, *H–2B Application for Temporary Employment Certification,* and corresponding appendices serves as the basis for the Secretary's determination that qualified U.S. workers are not available to perform the services or labor needed by the employer and that the wages and working conditions of similarly employed U.S. workers will not be adversely affected by the employment of H–2B workers.

ETA is seeking comments on the proposed renewal of the Form ETA–9142B, *H–2B Application for Temporary Employment Certification,* its instructions, Form ETA–9142B, Appendices A–D, and Form ETA–9142B, *Final Determination. Appendix A* requires an employer to use a standard format to disclose additional place(s) of employment and, if applicable, multiple wage offers for the job opportunity. Employers use *Appendix B* of the Form ETA–9142B to attest that they will comply with all of the terms, conditions, and obligations of the H–2B program. The Department is making a non-substantive change to a footnote in the appendix to update the Appropriations funding bill. *Appendix*

C requires an employer to use a standard format to disclose the identity and location of all foreign labor recruiters. In order to recruit prospective foreign workers for the job opportunities offered by the employer under the Form ETA–9142B, the employer, and its attorney or agent (as applicable), must provide the identity and location of all persons and entities hired by or working for the recruiter or agent and any of the agent(s) or employee(s) of those persons and entities. *See* 20 CFR 655.9(b). *Appendix D* requires joint employers, whether filing as job contractors or not, to disclose the name and contact information of the employer-client or other joint employer. The ICR contains a one-page Form ETA–9142B, *Final Determination: H–2B Temporary Labor Certification Approval,* which is issued electronically to employers granted temporary labor certification by DOL. In circumstances where the employer or, if applicable, its authorized attorney or agent, is not able to receive the temporary labor certification documents electronically, ETA sends the certification documents printed on standard paper in a manner that ensures overnight delivery. DOL seeks to renew these forms.

Additionally, ETA is seeking comments on a proposed three-year renewal without change for the Form ETA–9142B, *Seafood Industry Attestation.* Employers in the seafood industry who wish to stagger the entry of H–2B workers into the United States between 90 and 120 days after the certified start date of need will need to complete the Form ETA–9142B, *Seafood Industry Attestation,* and provide a copy to each H–2B worker to present, upon request by DHS, when seeking entry into the United States.

Finally, ETA is additionally seeking comments on its proposal to eliminate the Form ETA–9155, *H–2B Registration.* The Department had developed this form to facilitate the H–2B registration process and assist in determining whether the nature and duration of an employer's need for H–2B workers is temporary, but the form was not implemented. Pursuant to court order,[1] the Department created an internal process to issue registration numbers in lieu of the form, and thus employers are not required to complete the Form ETA–9155. The Department is, therefore, proposing to eliminate this form, its instructions, and the estimated time, recordkeeping, and cost burdens associated with it as employers are not required to complete nor file it in order to register.

This information collection is subject to the PRA. A Federal agency generally cannot conduct or sponsor a collection of information, and the public is generally not required to respond to an information collection, unless it is approved by OMB under the PRA and displays a currently valid OMB Control Number. In addition, notwithstanding any other provisions of law, no person shall generally be subject to penalty for failing to comply with a collection of information that does not display a valid Control Number. *See* 5 CFR 1320.5(a) and 1320.6. DOL obtains OMB approval for this information collection under Control Number 1205–0509. DOL notes that existing information collection requirements submitted to OMB receive a month-to-month extension while they undergo review.

This information collection is subject to the PRA. A Federal agency generally cannot conduct or sponsor a collection of information, and the public is generally not required to respond to an information collection unless OMB, under the PRA, approves it and the collection tool displays a currently valid OMB Control Number. In addition, notwithstanding any other provisions of law, no person shall generally be subject to penalty for failing to comply with a collection of information that does not display a valid Control Number. See 5 CFR 1320.5(a) and 1320.6.

Interested parties are encouraged to provide comments to the contact shown in the **ADDRESSES** section. Comments must be written to receive consideration, and they will be summarized and included in the request for OMB approval of the final ICR. In order to help ensure appropriate consideration, comments should mention OMB control number 1205–0509.

Submitted comments will also be a matter of public record for this ICR and posted on the internet, without redaction. DOL encourages commenters not to include personally identifiable information, confidential business data, or other sensitive statements/information in any comments.

DOL is particularly interested in comments that:

- Evaluate whether the proposed collection of information is necessary for the proper performance of the functions of the agency, including whether the information will have practical utility;
- Evaluate the accuracy of the agency's estimate of the burden of the proposed collection of information, including the validity of the methodology and assumptions used;
- Enhance the quality, utility, and clarity of the information to be collected; and
- Minimize the burden of the 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).

Agency: DOL–ETA.

Action: Revision.

Title of Collection: H–2B Foreign Labor Certification Program.

OMB Control Number: 1205–0509.

Affected Public: Private Sector (businesses or other for-profits); Not-for-profit Institutions; Government, State, Local and Tribal Governments.

Form(s): ETA–9142B, ETA–9142B General Instructions, ETA–9142B, Appendices A, B, C, and D, Form ETA–9142B, Final Determination, Form ETA–9142B, Seafood Industry Attestation.

Total Estimated Number of Annual Respondents: 106,925.

Frequency: On Occasion.

Total Estimated Annual Responses: 445,871.

Average Time per Response: 2 hours and 45 minutes.

Total Estimated Annual Time Burden: 128,851 hours.

Total Estimated Annual Other Costs Burden: $1,771,920.

(Authority: 44 U.S.C. 3507(a)(1)(D).)

Henry Maklakiewicz,

Assistant Secretary for Employment and Training, Labor.

[FR Doc. 2026–05204 Filed 3–16–26; 8:45 am]

BILLING CODE 4510–FP–P

[1] *Padilla Construction Company, et al.* v. *Martin J. Walsh, et al.,* No. 2:18–cv–1214 (C.D. Cal. Nov. 2, 2022).

NATIONAL SCIENCE FOUNDATION

Agency Information Collection Activities: Comment Request

AGENCY: National Science Foundation.

ACTION: Submission for OMB Review; Comment Request.

SUMMARY: The National Science Foundation (NSF) has submitted the following information collection requirement to OMB for review and clearance under the Paperwork Reduction Act of 1995. This is the second notice for public comment; the first was published in the **Federal Register** and no comments were received. NSF is forwarding the proposed renewal submission to the Office of Management and Budget

(OMB) for clearance simultaneously with the publication of this second notice.

DATES: 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.* Find this particular information collection by selecting ''Currently under 30-day Review—Open for Public Comments'' or by using the search function.

FOR FURTHER INFORMATION CONTACT: Suzanne H. Plimpton, Reports Clearance Officer, National Science Foundation, Randolph Building, 401 Dulaney Avenue, Alexandria, VA 22314, or send email to *splimpto@nsf.gov.* Individuals who use a telecommunications device for the deaf (TDD) may call the Federal Information Relay Service (FIRS) at 1–800–877–8339, which is accessible 24 hours a day, 7 days a week, 365 days a year (including federal holidays). Comments regarding this information collection are best assured of having their full effect if received within 30 days of this notification. Copies of the submission(s) may be obtained by calling 703–292–7556.

NSF may not conduct or sponsor a collection of information unless the collection of information displays a currently valid OMB control number, and the agency informs potential persons who are to respond to the collection of information that such persons are not required to respond to the collection of information unless it displays a currently valid OMB control number.

SUPPLEMENTARY INFORMATION:

Title of Collection: ''Postdoctoral Research Fellowships in Biology Application Form A and Reference Writer Recommendation.''

OMB Approval Number: 3145–0203.

Type of Request: Intent to seek approval to renew an information collection for three years.

Proposed Project: Two organizational units within the Directorate of Biological Sciences of the National Science Foundation will use the NSF Application Form A and recommendation form for the Postdoctoral Research Fellowships in Biology Program (*https://beta.nsf.gov/funding/opportunities/postdoctoral-research-fellowships-biology-prfb*). They are the Division of Biological Infrastructure (DBI) and the Division of Integrative Organismal Systems (IOS). All scientists submitting the NSF Application Forms and recommendation forms to these units will be asked to complete an electronic version of the forms. The NSF Application Form A consists of brief questions about the investigator and the substance of the research. The recommendation form consists of brief questions about the reference writer and the uploading of a recommendation letter drafted by the reference writer.

Use of the Information: The information gathered with the NSF Application Form A and recommendation form serves three main purposes. The first is to provide vehicles for applicants to submit applications and reference writers to submit recommendations.

The second is facilitation of the proposal review process. Since peer review is a key component of NSF's grant-making process, it is imperative that proposals are reviewed by scientists with appropriate expertise. The information collected helps ensure that the proposals are evaluated by specialists who are well versed in appropriate subject matter. This helps maintain a fair and equitable review process.

The third use of the information is program evaluation. The Directorate is committed to investing in a range of substantive areas. With data from this collection, the Directorate can calculate submission rates and funding rates in specific areas of research. Similarly, the information can be used to identify emerging areas of research, evaluate changing infrastructure needs in the research community, and track the amount of international research. As the National Science Foundation is committed to funding cutting-edge science, these factors all have implications for program management.

The Directorate of Biological Sciences has a continuing commitment to monitor its information collection in order to preserve its applicability and necessity. Through periodic updates and revisions, the Directorate ensures that only useful, non-redundant information is collected. These efforts will reduce excessive reporting burdens.

Burden on the Public: The burden hour for both information collections is 1,886 hours, broken down here. There is one version of the Postdoctoral Research Fellowships in Biology application form. The estimated, aggregated, annual hour burden for the form is 129 hours. The Directorate anticipates a total of 310 respondents to the Biology Directorate's program announcement, each giving one response. The estimated time per response is 25 minutes.

There is one version of the Postdoctoral Research Fellowships in Biology recommendation form. The estimated, aggregated, annual hour burden for the form is 1,757 hours. The Directorate anticipates a total of 620 respondents to the program announcement, each giving one response. The estimated time per response is 170 minutes.

Dated: March 13, 2026.

Suzanne H. Plimpton,

Reports Clearance Officer, National Science Foundation.

[FR Doc. 2026–05205 Filed 3–16–26; 8:45 am]

BILLING CODE 7555–01–P

NUCLEAR REGULATORY COMMISSION

[Docket Nos. 50–155 and 72–043; NRC–2026–0496]

In the Matter of Holtec Big Rock Point, LLC; Big Rock Point Plant; Direct Transfer of License

AGENCY: Nuclear Regulatory Commission.

ACTION: Order; issuance.

SUMMARY: The U.S. Nuclear Regulatory Commission (NRC) is issuing an order approving the direct transfer of control for Facility Operating License No. DPR–6 for the Big Rock Point Plant (BRP) and the general license for the BRP Independent Spent Fuel Storage Installation (ISFSI) from the current holder, Holtec Palisades, LLC (Holtec Palisades), to Holtec Big Rock Point, LLC, (Holtec Big Rock). Holtec Decommissioning International, LLC, will remain the licensed operator of BRP and the BRP ISFSI. The NRC is also amending the facility operating license for administrative purposes to reflect the license transfer from Holtec Palisades to Holtec Big Rock. The NRC determined that Holtec Big Rock is qualified to be the holder of the license and that the transfer of the license is otherwise consistent with applicable provisions of law, regulations, and orders issued by the Commission.

DATES: The Order was issued on March 11, 2026, and is effective for one year.

ADDRESSES: Please refer to Docket ID NRC–2026–0496 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–2026–0496. Address questions about Docket IDs in *Regulations.gov* to Bridget Curran; telephone: 301–415–1003; email: *Bridget.Curran@nrc.gov.* For technical questions, contact the individuals 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.* The license transfer request is available in ADAMS under Accession No. ML25248A301.

• *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* 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.

FOR FURTHER INFORMATION CONTACT: Marlayna V. Doell, Office of Nuclear Material Safety and Safeguards, U.S. Nuclear Regulatory Commission, Washington, DC 20555–0001; telephone: 301–415–3178; email: *Marlayna.Doell@nrc.gov.*

SUPPLEMENTARY INFORMATION: The text of the order is attached.

Dated: March 12, 2026.

For the Nuclear Regulatory Commission.

Michelle Sutherland,

Acting Chief, Reactor Decommissioning Branch, Division of Decommissioning, Uranium Recovery, and Waste Programs, Office of Nuclear material Safety and Safeguards.

Attachment Order—Approving the Transfer of License and Conforming Amendment

United States of America

Nuclear Regulatory Commission

In the Matter of Holtec Decommissioning International, LLC, Holtec Palisades, LLC, and Holtec Big Rock Point, LLC; Big Rock Point Plant and Independent Spent Fuel Storage Installation Docket Nos. 50–155 and 72–043; License No. DPR–6

Order Approving Direct Transfer of License and Conforming Amendment

I.

Holtec Palisades, LLC, is the holder of Facility Operating License No. DPR–6 and the general license for the Independent Spent Fuel Storage Installation (ISFSI) for the Big Rock Point Plant (BRP). Holtec Decommissioning International, LLC (HDI) is the licensed operator of BRP and has authorization to conduct licensed activities under the defueled facility licensing basis. BRP is located in Charlevoix County, Michigan, approximately 11 miles west of Petoskey, on the northern shore of Michigan's Lower Peninsula.

II.

By application dated September 5, 2025 (Agencywide Documents Access and Management System (ADAMS) Accession No. ML25248A301), as supplemented by letter dated January 30, 2026 (ML26030A036), HDI, on behalf of itself, Holtec Palisades, LLC (Holtec Palisades), and Holtec Big Rock Point, LLC (Holtec Big Rock) (collectively, the Applicants), requested that the U.S. Nuclear Regulatory Commission (NRC, the Commission) consent to the direct transfer of control of Facility Operating License (FOL) No. DPR–6 for BRP and the general license for the BRP ISFSI, from Holtec Palisades to Holtec Big Rock. The Applicants also requested that the NRC approve a conforming administrative amendment to the facility license to reflect the proposed direct transfer of the license from Holtec Palisades to Holtec Big Rock. The Applicants submitted these requests to the NRC for approval under Section 184, ''Inalienability of Licenses,'' of the Atomic Energy Act of 1954, as amended (AEA); Title 10 of the *Code of Federal Regulations* (10 CFR) Section 50.80, ''Transfer of licenses,'' 10 CFR 72.50, ''Transfer of license,'' and 10 CFR 50.90, ''Application for amendment of license, construction permit, or early site permit.''

Upon NRC approval of the license transfer application and the consummation of the proposed transfer transaction, Holtec Big Rock would become the licensed owner of BRP under FOL No. DPR–6 and the general license for the BRP ISFSI, as well as the holder of the BRP decommissioning trust fund (DTF) established under 10 CFR 50.75, ''Reporting and recordkeeping for decommissioning planning,'' and the party to the Standard Contract for Disposal of Spent Nuclear Fuel with the U.S. Department of Energy. HDI is, and would remain, the licensed operator of BRP post-transfer.

On February 3, 2026, the NRC published in the **Federal Register** (91 FR 4970) a notice of consideration of approval of the license transfer application and conforming amendment to the license to reflect the proposed transfer. This notice provided an opportunity to comment, request a hearing, and petition for leave to intervene on the application. No requests for hearing or comments related to the substance of the license transfer application were received.

In accordance with 10 CFR 50.80, no license for a production or utilization facility, or any right thereunder, shall be transferred, either voluntarily or involuntarily, directly or indirectly, through transfer of control of the license to any person, unless the Commission gives its consent in writing. Upon review of the information in the license transfer application, and other information before the Commission, the NRC staff has determined that Holtec Big Rock and HDI are qualified to hold the licenses to the extent proposed in the application, and that the transfer of the licenses is otherwise consistent with the applicable provisions of law, regulations, and orders issued by the NRC, pursuant thereto.

Upon review of the application for a conforming administrative amendment to the license to reflect the direct transfer, the NRC staff determined the following:

(1) The application for the proposed license amendment complies with the standards and requirements of the AEA and the Commission's rules and regulations set forth in 10 CFR Chapter I;

(2) The facilities will operate in conformity with the application, the provisions of the AEA and the rules and regulations of the Commission;

(3) There is reasonable assurance that the activities authorized by the proposed license amendment can be conducted without endangering the health and safety of the public and that such activities will be conducted in compliance with the Commission's regulations;

(4) The issuance of the proposed license amendment will not be inimical to the common defense and security or to the health and safety of the public; and

(5) The issuance of the proposed amendment will be in accordance with 10 CFR part 51 of the Commission's regulations and all applicable requirements have been satisfied. The findings set forth above are supported by an NRC safety evaluation dated March 11, 2026, which is available at ADAMS Accession No. ML26057A192.

III.

Accordingly, pursuant to Sections 161b, 161i, 161o, and 184 of the AEA, 42 U.S.C. 2201(b), 2201(i), 2201(o), and 2234; and 10 CFR 50.80, 10 CFR 72.50, and 10 CFR 50.90, *it is hereby ordered* that the application regarding the proposed direct license transfer is approved subject to the following condition:

Prior to the closing of the license transfer from Holtec Palisades to Holtec Big Rock, Holtec Big Rock shall provide satisfactory documentary evidence to the Director of the Office of Nuclear Material Safety and Safeguards (NMSS) at the NRC that it has obtained or continues to possess the appropriate amount of insurance required of a licensee under 10 CFR 140.12 and 10 CFR 50.54(w) of the Commission's regulations, consistent with the exemptions previously issued to BRP, and that coverage will be in place on the effective date of the transfer.

It is further ordered that consistent with 10 CFR 2.1315(b), the license amendment that makes a change, as indicated in Enclosure 2 to the cover letter forwarding this Order, to reflect the subject direct transfer, is approved. The amendment shall be issued and made effective at the time the proposed direct license transfer is completed.

It is further ordered that HDI shall inform the Director of NMSS in writing of the date of closing of the transfer of the Holtec Palisades interests in BRP to Holtec Big Rock, at least 2 business days prior to closing. Should the transfer of the license not be completed within 1 year of this Order's date of issuance, this Order shall become null and void; provided, however, that upon written application and for good cause shown, such date may be extended by order.

This Order is effective upon issuance.

For further details with respect to this Order, see the initial application dated

September 5, 2025, and the associated NRC staff safety evaluation dated March 11, 2026, which are available for public inspection electronically through ADAMS in the NRC Library at *https://www.nrc.gov/reading-rm/adams.html.* Persons who do not have access to ADAMS or who encounter problems in accessing the documents located in ADAMS, should contact the NRC PDR reference staff by telephone at 1–800–397–4209, or 301–415–4737, or by email to *pdr.resource@nrc.gov.*

Dated at Rockville, Maryland this 11th day of March 2026.

FOR THE NUCLEAR REGULATORY COMMISSION.

/RA/

Theodore B. Smith,

Acting Deputy Director, Division of Decommissioning, Uranium Recovery and Waste Programs, Office of Nuclear Material Safety and Safeguards.

[FR Doc. 2026–05153 Filed 3–16–26; 8:45 am]

BILLING CODE 7590–01–P

NUCLEAR REGULATORY COMMISSION

[NRC–2026–1189]

Monthly Notice; Applications and Amendments to Facility Operating Licenses and Combined Licenses Involving No Significant Hazards Considerations

AGENCY: Nuclear Regulatory Commission.

ACTION: Monthly notice.

SUMMARY: Pursuant to section 189a.(2) of the Atomic Energy Act of 1954, as amended (the Act), the U.S. Nuclear Regulatory Commission (NRC) is publishing this regular monthly notice. The Act requires the Commission to publish notice of any amendments issued, or proposed to be issued, and grants the Commission the authority to issue and make immediately effective any amendment to an operating license or combined license, as applicable, upon a determination by the Commission that such amendment involves no significant hazards consideration (NSHC), notwithstanding the pendency before the Commission of a request for a hearing from any person.

DATES: Comments must be filed by April 16, 2026. A request for a hearing or petitions for leave to intervene must be filed by May 18, 2026.

This monthly notice includes all amendments issued, or proposed to be issued, from January 30, 2026, to February 26, 2026. The last monthly notice was published on February 17, 2026.

ADDRESSES: You may submit comments by any of the following methods; however, the NRC encourages electronic comment submission through the Federal rulemaking website.

- *Federal rulemaking website:* Go to *https://www.regulations.gov* and search for Docket ID NRC–2026–1189. Address questions about Docket IDs in *Regulations.gov* to Bridget Curran; telephone: 301–415–1003; email: *Bridget.Curran@nrc.gov.* For technical questions, contact the individual(s) listed in the **FOR FURTHER INFORMATION CONTACT** section of this document.
- *Mail comments to:* Office of Administration, Mail Stop: TWFN–5–A85, U.S. Nuclear Regulatory Commission, Washington, DC 20555–0001, ATTN: Program Management, Announcements and Editing Staff.

For additional direction on obtaining information and submitting comments, see ''Obtaining Information and Submitting Comments'' in the **SUPPLEMENTARY INFORMATION** section of this document.

FOR FURTHER INFORMATION CONTACT: Angela Baxter, Office of Nuclear Reactor Regulation, U.S. Nuclear Regulatory Commission, Washington, DC 20555–0001; telephone: 301–415–8209; email: *Angela.Baxter@nrc.gov*.

SUPPLEMENTARY INFORMATION:

I. Obtaining Information and Submitting Comments

A. Obtaining Information

Please refer to Docket ID NRC–2026–1189, facility name, unit number(s), docket number(s), application date, and subject when contacting the NRC about the availability of information for this action. You may obtain publicly available information related to this action by any of the following methods:

- *Federal Rulemaking Website:* Go to *https://www.regulations.gov* and search for Docket ID NRC–2026–1189.
- *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.* 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* 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.

B. Submitting Comments

The NRC encourages electronic comment submission through the Federal rulemaking website (*https://www.regulations.gov*). Please include Docket ID NRC–2026–1189, facility name, unit number(s), docket number(s), application date, and subject, in your comment submission.

The NRC cautions you not to include identifying or contact information that you do not want to be publicly disclosed in your comment submission. The NRC will post all comment submissions at *https://www.regulations.gov* as well as enter the comment submissions into ADAMS. The NRC does not routinely edit comment submissions to remove identifying or contact information.

If you are requesting or aggregating comments from other persons for submission to the NRC, then you should inform those persons not to include identifying or contact information that they do not want to be publicly disclosed in their comment submission. Your request should state that the NRC does not routinely edit comment submissions to remove such information before making the comment submissions available to the public or entering the comment into ADAMS.

II. Notice of Consideration of Issuance of Amendments to Facility Operating Licenses and Combined Licenses and Proposed No Significant Hazards Consideration Determination

For the facility-specific amendment requests shown in this notice, the Commission finds that the licensees' analyses provided, consistent with section 50.91 of title 10 of *the Code of Federal Regulations* (10 CFR) ''Notice for public comment; State consultation,'' are sufficient to support the proposed determinations that these amendment requests involve NSHC. Under the Commission's regulations in 10 CFR 50.92, operation of the facilities in accordance with the proposed amendments would not (1) involve a significant increase in the probability or consequences of an accident previously evaluated; or (2) create the possibility of a new or different kind of accident from any accident previously evaluated; or (3) involve a significant reduction in a margin of safety.

The Commission is seeking public comments on these proposed

determinations. Any comments received within 30 days after the date of publication of this notice will be considered in making any final determinations.

Normally, the Commission will not issue the amendments until the expiration of 60 days after the date of publication of this notice. The Commission may issue any of these license amendments before expiration of the 60-day period provided that its final determination is that the amendment involves NSHC. In addition, the Commission may issue any of these amendments prior to the expiration of the 30-day comment period if circumstances change during the 30-day comment period such that failure to act in a timely way would result, for example in derating or shutdown of the facility. If the Commission takes action on any of these amendments prior to the expiration of either the comment period or the notice period, it will publish in the **Federal Register** a notice of issuance. If the Commission makes a final NSHC determination for any of these amendments, any hearing will take place after issuance. The Commission expects that the need to take action on any amendment before 60 days have elapsed will occur very infrequently.

A. 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 any of these actions may file a request for a hearing and petition for leave to intervene (petition) with respect to that 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 Commission or a 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 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).

If a hearing is requested, and the Commission has not made a final determination on the issue of no significant hazards consideration, the Commission will make a final determination on the issue of no significant hazards consideration, which will serve to establish when the hearing is held. If the final determination is that the license amendment request involves no significant hazards consideration, the Commission may issue the amendment and make it immediately effective, notwithstanding the request for a hearing. Any hearing would take place after issuance of the amendment. If the final determination is that the license amendment request involves a significant hazards consideration, then any hearing held would take place before the issuance of the amendment unless the Commission finds an imminent danger to the health or safety of the public, in which case it will issue an appropriate order or rule under 10 CFR part 2.

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*).

B. 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,* or by telephone at 301–415–1677, to: (1) request a digital identification (ID) certificate which allows the participant (or their 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 their 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 is created, the participant must submit adjudicatory documents in the 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 in order 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, 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 previously described, click ''cancel'' when the link requests certificates and you will be automatically directed to the NRC's electronic hearing docket 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.

The following table provides the plant name, docket number, date of application, ADAMS accession number, and location in the application of the licensees' proposed NSHC determinations. For further details with respect to these license amendment applications, see the applications for amendment, which are available for public inspection in ADAMS. For additional direction on accessing information related to this document, see the ''Obtaining Information and Submitting Comments'' section of this document.

LICENSE AMENDMENT REQUESTS

Constellation Energy Generation, LLC; Braidwood Station, Units 1 and 2; Will County, IL; Constellation Energy Generation, LLC; Byron Station, Units 1 and 2; Will County, IL; Constellation Energy Generation, LLC; Calvert Cliffs Nuclear Power Plant, Units 1 and 2; Calvert County, MD; Constellation Energy Generation, LLC; Clinton Power Station, Unit No. 1; DeWitt County, IL; Constellation Energy Generation, LLC; Dresden Nuclear Power Station, Units 2 and 3; Grundy County, IL; Constellation Energy Generation, LLC; LaSalle County Station, Units 1 and 2; LaSalle County, IL; Constellation Energy Generation, LLC; Peach Bottom Atomic Power Station, Units 2 and 3; York County, PA; Constellation Energy Generation, LLC; Quad Cities Nuclear Power Station, Units 1 and 2; Rock Island County, IL; Constellation Energy Generation, LLC; R. E. Ginna Nuclear Power Plant; Wayne County, New York; Constellation FitzPatrick, LLC and Constellation Energy Generation, LLC; James A. FitzPatrick Nuclear Power Plant; Oswego County, NY; Nine Mile Point Nuclear Station, LLC and Constellation Energy Generation, LLC; Nine Mile Point Nuclear Station, Unit 2; Oswego County, NY

Docket Nos.	50–454, 50–455, 50–456, 50–457, 50–317, 50–318, 50–461, 50–237, 50–249, 50–333, 50–373, 50–374, 50-410, 50–277, 50–278, 50–254, 50–265, 50–244.
Application date	February 13, 2026.
ADAMS Accession No.	ML26044A152.
Location in Application of NSHC	Pages 6–8 of Attachment 1.
Brief Description of Amendments	The proposed amendments are consistent with Technical Specification Task Force (TSTF) Traveler 585, Revision 5, ''Revise LCO 3.0.3 to Require Managing Risk.'' TSTF–585 revises Limiting Condition for Operation (LCO) 3.0.3 to require assessing and managing plant risk whenever LCO 3.0.3 is entered. If the risk assessment determines that continuing plant operation is acceptable and other conditions are satisfied, 24-hours from entry into LCO 3.0.3 is permitted to initiate a shutdown. Otherwise, initiation of the shutdown is required immediately. The proposed amendments also revise or adds some technical specification Required Actions to direct a plant shutdown instead of entry into LCO 3.0.3.
Proposed Determination	NSHC.
Name of Attorney for Licensee, Mailing Address	Jason Zorn, Associate General Counsel, Constellation Energy Generation, LLC, 101 Constitution Ave. NW, Suite 400 East, Washington, DC 20001.
NRC Project Manager, Telephone Number	Robert Kuntz, 301–415–3733.

Dominion Energy Nuclear Connecticut, Inc.; Millstone Power Station, Unit No. 3; New London County, CT

Docket No.	50–423.
Application date	December 18, 2025, as supplemented by letter dated February 11, 2026.
ADAMS Accession Nos.	ML25353A596 and ML26042A194.
Location in Application of NSHC	Pages 2–3 of Attachment 1.
Brief Description of Amendment	The proposed amendment would adopt Technical Specifications Task Force (TSTF) Traveler 601, ''Extend Shield Building Completion Time After Refueling,'' into the Millstone Power Station, Unit No. 3, technical specifications (TS). TSTF–601 revises the shield building TS to add a new Action that is applicable prior to criticality following a refueling outage. The licensee requests that the amendment be reviewed under the Consolidated Line-Item Improvement Process.
Proposed Determination	NSHC.
Name of Attorney for Licensee, Mailing Address	W.S. Blair, Senior Counsel, Dominion Energy Services, Inc., 120 Tredegar St., RS–2, Richmond, VA 23219.
NRC Project Manager, Telephone Number	Theo Edwards, 301–415–1721.

LICENSE AMENDMENT REQUESTS—Continued

Duke Energy Florida, LLC; Crystal River Unit 3 Nuclear Generating Station; Citrus County, FL	
Docket No.	50–302.
Application date	October 15, 2025, as supplemented by letters dated December 11, 2025, February 25, 2026.
ADAMS Accession No.	ML25288A002, ML25345A213, and ML26056A059.
Location in Application of NSHC	Enclosure 1, Section 4.2.
Brief Description of Amendment	The proposed amendment would approve the License Termination Plan (LTP) and add a license condition that establishes the criteria for determining when changes to the LTP require prior NRC approval for Crystal River Unit 3.
Proposed Determination	NSHC.
Name of Attorney for Licensee, Mailing Address	Gregory Di Carlo, Vice President/General Counsel, NorthStar Group Services, Inc., 15760 West Power Street, NA1A, Crystal River, FL 34428.
NRC Project Manager, Telephone Number	Chris Allen, 301–415–6877.
Florida Power & Light Company, et al.; St. Lucie Plant, Unit Nos. 1 and 2; St. Lucie County, FL; Florida Power & Light Company; Turkey Point Nuclear Generating Unit Nos. 3 and 4; Miami-Dade County, FL; NextEra Energy Point Beach, LLC; Point Beach Nuclear Plant, Units 1 and 2; Manitowoc County, WI; NextEra Energy Seabrook, LLC; Seabrook Station, Unit No. 1; Rockingham County, NH	
Docket Nos.	50–250, 50–251, 50–335, 50–389, 50–266, 50–301, 50–443.
Application date	October 29, 2025.
ADAMS Accession No.	ML25302A391.
Location in Application of NSHC	Pages 23–24 of the Enclosure.
Brief Description of Amendments	The proposed amendments would modify each of the units' technical specifications to provide for an online monitoring program using the methodology described in Analysis and Measurement Services topical report AMS–TR–0720R2–A, ''Online Monitoring Technology to Extend Calibration Intervals of Nuclear Plant Pressure Transmitters,'' dated August 20, 2021.
Proposed Determination	NSHC.
Name of Attorney for Licensee, Mailing Address	Steven Hamrick, Senior Attorney—Nuclear, Florida Power and Light Company, (LAW/WAS) General Counsel, 801 Pennsylvania Ave. NW, Suite 220 Washington, DC 20004.
NRC Project Manager, Telephone Number	Michael L. Marshall, Jr., 301–415–2871.
Northern States Power Company; Monticello Nuclear Generating Plant; Wright County, MN	
Docket No.	50–263.
Application date	January 29, 2026.
ADAMS Accession No.	ML26029A312.
Location in Application of NSHC	Pages 1–3 of the Enclosure.
Brief Description of Amendment	The proposed amendment would adopt Technical Specifications Task Force (TSTF) 591, ''Revise Risk Informed Completion Time (RICT) Program,'' for Monticello Nuclear Generating Plant. TSTF–591 revises Technical Specification (TS) Section 5.5 Program, ''Risk Informed Completion Time Program,'' to reference Regulatory Guide 1.200, Revision 3, instead of Revision 2, and to make other changes. A new report will be added to TS Section 5.6, ''Reporting Requirements,'' to inform the NRC of newly developed methods used to calculate a RICT.
Proposed Determination	NSHC.
Name of Attorney for Licensee, Mailing Address	Andrew Van Duzer, Assistant General Counsel Xcel Energy, 701 Pennsylvania Ave. NW, Suite 250, Washington, DC 20004.
NRC Project Manager, Telephone Number	Brent Ballard, 301–415–0680.
Pacific Gas and Electric Company; Diablo Canyon Nuclear Power Plant, Units 1 and 2; San Luis Obispo County, CA	
Docket Nos.	50–275, 50–323.
Application date	December 18, 2025.
ADAMS Accession No.	ML25354A002.
Location in Application of NSHC	Pages 13–15 of Enclosure 1.
Brief Description of Amendments	The amendments would replace the current Diablo Canyon Nuclear Power Plant, Units 1 and 2, spent fuel pool and new fuel vault criticality safety analysis, with a new analysis based on the latest Westinghouse Electric Company CSA methodology, which is consistent with the latest NRC-approved industry guidance.
Proposed Determination	NSHC.
Name of Attorney for Licensee, Mailing Address	Jennifer Post, Esq., Pacific Gas and Electric Co., 77 Beale Street, Room 3065, Mail Code B30A, San Francisco, CA 94105.
NRC Project Manager, Telephone Number	Samson Lee, 301–415–3168.
Pacific Gas and Electric Company; Diablo Canyon Nuclear Power Plant, Units 1 and 2; San Luis Obispo County, CA	
Docket Nos.	50–275, 50–323.
Application date	December 18, 2025.
ADAMS Accession No.	ML25354A001.
Location in Application of NSHC	Section 3.1 of the Enclosure.

LICENSE AMENDMENT REQUESTS—Continued

Brief Description of Amendments	The proposed amendments would revise technical specifications (TSs) to adopt Technical Specifications Task Force (TSTF) Traveler TSTF–529, Revision 4, ''Clarify Use and Application Rules.'' The proposed amendments would modify TS requirements in section 1.3 and section 3.0 regarding limiting condition for operation and surveillance requirement usage. These changes are consistent with NRC-approved TSTF–529, Revision 4.
Proposed Determination	NSHC.
Name of Attorney for Licensee, Mailing Address	Jennifer Post, Esq., Pacific Gas and Electric Co., 77 Beale Street, Room 3065, Mail Code B30A, San Francisco, CA 94105.
NRC Project Manager, Telephone Number	Samson Lee, 301–415–3168.

Pacific Gas and Electric Company; Diablo Canyon Nuclear Power Plant, Units 1 and 2; San Luis Obispo County, CA

Docket Nos.	50–275, 50–323.
Application date	December 18, 2025.
ADAMS Accession No.	ML25354A003.
Location in Application of NSHC	Pages 5–7 of the Enclosure.
Brief Description of Amendments	The proposed amendments would revise technical specifications (TSs) to adopt Technical Specifications Task Force (TSTF) Traveler TSTF–596, ''Expand the Applicability of the Surveillance Frequency Control Program (SFCP),'' which is an approved change to the standard technical specifications. TSTF–596 expands the applicability of the SFCP to include other periodic testing frequencies in TSs.
Proposed Determination	NSHC.
Name of Attorney for Licensee, Mailing Address	Jennifer Post, Esq., Pacific Gas and Electric Co., 77 Beale Street, Room 3065, Mail Code B30A, San Francisco, CA 94105.
NRC Project Manager, Telephone Number	Samson Lee, 301–415–3168.

Pacific Gas and Electric Company; Diablo Canyon Nuclear Power Plant, Units 1 and 2; San Luis Obispo County, CA

Docket Nos.	50–275, 50–323.
Application date	January 22, 2026.
ADAMS Accession No.	ML26026A302.
Location in Application of NSHC	Pages 2–5 of the Enclosure.
Brief Description of Amendments	The proposed amendments would adopt Technical Specification Task Force (TSTF) Traveler 585 (TSTF–585), ''Revise LCO 3.0.3 to Require Managing Risk.'' TSTF–585 revises Limiting Condition for Operation (LCO) 3.0.3 to require assessing and managing plant risk whenever LCO 3.0.3 is entered. If the risk assessment determines that continuing plant operation is acceptable and other conditions are satisfied, 24-hours from entry into LCO 3.0.3 is permitted to initiate a shutdown. Otherwise, initiation of the shutdown is required immediately. The proposed amendment also revises or adds some technical specification Required Actions to direct a plant shutdown instead of entry into LCO 3.0.3.
Proposed Determination	NSHC.
Name of Attorney for Licensee, Mailing Address	Jennifer Post, Esq., Pacific Gas and Electric Co., 77 Beale Street, Room 3065, Mail Code B30A, San Francisco, CA 94105.
NRC Project Manager, Telephone Number	Robert Kuntz, 301–415–3733.

Tennessee Valley Authority; Sequoyah Nuclear Plant, Units 1 and 2; Hamilton County, TN

Docket Nos.	50–327, 50–328.
Application date	January 15, 2026.
ADAMS Accession No.	ML26015A134.
Location in Application of NSHC	Pages E8–E9 of the Enclosure.
Brief Description of Amendments	The proposed amendments would revise Sequoyah Nuclear Plant, Units 1 and 2, Technical Specification (TS) 5.5.3, ''Radioactive Effluent Controls Program,'' to specify that the dose coefficients for radionuclides associated with potassium hydroxide may be determined using certain International Commission on Radiological Protection publications and Environmental Protection Agency Federal Guidance reports for determining the various doses specified in TS 5.5.3.
Proposed Determination	NSHC.
Name of Attorney for Licensee, Mailing Address	Rebecca Tolene (Acting), Executive VP and General Counsel, Tennessee Valley Authority, 400 West Summit Hill Drive, WT 6A, Knoxville, TN 37902.
NRC Project Manager, Telephone Number	Kimberly Green, 301–415–1627.

Tennessee Valley Authority; Watts Bar Nuclear Plant, Units 1 and 2; Rhea County, TN

Docket Nos.	50–390, 50–391.
Application date	December 11, 2025.
ADAMS Accession No.	ML25345A287.
Location in Application of NSHC	Pages E6–E8 of the Enclosure.
Brief Description of Amendments	The proposed amendments would revise Watts Bar Nuclear Plant, Units 1 and 2, Technical Specification (TS) 3.7.3, ''Main Feedwater Isolation Valves (MFIVs) and Main Feedwater Regulation Valves (MFRVs) and Associated Bypass Valves,'' for consistency with the Westinghouse Standard TSs, and would revise the applicability statement to be consistent with Amendment Nos. 173 and 78 for Watts Bar Nuclear Plant, Units 1 and 2, respectively.
Proposed Determination	NSHC.

LICENSE AMENDMENT REQUESTS—Continued

Name of Attorney for Licensee, Mailing Address	Rebecca Tolene (Acting), Executive VP and General Counsel, Tennessee Valley Authority, 400 West Summit Hill Drive, WT 6A, Knoxville, TN 37902.
NRC Project Manager, Telephone Number	Kimberly Green, 301–415–1627.

Virginia Electric and Power Company, Dominion Nuclear Company; North Anna Power Station, Units 1 and 2; Louisa County, VA

Docket Nos.	50–338, 50–339.
Application date	January 30, 2026.
ADAMS Accession No.	ML26030A239.
Location in Application of NSHC	Pages 6–7 of Enclosure 1.
Brief Description of Amendments	The proposed amendments would delete the technical specification requirement for the Power Range Neutron Flux Rate—High Negative Rate Trip function, as described in the submittal.
Proposed Determination	NSHC.
Name of Attorney for Licensee, Mailing Address	William (Bill) S. Blair, Senior Counsel, Dominion Energy, Inc., 120 Tredegar Street, RS–2 Richmond, VA 23219.
NRC Project Manager, Telephone Number	G. Ed Miller, 301–415–2481.

Vistra Operations Company LLC; Beaver Valley Power Station, Unit Nos. 1 and 2; Beaver County, PA

Docket Nos.	50–334, 50–412.
Application date	January 20, 2026.
ADAMS Accession No.	ML26020A226.
Location in Application of NSHC	Pages 4–7 of the Enclosure.
Brief Description of Amendments	The proposed amendments would adopt Technical Specification Task Force (TSTF)–589, ''Eliminate Automatic Diesel Generator Start During Shutdown,'' and TSTF–599, ''Eliminate Periodic Surveillance Test of Simultaneous Start of Redundant Diesel Generators,'' which approved changes to the Standard Technical Specifications, into the Beaver Valley Power Station, Unit Nos. 1 and 2, technical specifications (TS). TSTF–589 eliminates the TS requirements for automatic diesel generator (DG) start and loading during shutdown. TSTF–599 eliminates the periodic surveillance requirement to verify that all required DGs achieve rated frequency and voltage within the specified time period when started simultaneously.
Proposed Determination	NSHC.
Name of Attorney for Licensee, Mailing Address	Roland Backhaus, Senior Lead Counsel-Nuclear, Vistra Corp., 325 7th Street NW, Suite 520, Washington, DC 20004.
NRC Project Manager, Telephone Number	V. Sreenivas, 301–415–2597.

III. Notice of Issuance of Amendments to Facility Operating Licenses and Combined Licenses

During the period since publication of the last monthly notice, the Commission has issued the following amendments. The Commission has determined for each of these amendments that the application complies with the standards and requirements of the Atomic Energy Act of 1954, as amended (the Act), and the Commission's rules and regulations. The Commission has made appropriate findings as required by the Act and the Commission's rules and regulations in 10 CFR chapter I, which are set forth in the license amendment.

A notice of consideration of issuance of amendment to facility operating license or combined license, as applicable, proposed NSHC determination, and opportunity for a hearing in connection with these actions, were published in the **Federal Register** as indicated in the safety evaluation for each amendment.

Unless otherwise indicated, the Commission has determined that these amendments satisfy the criteria for categorical exclusion in accordance with 10 CFR 51.22. Therefore, pursuant to 10 CFR 51.22(b), no environmental impact statement or environmental assessment need be prepared for these amendments. If the Commission has prepared an environmental assessment under the special circumstances provision in 10 CFR 51.22(b) and has made a determination based on that assessment, it is so indicated in the safety evaluation for the amendment.

For further details with respect to each action, see the amendment and associated documents such as the Commission's letter and safety evaluation, which may be obtained using the ADAMS accession numbers indicated in the following table. The safety evaluation will provide the ADAMS accession numbers for the application for amendment and the **Federal Register** citation for any environmental assessment. All of these items can be accessed as described in the ''Obtaining Information and Submitting Comments'' section of this document.

LICENSE AMENDMENT ISSUANCES

Constellation Energy Generation, LLC; Braidwood Station, Units 1 and 2, Will County, IL; Byron Station, Unit Nos. 1 and 2, Ogle County, IL

Docket Nos.	50–456, 50–457, 50–454, 50–455.
Amendment Date	February 4, 2026.
ADAMS Accession No.	ML26020A287.
Amendment Nos.	Braidwood—245 (Units 1 and 2); Byron—243 (Unit Nos. 1 and 2).

LICENSE AMENDMENT ISSUANCES—Continued

Brief Description of Amendments	The amendments revised the technical specifications (TSs) for each facility in accordance with the following Technical Specifications Task Force (TSTF) Travelers: TSTF–286A, Revision 2, ''Operations Involving Positive Reactivity Additions'' (ML20106F133). This TSTF revised certain TSs to limit the introduction of reactivity into the reactor coolant system to be more positive than that required to meet the required shutdown margin or refueling boron concentration, as applicable; TSTF 471, Revision 1, ''Eliminate use of term CORE ALTERATIONS in ACTIONS and Notes'' (ML19101A215). This TSTF eliminated the remaining uses of the defined term CORE ALTERATIONS. TSTF–471 is a continuation of TSTF–51, Revision 2, ''Revise containment requirements during handling irradiated fuel and core alterations'' (ML040400343); and TSTF–571, Revision 0, ''Revise Actions for Inoperable Source Range Neutron Flux Monitor'' (pages 6 to 30 of the document in ML18221A561). This TSTF revised the Required Actions for an inoperable source range neutron flux monitor to prohibit the movement of fuel assemblies, sources, and reactivity control components when a core subcritical neutron flux monitor is inoperable. A provision is included to allow such movement if it is needed to repair the core subcritical neutron flux monitor.
Public Comments Received as to Proposed NSHC (Yes/No).	No.

Constellation Energy Generation, LLC; Calvert Cliffs Nuclear Power Plant, Unit 2; Calvert County, MD

Docket No.	50–318.
Amendment Date	February 17, 2026.
ADAMS Accession No.	ML25349A001.
Amendment No.	331.
Brief Description of Amendment	This amendment added a one-time change to technical specification 3.8.1, ''AC [alternating current] Sources-Operating,'' Action D.3, to allow for electrical system modifications to be performed.
Public Comments Received as to Proposed NSHC (Yes/No).	No.

Constellation Energy Generation, LLC; LaSalle County Station, Units 1 and 2; LaSalle County, IL

Docket Nos.	50–373, 50–374.
Amendment Date	February 2, 2026.
ADAMS Accession No.	ML26008A272.
Amendment Nos.	267 (Unit 1) and 252 (Unit 2).
Brief Description of Amendments	The amendments added the requirement to perform a Channel Check in accordance with Surveillance Requirement 3.3.6.1.1 to the Main Steam Line Flow-High (Function 1.c).
Public Comments Received as to Proposed NSHC (Yes/No).	No.

Constellation Energy Generation, LLC; Quad Cities Nuclear Power Station, Units 1 and 2; Rock Island County, IL

Docket Nos.	50–265, 50–254.
Amendment Date	February 23, 2026.
ADAMS Accession No.	ML26033A491.
Amendment Nos.	305 (Unit 1) and 301 (Unit 2).
Brief Description of Amendments	The amendments modified Technical Specifications 3.6.2.4, ''Residual Heat Removal Suppression Pool Spray,'' allowing the use of a Risk-informed Completion Time when one pool spray subsystem is inoperable.
Public Comments Received as to Proposed NSHC (Yes/No).	No.

Constellation FitzPatrick, LLC and Constellation Energy Generation, LLC; James A. FitzPatrick Nuclear Power Plant; Oswego County, NY

Docket No.	50–333.
Amendment Date	February 23, 2026.
ADAMS Accession No.	ML26042A387.
Amendment No.	362.
Brief Description of Amendment	The amendment removed Function 1.e, ''Main Steam Line Tunnel Area Temperature—High,'' from Table 3.3.6.1–1, ''Primary Containment Isolation Instrumentation,'' and adds a new Technical Specification, ''Main Steam Tunnel (MST) Area Temperature,'' requiring manual action when the MST area temperature is above the specified temperature limit.
Public Comments Received as to Proposed NSHC (Yes/No).	No.

Dominion Energy Nuclear Connecticut, Inc.; Millstone Power Station, Unit No. 3; New London County, CT

Docket No.	50–423.
Amendment Date	December 16, 2025.
ADAMS Accession No.	ML25339A001.
Amendment No.	293.

LICENSE AMENDMENT ISSUANCES—Continued

Brief Description of Amendment	The amendment adopted Technical (TS) Specifications Task Force (TSTF) Traveler TSTF–577, Revision 1, ''Revised Frequencies for Steam Generator Tube Inspections.'' The amendment revised the TSs related to steam generator tube inspections and reporting requirements in TS section 6.8.4.g, ''Steam Generator (SG) Program,'' and TS section 6.9.1.7, ''Steam Generator Tube Inspection Report,'' respectively, based on operating history.
Public Comments Received as to Proposed NSHC (Yes/No).	No.

Duke Energy Carolinas, LLC; Catawba Nuclear Station, Units 1 and 2; York County, SC; Duke Energy Carolinas, LLC; McGuire Nuclear Station, Units 1 and 2; Mecklenburg County, NC

Docket Nos.	50–369, 50–370, 50–413, 50–414.
Amendment Date	November 13, 2025.
ADAMS Accession No.	ML25251A213.
Amendment Nos.	McGuire—332 (Unit 1) and 311 (Unit 2); Catawba—322 (Unit 1) and 318 (Unit 2).
Brief Description of Amendments	The amendments revised Technical Specification 2.1.1.2, ''Reactor Core SLs [Safety Limits],'' to reflect the peak centerline melt temperature specified in Topical Report WCAP–17642–NP–A, Revision 1, ''Westinghouse Performance Analysis and Design Model (PAD5).''
Public Comments Received as to Proposed NSHC (Yes/No).	No.

Energy Northwest; Columbia Generating Station; Benton County, WA

Docket No.	50–397.
Amendment Date	February 25, 2026.
ADAMS Accession No.	ML26022A188.
Amendment No.	279.
Brief Description of Amendment	The amendment modified Columbia Generating Station Technical Specification 3.3.2.1, ''Control Rod Block Instrumentation,'' Required Action C.2.1.2, which restricted the reactor startup with an inoperable rod worth minimizer (RWM) to once per calendar year. The change to Required Action C.2.1.2 allowed additional reactor startups with a new action to verify that control rod coupling inspection has been performed prior to a reactor restart.
Public Comments Received as to Proposed NSHC (Yes/No).	No.

Entergy Louisiana, LLC, and Entergy Operations, Inc.; River Bend Station, Unit 1; West Feliciana Parish, LA

Docket No.	50–458.
Amendment Date	February 3, 2026.
ADAMS Accession No.	ML26027A103.
Amendment No.	220.
Brief Description of Amendment	The amendment modified the River Bend Station, Unit 1, licensing basis through a revision of the Updated Safety Analysis Report to credit makeup to the ultimate heat sink (UHS) in less than 30 days to account for system leakage and for operation with both standby service water subsystems in operation. Additionally, the amendment revised Technical Specification Surveillance Requirement 3.7.1.1 to increase the minimum UHS cooling tower basin water level to maximize UHS inventory.
Public Comments Received as to Proposed NSHC (Yes/No).	No.

Entergy Louisiana, LLC, and Entergy Operations, Inc.; River Bend Station, Unit 1; West Feliciana Parish, LA; Entergy Operations, Inc., System Energy Resources, Inc., Cooperative Energy, A Mississippi Electric Cooperative, and Entergy Mississippi, LLC; Grand Gulf Nuclear Station, Unit 1; Claiborne County, MS; Entergy Operations, Inc.; Arkansas Nuclear One, Units 1 and 2; Pope County, AR; Entergy Operations, Inc.; Waterford Steam Electric Station, Unit 3; St. Charles Parish, LA

Docket Nos.	50–313, 50–368, 50–382, 50–416, 50–458.
Amendment Date	February 23, 2026.
ADAMS Accession No.	ML26016A620.
Amendment Nos.	Arkansas—286 (Unit 1) and 339 (Unit 2); Grand Gulf—241 (Unit 1); River Bend—221 (Unit 1); Waterford—278 (Unit 3).
Brief Description of Amendments	The amendments revised the technical specifications (TSs) based on Technical Specifications Task Force (TSTF) Traveler TSTF–596, Revision 2, ''Expand the Applicability of the Surveillance Frequency Control Program (SFCP)'' (ML24282B020), and the associated NRC staff safety evaluation of Traveler TSTF–596 (ML24362A056). Specifically, the TS changes (1) expanded the applicability of the SFCP to include other periodic testing frequencies in the Programs and Manuals TSs of the Administrative Controls section; (2) revised the SFCP to reference additional regulatory mechanisms that may be used to control surveillance frequencies (i.e., 10 CFR 50.55a and 10 CFR 50.69); (3) revised surveillance requirements that referenced the inservice testing program to instead reference the SFCP or to describe the required test, and (4) corrected certain editorial errors in the TSs.
Public Comments Received as to Proposed NSHC (Yes/No).	No.

LICENSE AMENDMENT ISSUANCES—Continued

Holtec Decommissioning International, LLC, Holtec Indian Point 2, LLC, and Holtec Indian Point 3, LLC; Indian Point Station Unit Nos. 1, 2 and 3; Westchester County, NY	
Docket Nos.	50–003, 50–286, 50–247.
Amendment Date	February 4, 2026.
ADAMS Accession No.	ML25346A221.
Amendment Nos.	69 (Unit 1), 302 (Unit 2), and 278 (Unit 3).
Brief Description of Amendments	The amendments terminated the standalone preemption authority granted under Section 161A of the Atomic Energy Act of 1954, as amended, for the Indian Point Energy Center (IPEC), including Units 1, 2, and 3.
Public Comments Received as to Proposed NSHC (Yes/No).	No.
Nebraska Public Power District; Cooper Nuclear Station; Nemaha County, NE	
Docket No.	50–298.
Amendment Date	February 24, 2026.
ADAMS Accession No.	ML26026A154.
Amendment No.	281.
Brief Description of Amendment	The amendment changed technical specifications (TSs) consistent with Technical Specifications Task Force (TSTF) Traveler TSTF–576, Revision 3, ''Revise Safety/Relief Valve Requirements'' (ML23256A266), and the associated NRC staff safety evaluation and supplement of TSTF–576 (ML24249A155). The amendment revised the TSs related to the safety/relief valves (S/RVs) and safety valves (SVs). The S/RV and SV as-found requirements changed from individual limits to the S/RVs and SVs being treated in TSs as a single system called the ''Overpressure Protection System (OPS).''
Public Comments Received as to Proposed NSHC (Yes/No).	No.
NextEra Energy Seabrook, LLC; Seabrook Station, Unit No. 1; Rockingham County, NH	
Docket No.	50–443.
Amendment Date	February 12, 2026.
ADAMS Accession No.	ML26042A313.
Amendment No.	177.
Brief Description of Amendment	The amendment revised the Emergency Action Levels for Initiating Condition HU4 in procedure ER 1.1, ''Classification of Emergencies,'' due to Change in Containment Fire Detection System. The change meets the requirements in Section IV. B.1 of Appendix E to 10 CFR Part 50 and planning standard 10 CFR 50.47(b)(4).
Public Comments Received as to Proposed NSHC (Yes/No).	No.
NextEra Energy Seabrook, LLC; Seabrook Station, Unit No. 1; Rockingham County, NH	
Docket No.	50–443.
Amendment Date	February 18, 2026.
ADAMS Accession No.	ML25338A240.
Amendment No.	178.
Brief Description of Amendment	The amendment revised the technical specification requirements to permit the use of Risk Informed completion times for actions to be taken when limiting conditions for operation are not met. The changes are based on Technical Specifications Task Force (TSTF) Traveler TSTF–505, Revision 2, ''Provide Risk Informed Extended Completion Times—RITSTF [Risk Informed TSTF] Initiative 4b,'' dated July 2, 2018.
Public Comments Received as to Proposed NSHC (Yes/No).	No.
Nine Mile Point Nuclear Station, LLC and Constellation Energy Generation, LLC; Nine Mile Point Nuclear Station, Unit 2; Oswego County, NY	
Docket No.	50–410.
Amendment Date	February 4, 2026.
ADAMS Accession No.	ML26008A004.
Amendment No.	201.
Brief Description of Amendment	The amendment revised the surveillance requirements associated with Nine Mile Point Nuclear Station, Unit 2, Technical Specification (TS) 3.6.1.3, ''Primary Containment Isolation Valves (PCIVs).'' Specifically, the TS was revised to change the main steam isolation valve (MSIV) test pressure value from ≥ 40 pounds per square inch gauge (psig) to ≥ 25 psig in TS SR 3.6.1.3.12 and adjust the maximum allowable leakage through each MSIV to account for the change in test pressure. The TS change also adjusted the maximum allowable leakage to ≤ 39 standard cubic feet per hour when tested at ≥25 psig.
Public Comments Received as to Proposed NSHC (Yes/No).	No.

LICENSE AMENDMENT ISSUANCES—Continued

Nine Mile Point Nuclear Station, LLC and Constellation Energy Generation, LLC; Nine Mile Point Nuclear Station, Unit 2; Oswego County, NY	
Docket No.	50–410.
Amendment Date	February 23, 2026.
ADAMS Accession No.	ML26048A478.
Amendment No.	202.
Brief Description of Amendment	The amendment removed Trip Function 1.e, ''Main Steam Line Tunnel Temperature—High,'' Trip Function 1.f, ''Main Steam Line Tunnel Differential Temperature—High,'' and Trip Function 1.g, ''Main Steam Line Tunnel Lead Enclosure Temperature—High,'' from Table 3.3.6.1–1, ''Primary Containment Isolation Instrumentation,'' and added a new Technical Specification, ''Main Steam Line (MSL) Area Temperature,'' requiring manual action when the MSL area temperature is above the specified temperature limit.
Public Comments Received as to Proposed NSHC (Yes/No).	No.
Pacific Gas and Electric Company; Diablo Canyon Nuclear Power Plant, Units 1 and 2; San Luis Obispo County, CA	
Docket Nos.	50–275, 50–323.
Amendment Date	February 23, 2026.
ADAMS Accession No.	ML26043A346.
Amendment Nos.	256 (Unit 1) and 258 (Unit 2).
Brief Description of Amendments	The amendments revised technical specifications (TSs) to adopt Technical Specifications Task Force (TSTF) Traveler TSTF–505, ''Provide Risk-Informed Extended Completion Times—RITSTF [Risk-Informed TSTF] Initiative 4b,'' for TS 3.3.1, ''Reactor Trip System (RTS) Instrumentation,'' and TS 3.3.2, ''Engineered Safety Features Actuation System (ESFAS) Instrumentation.''
Public Comments Received as to Proposed NSHC (Yes/No).	No.
PSEG Nuclear LLC; Salem Nuclear Generating Station, Unit Nos. 1 and 2; Salem County, NJ	
Docket Nos.	50–272, 50–311.
Amendment Date	February 20, 2026.
ADAMS Accession No.	ML26023A048.
Amendment Nos.	352 (Unit 1) and 334 (Unit 2).
Brief Description of Amendments	The amendments adopted Technical Specifications Task Force (TSTF) Travelers TSTF–505, Revision 2, ''Provide Risk Informed Extended Completion Times—RITSTF [Risk-Informed TSTF] Initiative 4b,'' and TSTF–591, Revision 0, ''Revise Risk Informed Completion Time (RICT) Program.''
Public Comments Received as to Proposed NSHC (Yes/No).	No.
PSEG Nuclear LLC; Salem Nuclear Generating Station, Unit Nos. 1 and 2; Salem County, NJ	
Docket Nos.	50–272, 50–311.
Amendment Date	February 20, 2026.
ADAMS Accession No.	ML26023A057.
Amendment Nos.	353 (Unit 1) and 335 (Unit 2).
Brief Description of Amendments	The amendments adopted 10 CFR 50.69, ''Risk-Informed Categorization and Treatment of Structures, Systems, and Components for Nuclear Power Reactors.''
Public Comments Received as to Proposed NSHC (Yes/No).	No.
R. E. Ginna Nuclear Power Plant, LLC and Constellation Energy Generation, LLC; R. E. Ginna Nuclear Power Plant; Wayne County, NY	
Docket No.	50–244.
Amendment Date	February 9, 2026.
ADAMS Accession No.	ML26023A091.
Amendment No.	160.
Brief Description of Amendment	The amendment extended the Completion Time to restore the sodium hydroxide system when the plant is operating, and the system is inoperable. Additional technical specification changes added notes justified in previous licensing actions, deleted outdated information, revised formatting inconstancies, and corrected typographical errors.
Public Comments Received as to Proposed NSHC (Yes/No).	No.
Susquehanna Nuclear, LLC and Allegheny Electric Cooperative, Inc.; Susquehanna Steam Electric Station, Units 1 and 2; Luzerne County, PA	
Docket Nos.	50–387, 50–388.
Amendment Date	February 10, 2026.
ADAMS Accession No.	ML25356A366.
Amendment Nos.	290 (Unit 1) and 274 (Unit 2).

LICENSE AMENDMENT ISSUANCES—Continued

Brief Description of Amendments	The amendments revised Technical Specifications Limiting Condition for Operation 3.6.1.3. The amendments changed the local leak rate testing to verify leak rates through each main steam line.
Public Comments Received as to Proposed NSHC (Yes/No).	No.

Susquehanna Nuclear, LLC and Allegheny Electric Cooperative, Inc.; Susquehanna Steam Electric Station, Units 1 and 2; Luzerne County, PA

Docket Nos.	50–387, 50–388.
Amendment Date	February 11, 2026.
ADAMS Accession No.	ML26021A071.
Amendment Nos.	291 (Unit 1) and 275 (Unit 2).
Brief Description of Amendments	The amendments revised the reactor vessel water level—low, level 3 allowable values for the reactor protection system, emergency core cooling system, reactor pressure vessel water inventory control, and primary containment isolation instrumentation technical specifications. The amendments also revised the reactor vessel water level—high level, 8 allowable value for the emergency core cooling system and reactor core isolation cooling system instrumentation.
Public Comments Received as to Proposed NSHC (Yes/No).	No.

Tennessee Valley Authority; Sequoyah Nuclear Plant, Units 1 and 2; Hamilton County, TN; Tennessee Valley Authority; Watts Bar Nuclear Plant, Units 1 and 2; Rhea County, TN

Docket Nos.	50–327, 50–328, 50–390, 50–391.
Amendment Date	January 29, 2026.
ADAMS Accession No.	ML26014A150.
Amendment Nos.	Sequoyah—375 (Unit 1) and 370 (Unit 2); Watts Bar—180 (Unit 1) and 85 (Unit 2).
Brief Description of Amendments	The amendments revised the Sequoyah Nuclear Plant, Units 1 and 2, and Watts Bar Nuclear Plant, Units 1 and 2, technical specifications by eliminating the periodic surveillance requirement (SR) to verify that all required diesel generators achieve rated frequency and voltage within the specified time period when started simultaneously, consistent with Technical Specifications Task Force (TSTF)–599–A, Revision 1, ''Eliminate Periodic Surveillance Test of Simultaneous Start of Redundant Diesel Generators.'' Additionally, the amendments made a conforming change to another SR to eliminate the reference to the deleted SR.
Public Comments Received as to Proposed NSHC (Yes/No).	No.

Vistra Operations Company LLC; Davis-Besse Nuclear Power Station, Unit 1; Ottawa County, OH

Docket No.	50–346.
Amendment Date	February 24, 2026.
ADAMS Accession No.	ML26040A186.
Amendment No.	312.
Brief Description of Amendment	The amendment revised Technical Specification 3.3.9, ''Source Range Neutron Flux,'' to allow the use of alternate neutron instrumentation.
Public Comments Received as to Proposed NSHC (Yes/No).	No.

Vistra Operations Company LLC; Davis-Besse Nuclear Power Station, Unit 1; Ottawa County, OH; Vistra Operations Company LLC ; Beaver Valley Power Station, Units 1 and 2; Beaver County, PA; Vistra Operations Company LLC; Comanche Peak Nuclear Power Plant, Unit Nos. 1 and 2; Somervell County, TX; Vistra Operations Company LLC; Perry Nuclear Power Plant, Unit 1; Lake County, OH

Docket Nos.	50–334, 50–346, 50–412, 50–446, 50–445, 50–440.
Amendment Date	February 10, 2026.
ADAMS Accession No.	ML26035A141.
Amendment Nos.	Beaver Valley—326 (Unit No. 1) and 216 (Unit No. 2); Comanche Peak—194 (Unit No. 1) and 194 (Unit No. 2); Davis-Bessee—311 (Unit No. 1); Perry—206 (Unit No. 1).
Brief Description of Amendment(s)	The amendments revised each plant's technical specifications to add Online Monitoring (OLM) Program which would permit the use of OLM methodology to switch from time-based surveillance frequency for channel calibrations to a condition-based calibration frequency based on OLM results.
Public Comments Received as to Proposed NSHC (Yes/No).	No.

IV. Notice of Issuance of Amendments to Facility Operating Licenses and Combined Licenses and Final Determination of No Significant Hazards Consideration and Opportunity for a Hearing (Exigent Circumstances or Emergency Situation)

Since publication of the last monthly notice, the Commission has issued the following amendment. The Commission has determined for this amendment that the application for the amendment complies with the standards and requirements of the Atomic Energy Act of 1954, as amended (the Act), and the Commission's rules and regulations. The Commission has made appropriate findings as required by the Act and the Commission's rules and regulations in 10 CFR chapter I, which are set forth in the license amendment.

Because of exigent circumstances or emergency situation associated with the date the amendment was needed, there was not time for the Commission to publish, for public comment before issuance, its usual notice of consideration of issuance of amendment, proposed NSHC determination, and opportunity for a hearing.

For exigent circumstances, the Commission has either issued a **Federal Register** notice providing opportunity for public comment or has used local media to provide notice to the public in the area surrounding a licensee's facility of the licensee's application and of the Commission's proposed determination of NSHC. The Commission has provided a reasonable opportunity for the public to comment, using its best efforts to make available to the public means of communication for the public to respond quickly, and in the case of telephone comments, the comments have been recorded or transcribed as appropriate, and the licensee has been informed of the public comments.

In circumstances where failure to act in a timely way would have resulted, for example, in derating or shutdown of a nuclear power plant or in prevention of either resumption of operation or of increase in power output up to the plant's licensed power level (an emergency situation), the Commission may not have had an opportunity to provide for public comment on its NSHC determination. In such case, the license amendment has been issued without opportunity for comment prior to issuance. Nonetheless, the State has been consulted by telephone whenever possible.

Under its regulations, the Commission may issue and make an amendment immediately effective, notwithstanding the pendency before it of a request for a hearing from any person, in advance of the holding and completion of any required hearing, where it has determined that NSHC is involved. The Commission has applied the standards of 10 CFR 50.92 and has made a final determination that the amendments involve NSHC. The basis for this determination is contained in the NRC staff safety evaluation related to each action. Accordingly, the amendment has been issued and made effective as indicated.

For those amendments that have not been previously noticed in the **Federal Register**, within 60 days after the date of publication of this notice, any persons (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 guidance concerning the Commission's ''Agency Rules of Practice and Procedure'' in 10 CFR part 2 as discussed in section II.A of this document.

Unless otherwise indicated, the Commission has determined that the amendment satisfies the criteria for categorical exclusion in accordance with 10 CFR 51.22. Therefore, pursuant to 10 CFR 51.22(b), no environmental impact statement or environmental assessment need be prepared for this amendment. If the Commission has prepared an environmental assessment under the special circumstances provision in 10 CFR 51.12(b) and has made a determination based on that assessment, it is so indicated in the safety evaluation for the amendment.

For further details with respect to these actions, see the amendment and associated documents such as the Commission's letter and safety evaluation, which may be obtained using the ADAMS accession numbers indicated in the following table. The safety evaluation will provide the ADAMS accession number for the application for amendment and the **Federal Register** citation for any environmental assessment. All of these items can be accessed as described in the ''Obtaining Information and Submitting Comments'' section of this document.

LICENSE AMENDMENT ISSUANCE—EXIGENT CIRCUMSTANCES

Constellation Energy Generation, LLC; LaSalle County Station, Unit 1; LaSalle County, IL	
Docket No	50–373.
Amendment Date	February 4, 2026.
ADAMS Accession No	ML26029A021.
Amendment No	268.
Brief Description of Amendment	The amendment modified technical specification Table 3.3.1.1–1, ''Reactor Protection System (RPS) Instrumentation,'' Function 2.b, ''Flow Biased Simulated Thermal Power—Upscale,'' to permit the 1B Reactor Recirculation Flow Unit to be inoperable for the remainder of LaSalle, Unit 1, Operating Cycle 21 without considering a required Average Power Range Monitor channel inoperable.
Local Media Notice (Yes/No)	Yes.
Public Comments Requested as to Proposed NSHC (Yes/No).	No.

Dated: March 12, 2026.

For the Nuclear Regulatory Commission.

Aida Rivera-Varona,

Acting Director, Division of Operating Reactor Licensing, Office of Nuclear Reactor Regulation.

[FR Doc. 2026–05121 Filed 3–16–26; 8:45 am]

BILLING CODE 7590–01–P

NUCLEAR REGULATORY COMMISSION

[Docket Nos. 50–482 and 50–391; NRC–2026–0694]

Issuance of Multiple Exemptions

AGENCY: Nuclear Regulatory Commission.

ACTION: Notice; issuance.

SUMMARY: The U.S. Nuclear Regulatory Commission (NRC) is issuing a single notice to announce the issuance of two exemptions in response to requests as detailed in the available documents.

DATES: This notice contains two exemptions that the NRC granted during the period from October 1, 2025, to December 31, 2025, in response to requests submitted by two licensees.

ADDRESSES: Please refer to Docket ID NRC–2026–0694 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–2026–0694. Address questions about Docket IDs in *Regulations.gov* to Bridget Curran; telephone: 301–415–1003; email: *Bridget.Curran@nrc.gov.* For technical questions, contact the individual 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.* For the convenience of the reader, instructions about obtaining materials referenced in this document are provided in the ''Availability of Documents'' section.
- *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* 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.

FOR FURTHER INFORMATION CONTACT: Robert Kuntz, Office of Nuclear Reactor Regulation, U.S. Nuclear Regulatory Commission, Washington, DC 20555–0001; telephone: 301–415–3733, email: *Robert.Kuntz@nrc.gov.*

SUPPLEMENTARY INFORMATION:

I. Introduction

During the period from October 1, 2025, through December 31, 2025, the NRC granted the included two exemptions in response to requests submitted by the following licensees: Wolf Creek Nuclear Operating Corporation, and Tennessee Valley Authority.

The details of the exemptions that have been issued are provided in the available documents.

II. Availability of Documents

The tables in this notice provide transparency regarding the number and type of exemptions the NRC has issued and provide the licensee name, facility name, docket number, document description, document date, and ADAMS accession number for each exemption issued. Additional details on each exemption issued, including the exemption request submitted by the respective licensee and the NRC's decision, are provided in each exemption approval listed in the following tables. For additional directions on accessing information in ADAMS, see the **ADDRESSES** section of this document.

WOLF CREEK NUCLEAR OPERATING CORPORATION, WOLF CREEK GENERATING STATION, UNIT 1

[Docket No. 50–482]

Document description	ADAMS accession No.	Document date
Wolf Creek Generating Station, Unit 1—Exemption from 10 CFR 50.83(f) for Conducting a Public Meeting in the Vicinity of the Plant to Support Request for Partial Site Release (EPID L–2025–LLL–0012).	ML25321A689	November 21, 2025.

TENNESSEE VALLEY AUTHORITY, WATTS BAR NUCLEAR PLANT, UNIT 2

[Docket No. 50–391]

Document description	ADAMS accession No.	Document date
Watts Bar Nuclear Plant, Unit 2—One-Time Exemption from the Requirement Of 10 CFR 54.17(c) (EPID L–2025–LLE–0024).	ML25332A069 ADAMS package)	December 29, 2025.

Dated: March 12, 2026.

For the Nuclear Regulatory Commission.

Robert Kuntz,

Senior Project Manager, Plant Licensing Branch III, Division of Operating Reactor Licensing, Office of Nuclear Reactor Regulation.

[FR Doc. 2026–05118 Filed 3–16–26; 8:45 am]

BILLING CODE 7590–01–P

POSTAL REGULATORY COMMISSION

[Docket Nos. MC2026–172 and K2026–172]

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:* March 20, 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:

Table of Contents

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.[1]

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).:* MC2026–172 and K2026–172; *Filing Title:* USPS Request to Add Priority Mail Express International, Priority Mail International & First-Class Package International Service Contract 110 to Competitive Product List and Notice of Filing Materials Under Seal; *Filing Acceptance Date:* March 12, 2026; *Filing Authority:* 39 U.S.C. 3642, 39 CFR 3035.105, and 39 CFR 3041.310; *Public Representative:* Maxine Bradley; *Comments Due:* March 20, 2026.

III. Summary Proceeding(s)

None. See Section II for public proceedings.

This Notice will be published in the **Federal Register**.

Danielle LeFlore,

Alternate Federal Register Liaison.

[FR Doc. 2026–05182 Filed 3–16–26; 8:45 am]

BILLING CODE 7710–FW–P

POSTAL SERVICE

International Product Change—Priority Mail Express International, Priority Mail International & First-Class Package International Service Agreements

AGENCY: Postal Service.

ACTION: Notice.

SUMMARY: The Postal Service gives notice of filing requests with the Postal Regulatory Commission to add certain Priority Mail Express International, Priority Mail International & First-Class Package International Service contracts to the list of Negotiated Service Agreements in the Competitive Product List in the Mail Classification Schedule.

DATES: Date of notice: March 17, 2026.

FOR FURTHER INFORMATION CONTACT: Christopher C. Meyerson, (202) 268–7820.

SUPPLEMENTARY INFORMATION: The United States Postal Service hereby gives notice that, pursuant to 39 U.S.C. 3642 and 3632(b)(3), it filed with the Postal Regulatory Commission the following requests:

Date filed with postal regulatory commission	Negotiated service agreement product category and No.	MC docket No.	K docket No.
3/6/2026	PMEI, PMI & FCPIS 107	MC2026–169	K2026–169
3/10/2026	PMEI, PMI & FCPIS 108	MC2026–170	K2026–170
3/11/2026	PMEI, PMI & FCPIS 109	MC2026–171	K2026–171
3/12/2026	PMEI, PMI & FCPIS 110	MC2026–172	K2026–172

[1] *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).

Documents are available at *www.prc.gov*.

Colleen Hibbert-Kapler,

Attorney, Ethics and Legal Compliance.

[FR Doc. 2026–05202 Filed 3–16–26; 8:45 am]

BILLING CODE 7710–12–P

SECURITIES AND EXCHANGE COMMISSION

[Release No. 34–104979; File No. SR–24X–2026–07]

Self-Regulatory Organizations; 24X National Exchange LLC; Notice of Filing and Immediate Effectiveness of Proposed Rule Change To Adopt the Initial Fees and Rebates Applicable to Retail Orders

March 12, 2026.

Pursuant to Section 19(b)(1) [1] of the Securities Exchange Act of 1934 (''Act'') [2] and Rule 19b–4 thereunder,[3] notice is hereby given that, on February 27, 2026, 24X National Exchange LLC (''24X'' or the ''Exchange'') filed with the Securities and Exchange Commission (the ''Commission'') the proposed rule change as described in Items I, II, and III below, which Items have been prepared by the self-regulatory organization. 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 adopt the initial fees and rebates applicable to retail orders [4] executed by Retail Member Organizations (''RMOs'') [5] of the Exchange pursuant to Exchange Rule 15.1(a) and (c). The proposed rule change is available on the Exchange's website at *https://equities.24exchange.com/regulation* 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 self-regulatory organization 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 those 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 parts of such statements.

A. Self-Regulatory Organization's Statement of the Purpose of, and the Statutory Basis for, the Proposed Rule Change

1. Purpose

Below is a description of the fees and rebates that the Exchange intends to impose on retail orders, which will be applicable in all trading sessions. Under the proposed amended fee schedule (''Fee Schedule''), the Exchange will continue to operate a ''Maker-Taker'' model whereby it provides rebates to RMOs that provide liquidity and charges fees to those that remove liquidity, as further described below. The Exchange does not initially propose to charge different fees or provide different rebates depending on the number of retail orders submitted to, or executed on or through, the Exchange. Accordingly, all fees and rebates described below are applicable to all RMOs, regardless of the overall volume of an RMO's trading activities on the Exchange.

(1) Standard Fee for Removed Volume

The Exchange proposes to charge a standard fee of $0.00295 per share for executions of retail orders that remove liquidity from the 24X Book [6] (''Removed Volume'') in all securities traded on the Exchange priced at or above $1.00 per share.[7]

(2) Standard Rebate for Added Displayed Volume

The Exchange proposes to provide a standard rebate of $0.0038 per share in all securities traded on the Exchange priced at or above $1.00 per share for executions of retail orders that are displayed on the 24X Book and add liquidity to the Exchange (''Added Displayed Volume'').[8] The proposed standard rebate for Added Displayed Volume would apply to the Reserve Quantity [9] of a retail order such that any replenishment amount of the Reserve Quantity of an order that is executed against would be treated as Added Displayed Volume even though such portion of the order was not displayed on the 24X Book prior to the order being replenished in accordance with the RMO's instructions and the Exchange's rules. The entire portion of the Reserve Quantity of an order would be eligible for this rebate, but an RMO would only receive such rebate for any portions of the Reserve Quantity that are executed against.

(3) Standard Rebate for Added Non-Displayed Volume

The Exchange proposes to provide a standard rebate of $0.0025 per share for executions of retail orders that add liquidity to the Exchange, are not displayed on the 24X Book, and do not include a Midpoint Peg instruction (''Added Non-Displayed Volume''), in all securities traded on the Exchange priced at or above $1.00 per share.[10] The proposed amended Fee Schedule will also provide a standard rebate of $0.0025 per share for Added Non-Displayed Volume retail transactions that include a Midpoint Peg instruction (''Added Midpoint Volume'') in all securities traded on the Exchange priced at or above $1.00 per share.[11]

The Exchange proposes to provide a higher rebate for executions of Added Displayed Volume retail transactions than for executions of Added Non-Displayed Volume retail transactions to incentivize displayed liquidity over non-displayed liquidity on the Exchange, including retail orders with a

[1] 15 U.S.C. 78s(b)(1).

[2] 15 U.S.C. 78a.

[3] 17 CFR 240.19b–4.

[4] *See* Exchange Rule 11.24(a)(2).

[5] *See* Exchange Rule 11.24(a)(1).

[6] ''24X Book'' refers to the Exchange system's electronic file of orders. *See* Exchange Rule 1.5(a).

[7] Such executions will be indicated by the following fee codes in execution reports provided by the Exchange: ''102'' for Removed Volume retail orders (described in the Fee Schedule as ''Removed volume''), ''160'' for Removed Volume retail orders that remove liquidity from the Exchange upon entry into the System (*see* Exchange Rule 1.5(hh)) (described in the Fee Schedule as ''Removed volume on entry''), and ''161'' for Removed Volume retail orders that result in immediate removal of the midpoint (described in the Fee Schedule as ''Removed volume—immediate Midpoint removed'').

[8] Such executions will be indicated by the following fee codes in execution reports provided by the Exchange: ''101'' for Added Displayed Volume retail orders (described in the Fee Schedule as ''Added displayed volume''), ''153'' for Added Displayed Volume retail orders that improve the National Best Bid/Offer (''NBBO'') (described in the Fee Schedule as ''Added displayed volume—NBBO improved''), ''154'' for Added Displayed Volume retail orders that join the NBBO (described in the Fee Schedule as ''Added displayed volume—NBBO joined''), and ''162'' for Added Displayed Volume retail orders that result in price improvement (described in the Fee Schedule as ''Added displayed volume—price improvement'').

[9] ''Reserve Quantity'' refers to the portion of an order that includes a Non-Displayed instruction in which a portion of that order is also displayed on the 24X Book. *See* Exchange Rule 11.6(k).

[10] Such executions will be indicated by the following fee codes in execution reports provided by the Exchange: ''151'' for Added Non-Displayed Volume retail orders (described in the Fee Schedule as ''Added non-displayed volume'') and ''163'' for Added Non-Displayed Volume retail orders that result in price improvement (described in the Fee Schedule as ''Added non-displayed volume—price improvement'').

[11] Such executions will be indicated by fee code ''152'' in execution reports provided by the Exchange and described as ''Added Midpoint'' in the Fee Schedule.

displayed component and a non-displayed component (*i.e.,* orders with a Reserve Quantity), in order to encourage and facilitate price discovery and price formation, which the Exchange believes benefits all Members [12] and investors.

(4) Standard Fee for Routed Removed Volume

The Exchange proposes to charge a standard fee of $0.0030 per share for all retail orders routed to another market that are executed on an away market and remove liquidity from the market to which they were routed (''Routed Removed Volume''), in all securities traded on the Exchange priced at or above $1.00 per share.[13] All charges by the Exchange for routing are applicable only in the event that a retail order is executed; there is no charge for orders that are routed away from the Exchange but are not filled. The Exchange notes that the fees for routing relate to retail orders routed through the Exchange's third-party broker-dealers. Routing services offered by the Exchange are completely optional and market participants can readily select between various providers of routing services, including other exchanges and broker-dealers.

(5) Securities Priced Below $1.00 per Share

The Exchange proposes to charge a standard fee of 0.15% of the total dollar value of any retail transaction in securities priced below $1.00 per share (''Sub-Dollar Securities'') that removes liquidity from the Exchange (''Removed Sub-Dollar Volume'').[14] The Exchange also proposes to provide a standard rebate of 0.15% of the total dollar value of any retail transaction in Sub-Dollar Securities that adds displayed liquidity to the Exchange (''Added Sub-Dollar Volume'').[15] The Exchange also proposes to provide a standard rebate of 0.065% of the total dollar value of any retail transaction in Sub-Dollar Securities that adds non-displayed liquidity to the Exchange and does not include a Midpoint Peg instruction (''Added Non-Displayed Sub-Dollar Volume'').[16] The Exchange also proposes to provide a standard rebate of 0.065% of the total dollar value of any retail transaction in Sub-Dollar Securities that adds non-displayed liquidity to the Exchange and includes a Midpoint Peg instruction (''Added Midpoint Sub-Dollar Volume'').[17] The Exchange also proposes to charge a standard fee of 0.30% of the total dollar value of any retail transaction in Sub-Dollar Securities that is routed to and executed at another market center (''Routed Removed Sub-Dollar Volume'').[18]

The proposed rebate for executions of Added Sub-Dollar Volume is intended to promote retail order flow in Sub-Dollar Securities to the Exchange by incentivizing RMOs to increase the liquidity-providing retail orders in Sub-Dollar Securities they submit to the Exchange, which would support price discovery on the Exchange and provide additional liquidity for incoming orders.

The proposed rule change does not include different fees or rebates for retail transactions in Sub-Dollar Securities that depend on the number of orders submitted to, or transactions executed on or through, the Exchange. Accordingly, all fees and rebates described above are applicable to all RMOs, regardless of the overall volume of an RMO's trading activities on the Exchange.

2. Statutory Basis

The Exchange believes that the proposed rule change is consistent with the provisions of Section 6(b) [19] of the Act in general, and furthers the objectives of Section 6(b)(4) [20] of the Act, in particular, in that it is designed to provide for the equitable allocation of reasonable dues, fees, and other charges among its Members and other persons using its facilities. Additionally, the Exchange believes that the proposed fees and rebates are consistent with the objectives of Section 6(b)(5) [21] of the Act in that they are designed 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 national market system, and, in general, to protect investors and the public interest, and, particularly, are not designed to permit unfair discrimination between customers, issuers, brokers, or dealers.

The Exchange operates in a highly competitive market in which market participants can readily direct order flow to competing venues if they deem fee levels at a particular venue to be excessive or incentives to be insufficient. The Exchange believes that the proposed amended Fee Schedule reflects a simple and competitive pricing structure designed to incentivize market participants to add aggressively priced displayed liquidity and direct their retail order flow to the Exchange, which the Exchange believes would promote price discovery and price formation and deepen liquidity that is subject to the Exchange's transparency, regulation, and oversight as an exchange, thereby enhancing market quality to the benefit of all Members and investors.

The Commission and the courts have repeatedly expressed their preference for competition over regulatory intervention in determining prices, products, and services in the securities markets. In Regulation NMS, while adopting a series of steps to improve the current market model, the Commission highlighted the importance of market forces in determining prices and SRO revenues, and also recognized that current regulation of the market system ''has been remarkably successful in promoting market competition in its broader forms that are most important to investors and listed companies.'' [22]

The Exchange believes that it is appropriate, reasonable, and consistent with the Act to charge a standard fee of $0.00295 per share for Removed Volume retail transactions, and a standard fee of 0.15% of the total dollar value for Removed Sub-Dollar Volume retail transactions, because they are comparable to the retail transaction fees charged by other exchanges for removing liquidity.[23] The Exchange further believes that these fees are equitably allocated and not unfairly discriminatory because they apply equally to all RMOs and, when coupled with higher rebates for adding retail liquidity, as described below, are designed to facilitate increased activity

[12] *See* Exchange Rule 1.5(u).

[13] Such executions will be indicated by fee code ''103'' in execution reports provided by the Exchange and described as ''Routed removed volume'' in the Fee Schedule.

[14] Such executions correspond to fee codes ''102,'' ''160,'' and ''161.'' *See supra* note 7.

[15] Such executions correspond to fee codes ''101,'' ''153,'' ''154,'' and ''162.'' *See supra* note 8.

[16] Such executions correspond to fee codes ''151'' and ''163.'' *See supra* note 10.

[17] Such executions correspond to fee code ''152.'' *See supra* note 11.

[18] Such executions correspond to fee code ''103.'' *See supra* note 13.

[19] 15 U.S.C. 78f.

[20] 15 U.S.C. 78f(b)(4).

[21] 15 U.S.C. 78f(b)(5).

[22] Securities Exchange Act Release No. 51808 (June 9, 2005), 70 FR 37496, 37499 (June 29, 2005) (''Regulation NMS Adopting Release'').

[23] *See, e.g.,* MEMX LLC (''MEMX'') Equities Fee Schedule, available at: *https://info.memxtrading.com/equities-trading-resources/us-equities-fee-schedule/;* MIAX PEARL LLC (''MIAX Pearl'') Equities Fee Schedule, available at: *https://www.miaxglobal.com/sites/default/files/fee_schedule-files/MIAX_Pearl_Equities_Fee_Schedule_08012025.pdf.* MEMX and MIAX Pearl are appropriate comparisons because their market share is similar to that of the Exchange.

on the Exchange to the benefit of all Members by providing more trading opportunities and promoting price discovery.

The Exchange believes that it is appropriate, reasonable, and consistent with the Act to provide a standard rebate of $0.0038 per share for Added Displayed Volume retail transactions, and a standard rebate of 0.15% of the total dollar value for Added Sub-Dollar Volume retail transactions, because these rebates are comparable to retail transaction rebates provided by other exchanges.[24] The Exchange further believes that this rebate structure is equitably allocated and not unfairly discriminatory because it applies equally to all RMOs.

The Exchange believes that charging a fee to the liquidity remover, and providing a rebate to the liquidity adder, is reasonable, equitable, and not unfairly discriminatory because it incentivizes liquidity provision on the Exchange. The Exchange also notes that several other exchanges charge fees for removing liquidity and provide rebates for adding liquidity, and that this aspect of the Exchange's proposed amended Fee Schedule does not raise any new or novel issues that have not previously been considered by the Commission in connection with the fees and rebates of other exchanges.

The Exchange believes that it is appropriate, reasonable, and consistent with the Act to provide a standard rebate of $0.0025 per share for Added Non-Displayed Volume and Added Midpoint Volume retail transactions, and a standard rebate of 0.065% of the total dollar value for Added Non-Displayed Sub-Dollar Volume and Added Midpoint Sub-Dollar Volume retail transactions, because they are comparable to the rebates provided by other exchanges for similar transactions.[25]

The Exchange also believes that it is reasonable, equitable, and not unfairly discriminatory to provide a higher rebate for Added Displayed Volume retail transactions than for Added Non-Displayed Volume retail transactions, as this rebate structure is designed to incentivize RMOs to send the Exchange displayable retail orders, thereby contributing to price discovery and price formation, consistent with the overall goal of enhancing market quality. Moreover, the Exchange notes that there are precedents for exchanges to provide rebates that distinguish between displayed and non-displayed volume to incentivize displayed orders and facilitate price discovery.[26]

The Exchange notes that under the proposed amended Fee Schedule it will pay a higher rebate for Added Displayed Volume retail transactions than the fee it charges for removing such volume for transactions priced at or above $1.00 per share, and as such the Exchange will have negative net capture with respect to such transactions. As noted above, the Exchange operates in a highly competitive market, and the Exchange believes this pricing structure will enable it to effectively compete with other exchanges by attracting RMOs and retail order flow to the Exchange, which will help the Exchange to gain market share for executions. The Exchange may determine to modify its pricing structure after it has gained sufficient participation from market participants to instead be profitable with respect to such transactions. The Exchange believes the initial retail pricing structure, including the negative net capture for Added Displayed Volume retail transactions priced at or above $1.00 per share, is designed to incentivize market participants to add aggressively priced displayed liquidity and direct their retail order flow to the Exchange, which the Exchange believes would promote price discovery and price formation and deepen liquidity that is subject to the Exchange's transparency, regulation, and oversight as an exchange, thereby enhancing market quality to the benefit of all Members and investors. The Exchange does not believe that the negative net capture with respect to Added Displayed Volume retail transactions priced at or above $1.00 per share will materially impact the capitalization of the Exchange or otherwise impair the Exchange's ability to operate or regulate itself. The Exchange is well-capitalized and the Exchange's parent company, 24X US Holdings LLC, has agreed to provide adequate funding for the Exchange's operations, including the regulation of the Exchange.

With respect to orders routed to other markets, the Exchange also believes that it is appropriate, reasonable, and consistent with the Act to charge a standard fee of $0.0030 for Routed Removed Volume retail transactions and 0.30% of the total dollar value for Routed Removed Sub-Dollar Volume retail transactions because these fees are similar to the fees charged by other exchanges for routed orders that remove liquidity from the destination market.[27] This fee is intended to be a simple and transparent fee for RMOs that wish to use routing services provided by the Exchange. The Exchange reiterates that the routing services offered by the Exchange are completely optional and that the Exchange operates in a highly competitive market in which market participants can readily select between various providers of routing services with different product offerings and different pricing. The Exchange believes that its flat fee structure for retail orders routed to all away venues is a fair and equitable approach to pricing, as it will provide certainty with respect to execution fees. The Exchange also believes the standard fee for Routed Removed Volume retail transactions is an equitable and not an unfairly discriminatory allocation of fees because it applies equally to all RMOs.

In conclusion, the Exchange submits that its proposed retail fee structure satisfies the requirements of Sections 6(b)(4) and 6(b)(5) of the Act for the reasons discussed above in that it provides for the equitable allocation of reasonable dues, fees, and other charges among its Members and other persons using its facilities, does not permit unfair discrimination between customers, issuers, brokers, or dealers, and is designed to promote just and equitable principles of trade, 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, particularly as the proposal neither targets nor will it have a disparate impact on any particular category of market participant. As described more fully below in the Exchange's statement regarding the burden on competition, the Exchange believes that it is subject to significant competitive forces, and that its proposed fee and rebate structure is an appropriate effort to address such forces.

B. Self-Regulatory Organization's Statement on Burden on Competition

The Exchange does not believe that the proposed rule change will result in any burden on competition that is not necessary or appropriate in furtherance of the purposes of the Act. Rather, as discussed above, the Exchange believes that the proposed change would encourage the submission of additional retail order flow to a public exchange, thereby promoting market depth, execution incentives, and enhanced

[24] *Id.*

[25] *Id.*

[26] *See, e.g.,* Long-Term Stock Exchange Inc. fee schedule, available at: *https://ltse.com/trading/fee-schedules;* MIAX Pearl fee schedule, available at: *https://www.miaxglobal.com/sites/default/files/fee_schedule-files/MIAX_Pearl_Equities_Fee_Schedule_08012025.pdf.*

[27] *See supra* note 23.

execution opportunities, as well as price discovery and transparency for all Members. As a result, the Exchange believes that the proposed change furthers the Commission's goal in adopting Regulation NMS of fostering competition among orders, which promotes ''more efficient pricing of individual stocks for all types of orders, large and small.'' [28]

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. To the contrary, the Exchange believes that the proposed pricing structure will increase competition and is intended to draw volume to the Exchange. The Exchange believes that the ever-shifting market share among the exchanges from month to month demonstrates that market participants can shift order flow or reduce use of certain categories of products in response to new or different pricing structures being introduced into the market. Accordingly, competitive forces constrain the Exchange's transaction fees and rebates, and market participants can readily trade on competing venues if they deem pricing levels at those other venues to be more favorable. As a new exchange, the Exchange faces intense competition from other exchanges and non-exchange venues that provide markets for equities trading. With respect to the Exchange's initial pricing whereby it will operate with negative net capture with respect to retail transactions involving Added Displayed Volume priced at or above $1.00 per share, the Exchange is proposing this pricing in an effort to encourage market participants to join, connect to, and participate on the Exchange. The Exchange expects to modify its pricing structure after it has gained sufficient participation from market participants to eliminate the negative net capture and instead be profitable with respect to such transactions.

Although this pricing incentive is intended to attract liquidity to the Exchange, most other exchanges in operation today already offer multiple incentives to their participants, including tiered pricing that provides higher rebates or discounted executions, and other exchanges will be able to modify such incentives in order to compete with the Exchange. As noted above, the Exchange's proposed retail fees and rebates are comparable to those offered by other national securities exchanges.[29] Accordingly, with respect to a market participant deciding to either submit a retail order to add or remove liquidity, there are multiple exchanges that will be competitively priced for such orders when compared to the Exchange's pricing. Further, while pricing incentives do cause shifts of liquidity between trading centers, market participants make determinations on where to provide liquidity or route orders to take liquidity based on factors other than pricing, including technology, functionality, and other considerations. Consequently, the Exchange believes that the degree to which its retail fees and rebates could impose any burden on competition is extremely limited, and does not believe that such fees and rebates would burden competition of Members or competing venues in a manner that is not necessary or appropriate in furtherance of the purposes of the Act.

The Exchange does not believe that the proposed rule change will impose any burden on intramarket competition that is not necessary or appropriate in furtherance of the purposes of the Act because the proposed fees and rebates apply equally to all RMOs. The proposed pricing structure is intended to encourage market participants to add displayed and non-displayed retail liquidity to the Exchange by providing rebates that are comparable to those offered by other exchanges as well as to provide a competitive rate charged for removing retail liquidity, which the Exchange believes will help to encourage RMOs to send retail orders to the Exchange to the benefit of all Exchange participants. As the proposed rates are equally applicable to all market participants, the Exchange does not believe there is any burden on intramarket competition.

C. Self-Regulatory Organization's Statement on Comments on the Proposed Rule Change Received From Members, Participants, or Others

No written comments were solicited or received with respect to 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) [30] of the Act and subparagraph (f)(2) of Rule 19b–4 thereunder,[31] because it establishes a due, fee, or other charge imposed by the Exchange. 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 shall institute proceedings under Section 19(b)(2)(B) [32] of the Act 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.* Please include file number SR–24X–2026–07 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–24X–2026–07. 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–24X–2026–07 and should be submitted on or before April 7, 2026.

For the Commission, by the Division of Trading and Markets, pursuant to delegated authority.[33]

Sherry R. Haywood,

Assistant Secretary.

[FR Doc. 2026–05126 Filed 3–16–26; 8:45 am]

BILLING CODE 8011–01–P

[28] Regulation NMS Adopting Release at 37499.

[29] *See supra* note 23.

[30] 15 U.S.C. 78s(b)(3)(A).

[31] 17 CFR 240.19b–4(f)(2).

[32] 15 U.S.C. 78s(b)(2)(B).

[33] 17 CFR 200.30–3(a)(12).

SECURITIES AND EXCHANGE COMMISSION

[Release No. 34–104982; File No. SR–NYSETEX–2026–08]

Self-Regulatory Organizations; NYSE Texas, Inc.; Notice of Filing and Immediate Effectiveness of Proposed Rule Change To Adopt a Fee for Limited Underwriting Members

March 12, 2026.

Pursuant to Section 19(b)(1) [1] of the Securities Exchange Act of 1934 (''Act'') [2] and Rule 19b–4 thereunder,[3] notice is hereby given that on March 6, 2026, the NYSE Texas, Inc. (''NYSE Texas'' or ''Exchange'') 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 adopt a fee for Limited Underwriting Members as defined in recently adopted Article 3, Rule 20. The Exchange proposes to implement the fee changes effective March 6, 2025. The proposed rule change is available on the Exchange's website at *www.nyse.com* 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 self-regulatory organization 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 those 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 parts 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 adopt a fee for Limited Underwriting Members as defined in recently adopted Article 3, Rule 20 (Limited Underwriting Members and Associated Persons). As proposed, registered brokers or dealers that become Limited Underwriting Members pursuant to Article 3, Rule 20 would be eligible for a $250 per month fee from the month an application is approved.

The Exchange proposes to implement the fee changes effective March 6, 2025.

Background

Current Market and Competitive Environment

The Exchange operates in a highly competitive market. The Commission has repeatedly expressed its preference for competition over regulatory intervention in determining prices, products, and services in the securities markets. In Regulation NMS, the Commission highlighted the importance of market forces in determining prices and SRO revenues and, also, recognized that current regulation of the market system ''has been remarkably successful in promoting market competition in its broader forms that are most important to investors and listed companies.'' [4]

While Regulation NMS has enhanced competition, it has also fostered a ''fragmented'' market structure where trading in a single stock can occur across multiple trading centers. When multiple trading centers compete for order flow in the same stock, the Commission has recognized that ''such competition can lead to the fragmentation of order flow in that stock.'' [5] Indeed, cash equity trading is currently dispersed across 16 exchanges,[6] numerous alternative trading systems,[7] and broker-dealer internalizers and wholesalers, all competing for order flow. Based on publicly-available information, no single exchange currently has more than 20% market share.[8] Therefore, no exchange possesses significant pricing power in the execution of cash equity order flow. More specifically, the Exchange's share of executed volume of equity trades in Tapes A, B and C securities is less than 12%.[9]

The Exchange believes that the ever-shifting market share among the exchanges from month to month demonstrates that market participants can move order flow or discontinue or reduce use of certain categories of products, in response to fee changes.

Moreover, in the current competitive market environment, market participants also have a choice of where to become members.

Proposed Rule Change

The Exchange proposes to introduce a $250 per month fee for registered brokers or dealers that qualify to become Limited Underwriting Members pursuant to Article 3, Rule 20.[10] The proposed fee would begin the month in which a Limited Underwriting Member's application is approved. The proposed fee would be available to all applicants approved as Limited Underwriting Members on an equal and non-discriminatory basis. The proposed fee is also less than that of the other national securities exchange that offers a limited underwriter membership.[11] Limited Underwriting Members would not be subject to any other Exchange fees.

The proposed change is not otherwise intended to address other issues, and the Exchange is not aware of any significant problems that market participants would have in complying with the proposed change.

2. Statutory Basis

The Exchange believes that the proposed rule change is consistent with Section 6(b) of the Act,[12] in general, and furthers the objectives of Sections 6(b)(4) and (5) of the Act,[13] in particular, because it provides for the equitable allocation of reasonable dues, fees, and

[1] 15 U.S.C. 78s(b)(1).

[2] 15 U.S.C. 78a.

[3] 17 CFR 240.19b–4.

[4] *See* Securities Exchange Act Release No. 51808 (June 9, 2005), 70 FR 37496, 37499 (June 29, 2005) (File No. S7–10–04) (Final Rule) (''Regulation NMS'').

[5] *See* Securities Exchange Act Release No. 61358, 75 FR 3594, 3597 (January 21, 2010) (File No. S7–02–10) (Concept Release on Equity Market Structure).

[6] *See* Cboe U.S. Equities Market Volume Summary, available at *https://markets.cboe.com/us/equities/market_share. See generally https://www.sec.gov/fast-answers/divisionsmarketregmrexchangesshtml.html.*

[7] *See* FINRA ATS Transparency Data, available at *https://otctransparency.finra.org/otctransparency/AtsIssueData.* A list of alternative trading systems registered with the Commission is available at *https://www.sec.gov/foia/docs/atslist.htm.*

[8] *See* Cboe Global Markets U.S. Equities Market Volume Summary, available at *https://markets.cboe.com/us/equities/market_share/.*

[9] *See id.*

[10] A Limited Underwriting Member is a type of non-trading Exchange membership solely for the limited purpose of acting as a principal underwriter of an underwritten public offering in connection with which a company seeks to list on the Exchange. Any registered broker or dealer with a disciplinary history satisfactory to the Exchange can become a Limited Underwriting Member, except such registered brokers or dealers as are excluded under Article 3, Rule 1(b) (Qualifications). A Limited Underwriting Member is subject to Exchange jurisdiction solely for purposes of Article 3, Rule 20 and the rules enumerated in subsection (c)(1) thereof.

[11] The proposed fee equals $3,000 annually. Nasdaq Limited Underwriting Members are subject to an annual membership fee of $5,000 plus a $2,000 application fee. *See* Nasdaq Equity Rule 7, Section 10(a).

[12] 15 U.S.C. 78f(b).

[13] 15 U.S.C. 78f(b)(4) & (5).

other charges among its members, issuers and other persons using its facilities and does not unfairly discriminate between customers, issuers, brokers or dealers.

The Proposed Change Is Reasonable

As discussed above, the Exchange operates in a highly fragmented and competitive market where market participants have, among other things, a choice of where to become members. Considering the competitive environment in which the Exchange currently operates, the Exchange believes that there is value in attracting additional brokers or dealers to act as principal underwriters of an underwritten public offering on the Exchange and that the proposed fee is reasonable. As noted above, the proposed fee is less than that of the other national securities exchange that offers a limited underwriter membership.[14] The Exchange also believes that the proposed fee is reasonable because Limited Underwriting Members would not be subject to any other Exchange fees.

The Proposed Fee Is Equitably Allocated and Not Unfairly Discriminatory

The Exchange believes that the proposed fee equitably allocates fees and credits among market participants because all market participants that participate on the Exchange as Limited Underwriting Members would qualify for the same proposed fee on an equal basis. Similarly, the proposed fee is equitable and not unfairly discriminatory because it will apply uniformly to all Participants that are Limited Underwriting Members, and all similarly situated Participants will be subject to the same fee. Further, the Exchange believes that the proposed fee is reasonable and equitable because Limited Underwriting Members would not be subject to any other Exchange fees.

Finally, the Exchange believes that it is subject to significant competitive forces, as described below in the Exchange's statement regarding the burden on competition.

For the foregoing reasons, the Exchange believes that the proposal is consistent with the Act.

B. Self-Regulatory Organization's Statement on Burden on Competition

In accordance with Section 6(b)(8) of the Act,[15] the Exchange believes that the proposed rule change would not impose any burden on competition that is not necessary or appropriate in furtherance of the purposes of the Act.

Intramarket Competition. The proposed change is designed to attract additional members to the Exchange. The proposed fee change will not impact intramarket competition because it will apply to all similarly situated market participants, and, as such, the proposed change would not impose a disparate burden on competition among market participants on the Exchange. As noted, the proposal would apply to all similarly situated Participants that are Limited Underwriting Members on the same and equal terms, who would be subject to the same fee on the same basis. Accordingly, the proposed change would not impose a disparate burden on competition among market participants on the Exchange.

Intermarket Competition. The Exchange's proposed membership fee will be lower than the cost of a comparable membership on another exchange as described above and may stimulate intermarket competition by attracting interested participants to become Limited Underwriting Members on the Exchange. The Exchange operates in a highly competitive market in which market participants can readily choose to become members of another exchange if they deem fee levels at those other venues to be more favorable. In such an environment, the Exchange must continually adjust its fees to remain competitive. Because competitors are free to modify their own fees and credits in response, and because market participants may readily select membership on a competitor over the Exchange, the Exchange does not believe its proposed fee change can impose any burden on intermarket competition.

C. Self-Regulatory Organization's Statement on Comments on the Proposed Rule Change Received From Members, Participants, or Others

No written comments were solicited or received with respect to the proposed rule change.

III. Date of Effectiveness of the Proposed Rule Change and Timing for Commission Action

Pursuant to Section 19(b)(3)(A)(ii) of the Act,[16] and Rule 19b–4(f)(2) thereunder[17] the Exchange has designated this proposal as establishing or changing a due, fee, or other charge imposed on any person, whether or not the person is a member of the self-regulatory organization, which renders the proposed rule change effective upon filing. 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.

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.* Please include file number SR–NYSETEX–2026–08 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–NYSETEX–2026–08. 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–NYSETEX–2026–08 and should be submitted on or before April 7, 2026.

For the Commission, by the Division of Trading and Markets, pursuant to delegated authority.[18]

Sherry R. Haywood,

Assistant Secretary.

[FR Doc. 2026–05129 Filed 3–16–26; 8:45 am]

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[14] *See* note 11, *supra.*

[15] *See* 15 U.S.C. 78f(b)(8).

[16] 15 U.S.C. 78s(b)(3)(A)(ii).

[17] 17 CFR 240.19b–4.

[18] 17 CFR 200.30–3(a)(12).

SECURITIES AND EXCHANGE COMMISSION

[Release No. 34–104984; File No. SR–BOX–2026–05]

Self-Regulatory Organizations; BOX Exchange LLC; Notice of Filing and Immediate Effectiveness of a Proposed Rule Change To Adopt a New Methodology for Assessment and Collection of the Options Regulatory Fee (ORF)

March 12, 2026.

Pursuant to Section 19(b)(1) of the Securities Exchange Act of 1934 (the ''Act''),[1] and Rule 19b–4 thereunder,[2] notice is hereby given that on March 6, 2026, BOX Exchange LLC (the ''Exchange'') filed with the Securities and Exchange Commission (the ''Commission'') a proposed rule change as described in Items I and II 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 is filing with the Securities and Exchange Commission (''Commission'') a proposed rule change to amend the Fee Schedule to amend Section II. (Regulatory Fees) of the Fee Schedule relating to the Options Regulatory Fee (''ORF'') to adopt a new methodology for assessment and collection of ORF for transactions that occur on the Exchange (''On-Exchange ORF'').

While the changes proposed herein are effective upon filing, the Exchange intends to collect ORF under its current methodology for assessment and collection of ORF until at least June 30, 2026. The Exchange is prepared to implement On-Exchange ORF effective July 1, 2026, if by April 1, 2026, all U.S. options exchanges charging an ORF have filed to modify their current methodologies for assessment of ORF to limit the fee to transactions occurring on their respective exchange.[3] However, if all other options exchanges have not filed to adopt a similar methodology by April 1, 2026, the Exchange will delay implementation commensurate with the additional time required for other options exchanges to adopt a similar method for collection and assessment of ORF.[4] The Exchange will file a separate rule filing with the On-Exchange ORF fee in advance of assessing and collecting it under the proposed method.[5] The text of the proposed rule change is available from the principal office of the Exchange, and also on the Exchange's internet website at *https://rules.boxexchange.com/rulefilings.*

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 Statutory Basis for, the Proposed Rule Change

1. Purpose

The Exchange proposes to amend its current methodology for assessment and collection of a regulatory fee to assess On-Exchange ORF only for options transactions that occur on the Exchange that would clear in the ''customer'' [6] range at The Options Clearing Corporation (''OCC''). The Exchange would no longer assess a regulatory fee for options transactions that occur on other exchanges. This proposal only proposes to amend the method of assessment and collection of the fee. A future rule filing would be filed to set the applicable On-Exchange ORF rate in advance of assessing and collecting it under the proposed method. The following provides more detail regarding the proposal.

Background

The ORF is designed to cover a material portion of the costs to the Exchange of the supervision and regulation of Participant's [7] customer options business, including performing routine surveillances, investigations, examinations, financial monitoring, as well as policy, rulemaking, interpretive and enforcement activities. The Exchange believes that revenue generated from the ORF, when combined with all of the Exchange's other regulatory fees and fines, will cover a material portion, but not all, of the Exchange's regulatory costs.

Collection of ORF

The Exchange assesses the per-contract ORF to each Participant for all options transactions cleared or ultimately cleared by the Participant, which are cleared by the OCC in the ''customer'' range,[8] regardless of the exchange on which the transaction occurs. The ORF is collected by OCC on behalf of the Exchange from either: (1) a Participant that was the ultimate clearing firm [9] for the transaction; or (2) a non-Participant that was the ultimate clearing firm where a Participant was the executing clearing firm [10] for the transaction. The Exchange uses reports from OCC to determine the identity of the executing clearing firm and ultimate clearing firm.

To illustrate how the ORF is assessed and collected, the Exchange provides the following set of examples. If the transaction is executed on the Exchange and the ORF is assessed, if there is no

[1] 15 U.S.C. 78s(b)(1).

[2] 17 CFR 240.19b–4.

[3] As of the date of filing this proposal, the Exchange acknowledges that all U.S. options exchanges have filed to modify their current ORFs to adopt a similar methodology.

[4] The Exchange may also delay implementation if certain currently unresolved operational issues remain so and impact the industry's ability to transition to the new methodology on July 1, 2026, commensurate with any additional time required to resolve such issues (and will continue collecting ORF under its current methodology until such time that the new ORF methodology is implemented).

[5] As is the case today, the Exchange will notify Participants via Regulatory Notice of the applicable On-Exchange ORF rate at least 30 calendar days prior to the effective date of the change.

[6] Currently, The ORF is collected by OCC on behalf of BOX from either (1) a Participant that was the ultimate clearing firm for the transaction or (2) a non-Participant that was the ultimate clearing firm where a Participant was the executing clearing firm for the transaction. The Exchange uses reports from OCC to determine the identity of the executing clearing firm and ultimate clearing firm.

[7] The term ''Participant'' means a firm, or organization that is registered with the Exchange pursuant to the Rule 2000 Series for purposes of participating in trading on a facility of the Exchange and includes an ''Options Participant'' and ''BSTX Participant.'' *See* BOX Rule 100.

[8] Exchange participants must record the appropriate account origin code on all orders at the time of entry in order. The Exchange represents that it has surveillances in place to verify that Participants mark orders with the correct account origin code.

[9] The Exchange takes into account any Clearing Member Trade Assignment (''CMTA'') transfers when determining the ultimate clearing firm for a transaction. CMTA is a form of ''give up'' whereby the position will be assigned to a specific clearing firm at the OCC.

[10] Throughout this filing, ''executing clearing firm'' means the clearing firm through which the entering broker indicated that the transaction would be cleared at the time it entered the original order which executed, and that clearing firm could be a designated ''give up'', if applicable. The executing clearing firm may be the ultimate clearing firm if no CMTA transfer occurs. If a CMTA transfer occurs, however, the ultimate clearing firm would be the clearing firm that the position was transferred to for clearing via CMTA.

change to the clearing account of the original transaction, then the ORF is collected from the Participant that is the executing clearing firm for the transaction. (The Exchange notes that, for purposes of the Fee Schedule, when there is no change to the clearing account of the original transaction, the executing clearing firm is deemed to be the ultimate clearing firm.) If there is a change to the clearing account of the original transaction (*i.e.,* the executing clearing firm ''gives-up'' or ''CMTAs'' the transaction to another clearing firm), then the ORF is collected from the clearing firm that ultimately clears the transaction—the ultimate clearing firm. The ultimate clearing firm may be either a Participant or non-Participant of the Exchange. If the transaction is executed on an away exchange and the ORF is assessed, then the ORF is collected from the ultimate clearing firm for the transaction. Again, the ultimate clearing firm may be either a Participant or non-Participant of the Exchange. The Exchange notes, however, that when the transaction is executed on an away exchange, the Exchange does not assess the ORF when neither the executing clearing firm nor the ultimate clearing firm is a Participant (even if a Participant is ''given-up'' or ''CMTAed'' and then such Participant subsequently ''gives-up'' or ''CMTAs'' the transaction to another non-Participant via a CMTA reversal). Finally, the Exchange does not assess the ORF on outbound linkage trades, whether executed at the Exchange or an away exchange. ''Linkage trades'' are tagged in the Exchange's system, so the Exchange can readily tell them apart from other trades.

ORF Revenue and Monitoring of ORF

The Exchange monitors the amount of revenue collected from the ORF to ensure that it, in combination with other regulatory fees and fines, does not exceed regulatory costs. In determining whether an expense is considered a regulatory cost, the Exchange reviews all costs and makes determinations if there is a nexus between the expense and a regulatory function. The Exchange notes that fines collected by the Exchange in connection with a disciplinary matter offset ORF.

The Exchange believes that its broad regulatory responsibilities with respect to a Participant's activities supports applying the ORF to transactions cleared but not executed by a Participant. The Exchange's regulatory responsibilities are the same regardless of whether a Participant enters a transaction or clears a transaction executed on its behalf. The Exchange regularly reviews all such activities, including performing surveillance for position limit violations, manipulation, front-running, contrary exercise advice violations and insider trading.

Revenue generated from ORF, when combined with all of the Exchange's other regulatory fees and fines, is designed to cover a material portion of the regulatory costs to the Exchange of the supervision and regulation of Participant's customer options business including performing routine surveillances, investigations, examinations, financial monitoring, and policy, rulemaking, interpretive, and enforcement activities. Unlike other options exchanges, all of the Exchange's expenses support the regulatory function as the Exchange is a fully separate legal entity from BOX Options Market LLC, the equity options facility of the Exchange. The Exchange fulfills the regulatory functions and responsibilities as a national securities exchange registered with the SEC under Section 6 of the Securities Exchange Act of 1934, and oversees the BOX Options Market. Exchange expenses are solely regulatory in nature because, due to the unique structure between the Exchange and the BOX Options Market facility, the Exchange expenses are separate from the BOX Options Market facility expenses and there can be no commingling of the funds. Put another way, all of the Exchange's expenses support the regulatory function of BOX Exchange because the Exchange expenses are completely separate from the BOX Options Market facility expenses. The ORF is designed to cover a material portion of these regulatory costs to the Exchange, including the supervision and regulation of its Participant's customer options business, including performing routine surveillances, investigations, examinations, financial monitoring, and policy, rulemaking, interpretive, and enforcement activities.

Proposal

The Exchange appreciates the evolving changes in the market and regulatory environment and has been evaluating its current methodologies and practices for the assessment and collection of ORF while considering industry and the Securities and Exchange Commission (the ''Commission'') feedback. As a result of this review, the Exchange proposes to modify its current ORF to continue to assess ORF for options transactions cleared by OCC in the ''customer'' range, however ORF would be assessed on each side of an options transaction cleared by the OCC in the ''customer'' range for executions that occur on the Exchange. Specifically, the ORF would continue to be collected by OCC on behalf of the Exchange from Participants and non-Participants for all ''customer'' transactions executed on the Exchange. ORF would be assessed and collected on all ultimately cleared ''customer'' contracts, taking into account adjustments for CMTA that were provided to the Exchange the same day as the trade.[11]

Further, the Exchange would bill ORF according to the clearing instructions provided on the execution. More specifically, the Exchange proposes to assess ORF based on the clearing instruction provided on the execution on trade date and would not take into consideration CMTA changes or transfers that occur at OCC.[12] As a result of this proposed rule change, if a Participant executes a customer transaction on the Exchange and is the Clearing Participant [13] on record on the transaction on the Exchange, the ORF will be assessed to that Participant. With this proposal, in the case where a Participant executes a customer transaction on the Exchange and a different Participant is the Clearing Participant on record on the transaction on the Exchange, the ORF will be assessed to and collected from the Participant who is the Clearing Participant on record on the transaction and not the Participant who executes the transaction. Additionally, in the case where a Participant executes a customer transaction on the Exchange and a non-Participant is the Clearing Participant on record on the transaction on the Exchange, the ORF will be assessed to the non-Participant who is the Clearing Participant on record on the transaction and not the Participant who executes the transaction. With this proposal, in the case where a Participant executes a customer transaction not on the Exchange, the Exchange will not assess an ORF, regardless of how the transaction is cleared. As is the case today, OCC will collect ORF from OCC clearing members on behalf of the Exchange based on the Exchange's instructions.

With this proposal, the Exchange intends to collect ORF under its current methodology for assessment and collection of ORF until at least June 30,

[11] Adjustments to CMTA that occur at OCC would not be taken into account.

[12] Adjustments that were made the same day as the trade on the Exchange will be taken into account.

[13] The term ''Clearing Participant'' means an Options Participant that is self-clearing or an Options Participant that clears BOX Transactions for other Options Participants of BOX. *See* BOX Rule 100.

2026. The Exchange is prepared to implement On-Exchange ORF effective July 1, 2026, if by April 1, 2026, all U.S. options exchanges charging an ORF have filed to modify their current methodologies of assessment of the fee to limit the fee to transactions occurring on their respective exchange. However, if all other options exchanges have not filed to adopt a similar methodology by April 1, the Exchange will delay implementation commensurate with the additional time required for other options exchanges to adopt a similar method for collection and assessment of ORF.[14] The Exchange will at that time file a separate rule filing with the amount of the On-Exchange ORF in advance of assessing and collecting the fee under the proposed method. As is the case today, the Exchange will notify Participants via Regulatory Notice of the applicable On-Exchange ORF rate at least 30 calendar days prior to the effective date of the change. The Exchange believes a fee to cover a material portion of costs for regulatory programs associated with monitoring activities is reasonable; however, the Exchange would consider alternative approaches for assessment and collection of the fee in order to achieve consistency across the industry.

The Exchange will continue to monitor the amount of revenue collected from the ORF to ensure that it, in combination with its other regulatory fees and fines, does not exceed the Exchange's total regulatory costs.

The Exchange will monitor its regulatory costs and revenues at a minimum on a semi-annual basis. If the Exchange determines regulatory revenues exceed or are insufficient to cover a material portion of its regulatory costs in a given year, the Exchange will adjust the On-Exchange ORF by submitting a fee change filing to the Commission. The Exchange will notify Participants of adjustments to the On Exchange ORF via a Regulatory Notice in advance of any change.

Lastly, the Exchange also proposes to make non-substantive technical changes within Section II.C. of the Fee Schedule to add numbering within subsection C and relocate Endnote 14.

2. Statutory Basis

The Exchange believes that the proposal is consistent with the requirements of Section 6(b) of the Act, in general, and Section 6(b)(4) and 6(b)(5) of the Act,[15] in particular, in that it provides for the equitable allocation of reasonable dues, fees, and other charges among BOX Participants and other persons using its facilities and does not unfairly discriminate between customers, issuers, brokers or dealers.

The Exchange believes that the proposed change to assess and collect an On-Exchange ORF is reasonable, equitable and not unfairly discriminatory for various reasons. First, On-Exchange ORF is reasonable, equitable and not unfairly discriminatory in that it is charged to all Exchange transactions that clear in the ''customer'' range at the OCC. Similar to ORF today, the Exchange believes On-Exchange ORF ensures fairness by assessing a specific fee to those Participants that require more Exchange regulatory services based on the amount of customer options business they conduct. Over recent years, options trading volume has increased with a growing percentage of the volume applicable to customer transactions. Customers trading on the Exchange (through a Participant) benefit from the protections of a robust regulatory program including the maintenance of fair and orderly markets and protections against fraud and other manipulation. The Exchange believes it is equitable and not unfairly discriminatory to assess a regulatory fee to transactions that clear in the ''customer'' range to cover regulatory costs, but not to transactions clearing in the ''firm'' or ''market maker'' range because Clearing Participants and Market Makers [16] (who clear in the Firm and Market Maker range), as those market participants are generally subject to other Exchange fees, fines and obligations. For example, Clearing Participants and Market Makers are required to pay Exchange application fees, permit fees, and connectivity fees, amongst others. In addition, all fines issued by the Exchange for regulatory infractions are assessed only to Participants and would be applied to regulatory revenues. As with today's ORF, the Exchange expects that Clearing Participants from whom On-Exchange ORF is collected will pass through the fee to their customers (as the Exchange understands occurs today). In addition, Market Makers in particular are subject to various quoting and other obligations to ensure that they provide stable and liquid markets, which benefit all market participants including customers. Excluding Market Maker transactions from On-Exchange ORF will allow Market Makers to better manage their costs more effectively thus enabling them to better allocate resources toward technology, risk management, and capacity to ensure continued liquidity provision.

In addition to the overall increase in ''customer'' range volume generally, regulating customer trading activity is more labor intensive and requires greater expenditure of human and technical resources than regulating non-customer trading activity, which tends to be more automated and less labor-intensive. For example, there are costs associated with main office and branch office examinations (*e.g.,* staff and travel expenses), as well as investigations into customer complaints and terminations of registered persons. As a result, the costs associated with administering the customer component of the Exchange's overall regulatory program are materially higher than the costs associated with administering the non-customer component (*e.g.,* Clearing Participant proprietary transactions) of its regulatory program.[17] While the Exchange notes that it has broad regulatory responsibilities with respect to its Participant's activities, irrespective of where their transactions take place, the Exchange believes it is reasonable to assess the proposed fee to only those transactions occurring on the Exchange. The proposed change more narrowly tailors the fee to products and transactions with a direct connection to the Exchange. With this proposal, transactions that would clear in the ''customer'' range occurring on other exchanges would no longer be subject to an ORF assessed by the Exchange.

The Exchange believes it is equitable and not unduly discriminatory to modify the method of collecting the fee such that On-Exchange ORF will not consider CMTAs reported directly to OCC as is done in today's method of ORF. CMTA transfers are considered today under the current collection methodology for ORF as a convenience to industry members in administering a pass through of the fee to their customers. Limiting the On-Exchange

[14] The Exchange again notes that it may also delay implementation if certain currently unresolved operational issues remain so and impact the industry's ability to transition to the new methodology on July 1, 2026, commensurate with any additional time required to resolve such issues (and will continue collecting ORF under its current methodology until such time that the new ORF methodology is implemented).

[15] 15 U.S.C. 78f(b)(4) and (5).

[16] The term ''Market Maker'' means an Options Participant registered with the Exchange for the purpose of making markets in options contracts traded on the Exchange and that is vested with the rights and responsibilities specified in the Rule 8000 Series. All Market Makers are designated as specialists on the Exchange for all purposes under the Exchange Act or Rules thereunder. *See* BOX Rule 100.

[17] If the Exchange changes its method of funding regulation or if circumstances otherwise change in the future, the Exchange may decide to modify On-Exchange ORF or assess a separate regulatory fee on Participant proprietary transactions if the Exchange deems it advisable.

ORF to transactions on the Exchange poses a limitation in the use of CMTA for this purpose. The Exchange understands that a CMTA may be added at order entry, via post-trade edit on the Exchange, or post-trade at OCC. CMTA transfers that occur at OCC do not necessarily contain reliable information regarding the Exchange on which the original transaction occurred.[18] Without specific information as to where the original transaction occurred, the Exchange would not be able to accurately account for CMTA transfers that occur at OCC.

The Exchange further believes that the proposed change to the method for assessment and collection of the fee is reasonable because it would help ensure that revenue collected from the On-Exchange ORF, in combination with other regulatory fees and fines, would cover a material portion of the Exchange's regulatory costs.

As noted above, the Exchange will also continue to monitor on at least a semiannual basis the amount of revenue collected from the On-Exchange ORF, even as amended, to ensure that it, in combination with its other regulatory fees and fines, would cover a material portion of the Exchange's regulatory costs and not exceed it.

Lastly, the Exchange believes the proposed changes within Section II.C. of the Fee Schedule to add numbering within subsection C and relocate Endnote 14 are reasonable, equitable, and not unfairly discriminatory, as these non-substantive technical amendments will bring greater clarity to the Fee Schedule.

B. Self-Regulatory Organization's Statement on Burden on Competition

The Exchange does not believe that the proposed rule change will impose any burden on competition not necessary or appropriate in furtherance of the purposes of the Act. This proposal does not create an unnecessary or inappropriate intra-market burden on competition because On-Exchange ORF applies to all customer activity on the Exchange, thereby raising regulatory revenue to offset regulatory expenses. It also supplements the regulatory revenue derived from non-customer activity. The Exchange notes, however, the proposed change is not designed to address any competitive issues. Indeed, this proposal does not create an unnecessary or inappropriate inter-market burden on competition because it is a regulatory fee that supports regulation in furtherance of the purposes of the Act. The Exchange is obligated to ensure that the amount of regulatory revenue collected from the On-Exchange ORF, in combination with its other regulatory fees and fines, does not exceed regulatory costs. In addition, the Exchange will not implement the On-Exchange ORF until all other options exchanges are prepared to adopt a similar model to avoid overlapping ORFs.

Lastly, the Exchange believes the proposed changes within Section II.C. of the Fee Schedule to add numbering within subsection C and relocate Endnote 14 do not impose an undue burden on competition, as these non-substantive technical amendments will bring greater clarity to the Fee Schedule.

C. Self-Regulatory Organization's Statement on Comments on the Proposed Rule Change Received From Members, Participants, or Others

No written comments were either solicited or received.

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 [19] and paragraph (f) of Rule 19b–4 [20] 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 shall 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.* Please include file number SR–BOX–2026–05 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–BOX–2026–05. 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–BOX–2026–05 and should be submitted on or before April 7, 2026.

For the Commission, by the Division of Trading and Markets, pursuant to delegated authority.[21]

Sherry R. Haywood,

Assistant Secretary.

[FR Doc. 2026–05163 Filed 3–16–26; 8:45 am]

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SECURITIES AND EXCHANGE COMMISSION

[Release No. 34–104983; File No. SR–MEMX–2026–07]

Self-Regulatory Organizations; MEMX LLC; Notice of Filing and Immediate Effectiveness of a Proposed Rule Change To Amend the Exchange's Fee Schedule Concerning Equities Transaction Pricing

March 12, 2026.

Pursuant to Section 19(b)(1) of the Securities Exchange Act of 1934 (the ''Act''),[1] and Rule 19b–4 thereunder,[2] notice is hereby given that, on February 27, 2026, MEMX LLC (''MEMX'' or the ''Exchange'') filed with the Securities and Exchange Commission (the ''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

[18] Under the current methodology for assessing ORF, the Exchange on which the transaction occurred is irrelevant.

[19] 15 U.S.C. 78s(b)(3)(A).

[20] 17 CFR 240.19b–4(f).

[21] 17 CFR 200.30–3(a)(12).

[1] 15 U.S.C. 78s(b)(1).

[2] 17 CFR 240.19b–4.

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 is filing with the Commission a proposed rule change to amend the Exchange's fee schedule applicable to Members [3] (the ''Fee Schedule'') pursuant to Exchange Rules 15.1(a) and (c). As is further described below, the Exchange proposes to: (i) make certain additions and amendments related to Step-Up tiers in the Definitions section of the Fee Schedule, both in general and in light of Regulation NMS Rule 610(d), and (ii) modify the required criteria under Liquidity Provision Tier 2. The Exchange proposes to implement the changes to the Fee Schedule pursuant to this proposal immediately. The text of the proposed rule change is provided in Exhibit 5.

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 Statutory Basis for, the Proposed Rule Change

1. Purpose

The purpose of the proposed rule change is to amend the Fee Schedule to: (i) make certain additions and amendments related to Step-Up tiers in the Definitions section of the Fee Schedule, both in general and in light of Regulation NMS Rule 610(d), and (ii) modify the required criteria under Liquidity Provision Tier 2, each as further described below.

The Exchange first notes that it operates in a highly competitive market in which market participants can readily direct order flow to competing venues if they deem fee levels at a particular venue to be excessive or incentives to be insufficient. More specifically, the Exchange is only one of 18 registered equities exchanges, as well as a number of alternative trading systems and other off-exchange venues, to which market participants may direct their order flow. Based on publicly available information, no single registered equities exchange currently has more than approximately 15% of the total market share of executed volume of equities trading.[4] Thus, in such a low-concentrated and highly competitive market, no single equities exchange possesses significant pricing power in the execution of order flow, and the Exchange currently represents approximately 2% of the overall market share.[5] The Exchange in particular operates a ''Maker-Taker'' model whereby it provides rebates to Members that add liquidity to the Exchange and charges fees to Members that remove liquidity from the Exchange. The Fee Schedule sets forth the standard rebates and fees applied per share for orders that add and remove liquidity, respectively. Additionally, in response to the competitive environment, the Exchange also offers tiered pricing, which provides Members with opportunities to qualify for higher rebates or lower fees where certain volume criteria and thresholds are met. Tiered pricing provides an incremental incentive for Members to strive for higher tier levels, which provides increasingly higher benefits or discounts for satisfying increasingly more stringent criteria.

Amendments and Additions to Definitions Section

On September 18, 2024, the Commission adopted several amendments to Regulation NMS in order to increase the transparency of exchange fees and rebates.[6] New Regulation NMS Rule 610(d) provides that ''[a] national securities exchange shall not impose, nor permit to be imposed, any fee or fees, or provide, or permit to be provided, any rebate or other remuneration, for the execution of an order in an NMS stock that cannot be determined at the time of execution.'' [7] The compliance date for new Regulation NMS Rule 610(d) was the first business day of February 2026. Effective February 2, 2026, the Exchange added a note to the Fee Schedule that made clear that for purposes of determining quoting or transaction volumes for fee and rebate qualifications under the Exchange's tiers and additive rebates, all volume figures would be derived from quoting or trading activity in the prior month.[8] However, the Exchange inadvertently omitted amendments to definitions in the Fee Schedule related to Step-Up tiers in order to provide additional clarity regarding certain volume calculations related thereto, which the Exchange is proposing to do at this time.

Specifically, the Exchange proposes to revise the definitions of the terms ''Step-Up ADAV'',[9] ''Step-Up Displayed ADAV'',[10] ''Step-Up Non-Displayed ADAV'',[11] and ''Step-Up Tape B ADAV'',[12] to remove the word ''current'' and replace this word with the term ''the prior month's''. This change is necessary to ensure that certain definitions that currently exist on the Exchange's Fee Schedule are also consistent with and reflect the Exchange's compliance with Regulation NMS Rule 610(d).

In addition, in order to provide additional clarity as to how the Exchange calculates whether a Member may meet criteria under a Step-Up Tier when that Member's ADAV [13] is measured relative to the TCV [14] of a certain baseline month, the Exchange is proposing to add a new defined term, ''Step-Up Add TCV'', to the Fee Schedule. Specifically, the Exchange is proposing that ''Step-Up Add TCV'' shall mean ADAV as a percentage of TCV in the relevant baseline month subtracted from the prior month's ADAV as a percentage of TCV. As noted above, the addition of this definition seeks to avoid any potential confusion regarding the Exchange's current practice of determining whether a Member meets the required Step-Up Add TCV criteria under certain tiers.

[3] *See* Exchange Rule 1.5(p).

[4] Market share percentage calculated as of February 25, 2026. The Exchange receives and processes data made available through consolidated data feeds (*i.e.,* CTS and UTDF).

[5] *Id.*

[6] *See* Securities Exchange Act Release No. 101070 (Sept. 18, 2024), 89 FR 81620 (Oct. 8, 2024) (File No. S7–30–22) (Regulation NMS: Minimum Pricing increments, Access Fees, and Transparency of Better Priced Orders.) (''Rule 610(d) Adopting Release'').

[7] 17 CFR 242.610(d).

[8] *See* Securities Exchange Act Release No. 104812 (February 10, 2026) 91 FR 6943 (February 13, 2026) (SR–MEMX–2026–05).

[9] ''Step-Up ADAV'' means ADAV in the relevant baseline month subtracted from current ADAV.

[10] ''Step-Up Displayed ADAV'' means Displayed ADAV in the relevant baseline month subtracted from current Displayed ADAV.

[11] ''Step-Up Non-Displayed ADAV'' means Non-Displayed ADAV in the relevant baseline month subtracted from current Non-Displayed ADAV.

[12] ''Step-Up Tape B ADAV'' means ADAV in Tape B securities in the relevant baseline month subtracted from current ADAV in Tape B securities.

[13] As set forth on the Fee Schedule, ''ADAV'' means the average daily added volume calculated as the number of shares added per day, which is calculated on a monthly basis.

[14] As set forth on the Fee Schedule, ''TCV'' means total consolidated volume calculated as the volume reported by all exchanges and trade reporting facilities to a consolidated transaction reporting plan for the month for which the fees apply.

Liquidity Provision Tier 2

The Exchange currently provides a standard rebate of $0.0015 per share for executions of orders in securities priced at or above $1.00 per share that add displayed liquidity to the Exchange (such orders, ''Added Displayed Volume'').[15] The Exchange also currently offers Liquidity Provision Tiers 1–5, among other volume-based tiers, under which a Member may receive an enhanced rebate for executions of Added Displayed Volume by achieving the corresponding required volume criteria for each such tier. The Exchange now proposes to modify the required criteria under Liquidity Provision Tier 2, as further described below.

The Exchange currently provides an enhanced rebate of $0.0031 per share for executions of Added Displayed Volume for Members that qualify for such tier by achieving: (1) an ADAV that is equal to or greater than 0.20% of the TCV and an ADV [16] that is equal to or greater than 0.50% of the TCV; or (2) an ADAV that is equal to or greater than 0.20% of the TCV in securities priced at or above $1.00 per share and a Non-Displayed ADAV that is equal to or greater than 6,000,000 shares; or (3) an ADAV that is equal to or greater than 0.10% of the TCV and a Step-Up ADAV that is equal to or greater than 0.05% of the TCV from August 2025.[17] A note underneath the Liquidity Provision Tiers pricing table on the Fee Schedule indicates that criteria (3) of Liquidity Provision Tier 2 will expire no later than February 28, 2026. In light of this expiration, the Exchange now wishes to modify the required criteria under Liquidity Provision Tier 2 by keeping alternative criteria (1) and (2) without changes, but modifying criteria (3) such that a Member may meet alternative criteria (3) by achieving: an ADAV that is equal to or greater than 0.10% of the TCV and a Step-Up Add TCV from December 2025 that is equal to or greater than 0.05%.[18] The Exchange will add a note indicating that criteria (3) under Liquidity Provision Tier 2 will expire no later than June 30, 2026. Thus, the Exchange now proposes to keep existing alternative criteria (1) and (2) intact while updating the baseline month for the step-up requirement under alternative criteria (3).

The proposed change to Liquidity Provision Tier 2 is designed to encourage Members to maintain or increase their order flow, including in the form of orders that add liquidity on the Exchange in order to qualify for the enhanced Liquidity Provision Tier 2 rebate, which may contribute to a more robust and well-balanced market ecosystem on the Exchange to the benefit of all Members.

2. Statutory Basis

The Exchange believes that the proposed rule change is consistent with the provisions of Section 6 of the Act,[19] in general, and with Sections 6(b)(4) and 6(b)(5) of the Act,[20] in particular, in that it provides for the equitable allocation of reasonable dues, fees and other charges among its Members and other persons using its facilities and is not designed to permit unfair discrimination between customers, issuers, brokers, or dealers.

The Exchange believes the addition of the definition of Step-Up Add TCV and the amendments to the step-up related definitions on the Fee Schedule provides for the equitable allocation of reasonable dues, fees and other charges among its Members because it allows the Exchange to preserve its current pricing incentives while also complying with Regulation NMS 610(d). Additionally, the Exchange's new and modified definitions section of the Fee Schedule is not unfairly discriminatory because the Exchange will apply the same fees and rebates to all similarly situated Members.

Additionally, as discussed above, the Exchange operates in a highly fragmented and competitive market in which market participants can readily direct order flow to competing venues if they deem fee levels at a particular venue to be excessive or incentives to be insufficient, and the Exchange represents only a small percentage of the overall market. The Commission and the courts have repeatedly expressed their preference for competition over regulatory intervention in determining prices, products, and services in the securities markets. In Regulation NMS, the Commission highlighted the importance of market forces in determining prices and SRO revenues and also recognized that current regulation of the market system ''has been remarkably successful in promoting market competition in its broader forms that are most important to investors and listed companies.'' [21]

The Exchange believes that the ever-shifting market share among the exchanges from month to month demonstrates that market participants can shift order flow or discontinue use of certain categories of products, in response to new or different pricing structures being introduced into the market. Accordingly, competitive forces constrain the Exchange's transaction fees and rebates, and market participants can readily trade on competing venues if they deem pricing levels at those other venues to be more favorable. The Exchange believes the proposal reflects a reasonable and competitive pricing structure designed to incentivize market participants to direct additional order flow, including displayed, liquidity-adding orders to the Exchange, which the Exchange believes would promote price discovery and enhance liquidity and market quality on the Exchange to the benefit of all Members and market participants.

The Exchange notes that volume and quoting-based incentives (such as tiers) have been widely adopted by exchanges, including the Exchange, and are reasonable, equitable and not unfairly discriminatory because they are open to all members on an equal basis and provide additional benefits that are reasonably related to the value to an exchange's market quality associated with higher levels of market activity, such as higher levels of liquidity provision and/or growth patterns, and the introduction of higher volumes of orders into the price and volume discovery process. The Exchange believes that Liquidity Provision Tier 2, as modified by the proposed changes to alternative criteria (3) is reasonable, equitable and not unfairly discriminatory, as such tier will continue to provide Members with an incremental incentive to achieve certain volume thresholds on the Exchange, is available to all Members on an equal basis, and, as described above, is designed to encourage Members to maintain or increase their order flow, including in the form of displayed, liquidity-adding orders to the Exchange, thereby contributing to a deeper, more liquid and well balanced market

[15] The base rebate for executions of Added Displayed Volume is referred to by the Exchange on the Fee Schedule under the existing description ''Added displayed volume'' with a Fee Code of ''B'', ''D'' or ''J'', as applicable, on execution reports.

[16] As set forth on the Fee Schedule, ''ADV'' means average daily volume calculated as the number of shares added or removed, combined, per day. ADV is calculated on a monthly basis.

[17] The pricing for Liquidity Provision Tier 2 is referred to by the Exchange on the Fee Schedule under the existing description, ''Added displayed volume, Liquidity Provision Tier 2'' with a Fee Code of ''B2'', ''D2'', or ''J2'', as applicable, to be provided by the Exchange on the monthly invoices provided to Members.

[18] As noted above, the Exchange is proposing to add the definition of ''Step-Up Add TCV'' to the Definitions section of the Fee Schedule in connection with this filing.

[19] 15 U.S.C. 78f.

[20] 15 U.S.C. 78f(b)(4) and (5).

[21] Securities Exchange Act Release No. 51808 (June 9, 2005), 70 FR 37496, 37499 (June 29, 2005).

ecosystem on the Exchange to the benefit of all Members and market participants. The Exchange also believes that such tier reflects a reasonable and equitable allocation of fees and rebates, because, as noted above, the Exchange believes that, after giving effect to the changes proposed herein, the enhanced rebate for executions of Added Displayed Volume under Liquidity Provision Tier 2 is commensurate with the corresponding required criteria under each such tier and is reasonably related to the market quality benefits that such tier is designed to achieve.

For the reasons discussed above, the Exchange submits that the proposal satisfies the requirements of Sections 6(b)(4) and 6(b)(5) of the Act [22] in that it provides for the equitable allocation of reasonable dues, fees and other charges among its Members and other persons using its facilities and is not designed to unfairly discriminate between customers, issuers, brokers, or dealers. As described more fully below in the Exchange's statement regarding the burden on competition, the Exchange believes that its transaction pricing is subject to significant competitive forces, and that the proposed rebates described herein are appropriate to address such forces.

B. Self-Regulatory Organization's Statement on Burden on Competition

The Exchange does not believe that the proposal will result in any burden on competition that is not necessary or appropriate in furtherance of the purposes of the Act. Instead, as discussed above, the proposal is intended to incentivize market participants to direct additional order flow to the Exchange, thereby enhancing liquidity and market quality on the Exchange to the benefit of all Members and market participants. As a result, the Exchange believes the proposal would enhance its competitiveness as a market that attracts actionable orders, thereby making it a more desirable destination venue for its customers. For these reasons, the Exchange believes that the proposal furthers the Commission's goal in adopting Regulation NMS of fostering competition among orders, which promotes ''more efficient pricing of individual stocks for all types of orders, large and small.'' [23]

Intramarket Competition

As discussed above, the Exchange believes that the proposal would incentivize Members to submit additional order flow, including displayed, liquidity-adding orders to the Exchange, thereby enhancing liquidity and market quality on the Exchange to the benefit of all Members, as well as enhancing the attractiveness of the Exchange as a trading venue, which the Exchange believes, in turn, would continue to encourage market participants to direct additional order flow to the Exchange. Greater liquidity benefits all Members by providing more trading opportunities and encourages Members to send additional orders to the Exchange, thereby contributing to robust levels of liquidity, which benefits all market participants.

The Exchange does not believe that the proposed changes to the definitions on the Fee Schedule or the modification of the required criteria under Liquidity Provision Tier 2 would impose any burden on intramarket competition that is not necessary or appropriate in furtherance of the purposes of the Act. Particularly, the Exchange's proposal will apply equally in that all members are subject to Regulation NMS Rule 610(d) and will be able to determine their applicable transaction fees and rebates based on tiers by utilizing the previous month's trading and quoting activity. As it relates to Liquidity Provision Tier 2, such change to the required criteria will apply to all Members uniformly in that the opportunity to qualify for the enhanced rebate for executions of Added Displayed Volume under such tier would be available to all Members that meet the associated volume requirements in any month. For the foregoing reasons, the Exchange believes the proposed changes would not impose any burden on intramarket competition that is not necessary or appropriate in furtherance of the purposes of the Act.

Intermarket Competition

As noted above, the Exchange operates in a highly competitive market in which market participants can readily direct order flow to competing venues if they deem fee levels at a particular venue to be excessive or incentives to be insufficient. Members have numerous alternative venues that they may participate on and direct their order flow to, including 17 other equities exchanges and numerous alternative trading systems and other off-exchange venues. As noted above, no single registered equities exchange currently has more than approximately 15% of the total market share of executed volume of equities trading. Thus, in such a low-concentrated and highly competitive market, no single equities exchange possesses significant pricing power in the execution of order flow. Moreover, the Exchange believes that the ever-shifting market share among the exchanges from month to month demonstrates that market participants can shift order flow or reduce use of certain categories of products, in response to new or different pricing structures being introduced into the market. Accordingly, competitive forces constrain the Exchange's transaction fees and rebates, including with respect to Added Displayed Volume, and market participants can readily choose to send their orders to other exchange and off-exchange venues if they deem fee levels at those other venues to be more favorable. As described above, the proposed changes represent a competitive proposal through which the Exchange is seeking to generate additional revenue with respect to its transaction pricing and to encourage the submission of additional order flow to the Exchange through volume and quoting-based tiers, which have been widely adopted by exchanges, including the Exchange. Accordingly, the Exchange believes the proposal would not burden, but rather promote, intermarket competition by enabling it to better compete with other exchanges that offer similar pricing incentives to market participants.

The Exchange's proposal to add a new definition to the Fee Schedule and amend certain existing definitions to bring the Exchange's methods for calculating fees and rebates into compliance with new Regulation NMS Rule 610(d) will not result in any burden on competition due to the fact that such changes are being made solely to add clarity and comply with Regulation NMS 610(d), and not for competitive purposes.

Additionally, the Commission has repeatedly expressed its preference for competition over regulatory intervention in determining prices, products, and services in the securities markets. Specifically, in Regulation NMS, the Commission highlighted the importance of market forces in determining prices and SRO revenues and, also, recognized that current regulation of the market system ''has been remarkably successful in promoting market competition in its broader forms that are most important to investors and listed companies.'' [24] The fact that this market is competitive has also long been recognized by the courts. In *NetCoalition* v. *SEC,* the D.C. Circuit stated as follows: ''[n]o one disputes that competition for order flow is 'fierce.' . . . As the SEC explained, '[i]n

[22] 15 U.S.C. 78f(b)(4) and (5).

[23] *See supra* note 21.

[24] *Id.*

the U.S. national market system, buyers and sellers of securities, and the broker-dealers that act as their order-routing agents, have a wide range of choices of where to route orders for execution'; [and] 'no exchange can afford to take its market share percentages for granted' because 'no exchange possesses a monopoly, regulatory or otherwise, in the execution of order flow from broker dealers' . . .''.[25] Accordingly, the Exchange does not believe its proposed pricing changes impose any burden on competition that is not necessary or appropriate in furtherance of the purposes of the Act.

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)(ii) of the Act[26] and Rule 19b–4(f)(2)[27] 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 shall 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.* Please include file number SR–MEMX–2026–07 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–MEMX–2026–07. 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 also 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–MEMX–2026–07 and should be submitted on or before April 7, 2026.

For the Commission, by the Division of Trading and Markets, pursuant to delegated authority.[28]

Sherry R. Haywood,

Assistant Secretary.

[FR Doc. 2026–05130 Filed 3–16–26; 8:45 am]

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[25] *NetCoalition* v. *SEC,* 615 F.3d 525, 539 (D.C. Cir. 2010) (quoting Securities Exchange Act Release No. 59039 (December 2, 2008), 73 FR 74770, 74782–83 (December 9, 2008) (SR–NYSE–2006–21)).

[26] 15 U.S.C. 78s(b)(3)(A)(ii).

[27] 17 CFR 240.19b–4(f)(2).

[28] 17 CFR 200.30–3(a)(12).

SECURITIES AND EXCHANGE COMMISSION

[Release No. 34–104978; File No. SR–CboeBYX–2026–007]

Self-Regulatory Organizations; Cboe BYX Exchange, Inc.; Notice of Filing and Immediate Effectiveness of a Proposed Rule Change To Amend Rule 11.22 To Introduce the Exchange's Clock Service

March 12, 2026.

Pursuant to Section 19(b)(1) of the Securities Exchange Act of 1934 (''Act''),[1] and Rule 19b–4 thereunder,[2] notice is hereby given that, on March 6, 2026, Cboe BYX Exchange, Inc. (the ''Exchange'' or ''BYX'') filed with the Securities and Exchange Commission (''SEC'' or ''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.

[1] 15 U.S.C. 78s(b)(1).

[2] 17 CFR 240.19b–4.

I. Self-Regulatory Organization's Statement of the Terms of Substance of the Proposed Rule Change

Cboe BYX Exchange, Inc. (the ''Exchange'' or ''BYX'') proposes to amend Rule 11.22 to introduce the Exchange's Clock Service. 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/equities/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 Statutory Basis for, the Proposed Rule Change

1. Purpose

The Exchange proposes to amend Rule 11.22, to provide for the new service called the Clock Service.[3] The Clock Service is an optional product[4] available to Members and non-Members alike. In sum, a subscriber would be able to utilize the proposed Clock Service to synchronize their time recording systems to those of the Exchange for correlated latency measurements between the Exchange's and the subscriber's systems time measurements related to the same message or order. Time synchronization services are well established in the U.S. and utilized in many areas of the U.S.

[3] The Exchange also proposes to amend the title of Rule 11.22 from ''Data Products'' to ''Data Products and Services.''

[4] A firm that chooses to subscribe to the proposed Clock Service may discontinue the Clock Service at any time if that firm determines that it is no longer useful or that alternatives better meet their business or system needs. The Exchange intends to submit a separate filing with the Commission pursuant to Section 19(b)(1) to propose fees for the Clock Service.

economy and infrastructure. The proposed Service is not novel to the securities markets and it is similar to the network time synchronization service currently offered by MIAX Emerald, LLC (''MIAX Emerald'').[5] The Exchange proposes to provide the Clock Service in response to participant demand for more precise and more accurate clock synchronization options with the Exchange's network.

The U.S. Government's Global Positioning Satellite (''GPS'') clock[6] time signal is the benchmark by which the Exchange and most, if not all, Members and non-Members use to synchronize their internal primary clock devices.[7] Using the U.S. Government provided GPS time signals publicly available through the GPS network is a de facto standard for high precision time synchronization across geographically diverse locations. Typically, a GPS receiver connected to an antenna serves as a time signal source which feeds the Coordinated Universal Time (referred to as ''UTC'') to synchronize other clocks using Precision Time Protocol (''PTP'').[8]

The Exchange's primary clock[9] is the time source used to synchronize the Exchange's System,[10] as well as its affiliated options and equities exchanges trading systems (collectively, the ''Cboe Trading System'') and feeds a time signal to the Exchange's timestamping devices and servers within the Exchange's own network using White Rabbit[11] and PTP. These capture devices are used to timestamp orders and messages as they travel through the Exchange's System.

Time synchronization services are well established in the U.S. and utilized in many areas of the U.S. economy and infrastructure. Today, the Exchange understands many participants attempt to sync their primary clock devices to the U.S. Government provided GPS network. By getting the GPS signal through a GPS capable antenna, participants can synchronize their primary clock device to the GPS network time to within an accuracy of approximately 30 nanoseconds. From there, by using a PTP time synchronization protocol, participants can synchronize their internal devices to their primary clock devices.

Because the Exchange and participants independently access time signals from the U.S. government provided GPS network to synchronize their own primary clock devices, measurement times of market events by the Exchange and a participant may vary. This may, in turn, lead to incorrect latency measurements that may cause a participant's time calculations of how long it took for their order or message to leave their systems and reach the trading center to which it was sent to. This may impair the participant's ability to fully understand latencies within their own systems and whether they need to adjust their systems or trading models.

Under the proposed Clock Service, participants would be able to synchronize their own primary clock devices to the Exchange's primary clock device, by receiving White Rabbit time signals from the Exchange via a 1 gigabit per second (''Gbps'') Physical Port. The proposed Clock Service simply provides participants with the Exchange's time signal at a more granular level, and, as part of the Clock Service, participants will receive a 1 Gbps Physical Port offered by the Exchange in order to connect.[12] The improved time signal would tell the participant the Exchange's time at a more granular level at a particular point in time. The subscribing participant may then use that time signal to synchronize their own primary clock to the Exchange's primary clock. Some participants may currently have a White Rabbit clock synchronization[13] device within their own network. This device is not provided by the Exchange. Other participants that do not currently utilize White Rabbit clock synchronization device and optics would need to acquire one from a third-party vendor, of which there are several providers.[14]

Participants may use the proposed Clock Service for numerous purposes. For one, the proposed Clock Service would allow participants to more precisely measure latency between their network and that of the Exchange. The proposed Clock Service would allow them to better understand the times at which their order or message reached certain points when traveling from their network to the Exchange.

Participants may use the proposed Clock Service to analyze the efficiency of their network and connections when not only routing orders to the Exchange, but also when receiving messages back from the Exchange. These messages include communications regarding whether their order was accepted, rejected, or executed. Participants may measure message traversal times by comparing their message's (*e.g.,* order, quote, cancellation, etc.) timestamp to the Exchange's matching engine timestamp from the Exchange-generated acknowledgement messages (*e.g.,* order acknowledgment, quote acknowledgment, cancellation acknowledgment, etc.).[15] Participants may then enhance their own systems to ensure that they are receiving such communications in a timelier manner

[5] *See* Securities Exchange Act Release No. 94915 (May 16, 2022), 87 FR 31022 (May 20, 2022) (SR–EMERALD–2022–16).

[6] For a description of the GPS clock, see Official U.S. Government Information About the Global Positioning System (GPS) and Related Topic, available at *https://www.gps.gov/applications/timing/* (providing that ''[i]n addition to longitude, latitude, and altitude, the Global Positioning System (GPS) provides a critical fourth dimension—time. Each GPS satellite contains multiple atomic clocks that contribute very precise time data to the GPS signals. GPS receivers decode these signals, effectively synchronizing each receiver to the atomic clocks. This enables users to determine the time to within 100 billionths of a second, without the cost of owning and operating atomic clocks.'')

[7] *See* An Evaluation of Dependencies of Critical Infrastructure Timing Systems on the Global Positioning System (GPS), noting that ''the primary time synchronization sources for these systems are signals broadcast by Global Positioning System (GPS) satellites . . .''

[8] A primary clock device is a precision parent clock that provides timing signals to synchronized secondary child clocks as part of a standalone clock network. The term ''Coordinated Universal Time'' is defined as the ''international standard of time that is kept by atomic clocks around the world.'' See Merriam-Webster Dictionary, available at *https://www.merriam-webster.com/dictionary/Coordinated%20Universal%20Time* (last visited November 10, 2021). Coordinated Universal Time is the primary time standard by which the world regulates clocks and time. See *https://www.timeanddate.com/time/aboututc.html.* ''Precision Time Protocol'' is a method used to synchronize clocks through a computer network. See also ''IEEE–1588 Standard for a Precision Clock Synchronization Protocol for Networked Measurement and Control Systems'' available at *https://www.nist.gov/system/files/documents/el/isd/ieee/tutorial-basic.pdf.*

[9] The Exchange's primary clock ordinarily derives its time from the primary Exchange-managed GPS receiver; however, in certain failover or impairment scenarios, the system may temporarily synchronize to an external time service to maintain continuity.

[10] The term ''System'' shall mean the electronic communications and trading facility designated by the Board through which securities orders of Users are consolidated for ranking, execution and, when applicable, routing away. See Rule 1.5(aa).

[11] White Rabbit is a high-precision time synchronization technology that combines PTP with synchronous ethernet to achieve up to sub-nanosecond accuracy.

[12] The Exchange notes that MIAX Emerald, LLC similarly requires a 1 Gbps connection in order to utilize its respective clock service.

[13] A White Rabbit clock synchronization device has the technological ability to capture time and coordinate time synchronization within a network up to a sub-nanosecond level.

[14] The Exchange notes that participants are responsible for procuring the applicable license(s) as needed.

[15] The Exchange sends Members an acknowledgement message that their order or message was received by the Exchange. This acknowledgement includes the time of receipt at a microsecond level; however, the Exchange intends to update the time of receipt to be at a nanosecond by the end of March. The Exchange further notes that participants who subscribe to any one of the optional reports offered by Cboe Timestamping Services (see Rule 21.15(b)(7)) will have additional timestamps to analyze.

and to verify that their systems are working as intended. Participants may then utilize these enhanced latency measurements to better analyze latencies within their own systems and use this analysis to optimize their network, models and trading patterns to potentially improve their interactions with the Exchange. In particular, participants may use these metrics to better assess the health of their network and that their systems are working as intended. For example, a participant may use this information when analyzing the efficacy of their various connections and whether a connection is performing as expected or experiencing a delay. A subscriber may then decide to rebalance the amount of orders and/or messages over its various connections to ensure each connection is operating with maximum efficiency. Subscribers may also use the proposed Clock Service for other purposes, such as trade surveillance. Subscribers may also utilize time synchronization to assist them in evaluating compliance with certain clock synchronization requirements.[16]

The proposed Clock Service would be described under proposed Rule 11.22(m), which would provide that:

Clock Service utilizes White Rabbit and Precision Time Protocol (''PTP'') for synchronizing device clocks by leveraging technology designed to maintain tightly aligned timing across systems. Clock Service enables subscribers to synchronize their internal devices to the same time as the Exchange devices with high precision.

The Exchange does not propose to provide a new connectivity option to receive time signals via the proposed Clock Service; rather, dedicated 1 Gbps Physical Ports available will be included as part of this Clock Service.[17] The proposed Clock Service provides enhanced time synchronization that may be utilized by subscribing participants to adjust their own systems. The Exchange does not propose to include additional connectivity options or modify existing connectivity options as part of this proposal. Participants may continue to use their existing methods to connect to and send orders to the Exchange. The proposed Clock Service will not include any trading data regarding the subscriber's activity on the Exchange or include any data from other trading activity on the Exchange.

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.[18] Specifically, the Exchange believes the proposed rule change is consistent with the Section 6(b)(5)[19] 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.

Trading technology in the U.S. market is constantly evolving and providing market participants with tools to increase speed and reduced latency opportunities. Today, the Exchange provides participants timestamp information in microseconds.[20] The Exchange and its participants independently access time signals from GPS and use those time signals to synchronize their own primary clock devices. Even though both the Exchange and participants synchronize to GPS, differences among GPS receivers may vary by about 30 nanoseconds, with the potential for further deviation based on a participant's infrastructure. In today's market, such a potential inaccuracy in a subscriber's latency measurements is meaningful and potentially impactful to the performance of their trading strategies.

The proposed Clock Service addresses this issue by enabling subscribers to synchronize their primary clock device with the Exchange's by utilizing technology that allows up to a sub-nanosecond level. For example, the proposed Clock Service would allow subscribers to timestamp a quote sent from their system to the very same quote timestamped by the Exchange and have confidence that the time delta between timestamps is attributable to latency and not due to a potential offset in their primary clocks as discussed above. The Exchange, therefore, believes the proposed Clock Service promotes just and equitable principles of trade, removes impediments to and perfects the mechanism of a free and open market because it would allow latency sensitive subscribers to measure latency in a manner consistent with their trading behavior and the evolving pace of trading and technology in today's markets. Time synchronization removes impediments to and perfects the mechanism of a free and open market because it would provide Members with a tool to assess and re-calibrate their systems at a more acute level that is in line with the increasing speeds at which today's markets operate.

The proposed Clock Service provides participants with the Exchange's time signal. The time signal provided by the proposed Service could be beneficial in multiple areas, one of which is enabling subscribers to more precisely measure latency between their network and that of the Exchange by utilizing technology that allows up to a sub-nanosecond level. The proposed Clock Service would allow them to better understand the times at which their order or message reached certain points when traveling from their network to the Exchange through more granular latency measurements. The proposed Clock Service is, therefore, consistent with Section 6(b)(5) of the Act because a more granular latency measurement would enable latency sensitive subscribers to more precisely calculate and thus better understand and manage their own latency.

Subscribers may utilize these enhanced latency measurements to better analyze latencies within their own systems and use this analysis to optimize their network, models and trading patterns to potentially improve their interactions with the Exchange. The ability to more precisely measure network efficiency could provide subscribers with a set of metrics that allow them to better assess the health of their network and that their systems are working as intended. The Exchange anticipates that most, if not all, subscribers to the proposed Clock Service would be those whose trading models are latency sensitive; however, managed service providers may also subscribe in order to redistribute the Cboe Clock to their downstream clients.

The Exchange believes providing this optional clock synchronization service to interested subscribers is, therefore, consistent with facilitating transactions in securities, removing impediments to and perfecting the mechanism of a free and open market and a national market system, and, in general, protecting investors and the public interest.

[16] *See* Rule 4.6.

[17] The Exchange notes that the 1 Gbps Physical Port that a participant shall receive as part of this Service shall be used solely for the purposes of the Clock Service and will not be able to be used for any other purpose (*e.g.,* order routing).

[18] 15 U.S.C. 78f(b).

[19] 15 U.S.C. 78f(b)(5).

[20] The Exchange intends to provide this information in nanoseconds by the end of March.

As noted above, MIAX Emerald currently offers a clock service that has been reviewed and approved by the Commission.[21] MIAX Emerald's clock service is substantially similar to the proposed Clock Service as both offerings synchronize a subscriber's time recording systems to those of the exchange at a more granular level for highly correlated latency measurements between the exchange's and the subscriber system's time measurements related to the same message or order. Both offerings allow subscribers to synchronize their own primary clock devices to the exchange's primary clock device, by receiving time signals from the 1 Gbps connection.

One key distinction between the Exchange's proposed Clock Service and MIAX Emerald's similar offering is that the Exchange includes a 1 Gbps Physical Port as part of its offering for this Clock Service.[22] Similar to MIAX Emerald, this 1 Gbps Physical Port will be used solely for the Clock Service offering.[23] However, a participant that purchases the Exchange's Clock Service will only need one 1 Gbps Physical Port to receive this service for the Exchange and its affiliated equities and options exchanges.[24]

Additionally, MIAX Emerald's offering also utilizes White Rabbit technology.[25] with both services synchronizing a subscriber's time recording systems to those of the respective exchange at a more granular level for highly correlated latency measurements between the respective exchange's and the subscriber system's time measurements related to the same message or order.

The proposed Clock Service also protects investors and the public interest because subscribers may use the Clock Service for determining compliance with trade surveillance and to assist them in evaluating compliance with certain clock synchronization requirements.[26]

Additionally, the Exchange believes the proposed rule change is consistent with the Section 6(b)(5)[27] requirement that the rules of an exchange not be designed to permit unfair discrimination between customers, issuers, brokers, or dealers as it will be available to all Members and non-Members who choose to subscribe. Use of the proposed Clock Service would be voluntary and no Member or non-Member would be required to subscribe to the proposed Clock Service.[28] The Exchange notes that the proposed Clock Service would be an additional, optional tool for participants and some participants may not find it useful based on their business needs and trading activity. Participants that choose not to subscribe to the proposed Clock Service are free to utilize other time synchronization methods or services that may assist them in time synchronization of their systems at a more granular level. The proposed Clock Service may not provide utility to all participants based on their business model, use of existing time synchronization methods, or reliance on other methods to test their system's performance to ensure it is operating as intended. For example, certain participants employ business models that are not latency sensitive, such as those that only enter resting liquidity.

Lastly, the Exchange believes the proposed changes to the title of Rule 11.22(m) promote just and equitable principles of trade and remove impediments to and perfect the mechanism of a free and open market and a national market system because the proposed rule changes will provide greater clarity to participants and the public regarding the Exchange's Rules. It is in the public interest for rules to be accurate and concise so as to eliminate the potential for confusion

B. Self-Regulatory Organization's Statement on Burden on Competition

The Exchange does not believe that the proposed rule change will impose any burden on competition that is not necessary or appropriate in furtherance of the purposes of the Act. In this instance, the proposed rule change to offer the optional Clock Service is in response to participant interest and requests for tools that would enable them to better measure traversal times between their network and that of the Exchange at a more granular level.

Intra-Market Competition

The Exchange does not believe the proposed Clock Service will have an inappropriate burden on intra-market competition between participants that choose to subscribe to the Clock Service and those participants that do not. The proposed Clock Service would provide participants with the ability to synchronize their primary clock devices with the Exchange's primary clock device by utilizing technology that allows up to a sub-nanosecond level, which they may then use to measure their network's efficiency to determine whether their systems are performing as expected.

The Exchange notes that the proposed Clock Service would be an additional, optional tool for participants and some participants may not find it useful based on their business needs and trading activity. The proposed Clock Service may not provide utility to all participants based on their business model, use of existing time synchronization methods, or reliance on other methods to test their system's performance to ensure it is operating as intended.

Additionally, some participants may be able to enhance their own traversal time calculations without subscribing to the proposed Clock Service by using other time synchronization methods or utilize some other services that may assist them in time synchronization of their systems. Participants may also prefer to utilize or develop other methods that would enable them to determine whether their own primary clock device is recording time in close proximity to the primary clock devices of other market participants. Participants may view these alternatives as more in line with their business needs or choose an alternative that is more compatible with their existing technology.

Inter-Market Competition

The Exchange does not believe the proposed Clock Service will have an inappropriate burden on inter-market competition. The proposed Clock Service will further enhance inter-market competition between exchanges by allowing the Exchange to expand its product offerings. As previously noted, MIAX Emerald provides a clock service to its Members.[29] The proposed Clock Service would provide subscribers with a tool to assist them in recalibrating

[21] *See* Securities Exchange Act Release No. 94335 (March 1, 2022), 87 FR 12756 (March 7, 2022) (SR–EMERALD–2021–38) (Notice of Filing of Amendment No. 1 and Order Granting Accelerated Approval of a Proposed Rule Change, as Modified by Amendment No. 1, To Amend Exchange Rule 531 To Provide for a New Service Called the High Precision Network Time Signal Service) (''Approval Order'').

[22] As noted above, MIAX also requires a 1 Gbps connection.

[23] *See* Securities Exchange Act Release No. 94915 (May 16, 2022), 87 FR 31002 (May 20, 2022) (SR–EMERALD–2022–16).

[24] MIAX Emerald's affiliates do not offer this service, thus the 1 Gbps connection is only used for the MIAX Emerald clock service while the Exchange's proposed offering allows for the Clock Service to be used for the Exchange and its affiliated options and equities exchanges.

[25] *See* MIAX_Emerald_Options_EnhancedPTP_WhiteRabbit_08302021.pdf, noting the White Rabbit technology that is used for this service offering.

[26] *See* Rule 4.6.

[27] 15 U.S.C. 78f(b)(5).

[28] The Exchange intends to submit a separate filing with the Commission pursuant to Section 19(b)(1) to propose fees for the Clock Service.

[29] *See* MIAX Emerald Fee Schedule, Section 8, Services.

their own models and trading strategies to improve their overall experience on the Exchange, thereby potentially improving execution and order fill rates. This may improve the Exchange's overall market quality through increased liquidity and improved execution opportunities for resting orders, enhancing the Exchange's overall competitive position. The proposed rule change should enhance competition by promoting further initiatives and innovation among market centers and market participants as it concerns time measurements and synchronization among trading platforms.

Lastly, if the proposed Clock Service is unattractive to participants, participants will opt not to subscribe to it. Accordingly, the Exchange does not believe that the proposed change will impair the ability of participants or competing order execution venues to maintain their competitive standing in the financial market.

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

Because the foregoing proposed rule change does not:

A. significantly affect the protection of investors or the public interest;

B. impose any significant burden on competition; and

C. become operative for 30 days from the date on which it was filed, or such shorter time as the Commission may designate, it has become effective pursuant to Section 19(b)(3)(A) of the Act [30] and Rule 19b–4(f)(6) [31] 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.* Please include file number SR–CboeBYX–2026–007 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–CboeBYX–2026–007. 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–CboeBYX–2026–007 and should be submitted on or before April 7, 2026.

For the Commission, by the Division of Trading and Markets, pursuant to delegated authority.[32]

Sherry R. Haywood,

Assistant Secretary.

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[30] 15 U.S.C. 78s(b)(3)(A).

[31] 17 CFR 240.19b–4(f)(6).

[32] 17 CFR 200.30–3(a)(12).

SECURITIES AND EXCHANGE COMMISSION

[Release No. 34–104985; File No. SR–Phlx–2026–08]

Self-Regulatory Organizations; Nasdaq PHLX LLC; Notice of Filing and Immediate Effectiveness of Proposed Rule Change To Amend Options 7, Sections 5 and 9B

March 12, 2026.

Pursuant to Section 19(b)(1) of the Securities Exchange Act of 1934 (''Act''),[1] and Rule 19b–4 thereunder,[2] notice is hereby given that on February 27, 2026, Nasdaq PHLX LLC (''Phlx'' or ''Exchange'') filed with the Securities and Exchange Commission (''SEC'' or ''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 Options 7, Sections 5 and 9B.

While the changes proposed herein are effective upon filing, the Exchange has designated the amendments become operative on March 2, 2026.

The text of the proposed rule change is available on the Exchange's website at *https://listingcenter.nasdaq.com/rulebook/phlx/rulefilings,* 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 Statutory Basis for, the Proposed Rule Change

1. Purpose

Phlx proposes to modify its Pricing Schedule at Options 7, Section 4 to add:

[1] 15 U.S.C. 78s(b)(1).

[2] 17 CFR 240.19b–4.

(1) a surcharge on certain Lead Market Maker [3] and Market Maker [4] floor transactions [5] in multiply-listed Penny and non-Penny Symbols; and (2) establish a rebate payable to Floor Brokers [6] for such trades with a Lead Market Maker or Market Maker order on floor transactions. Additionally, Phlx proposes to amend Options 7, Section 9B to delete text related to a migration. Each change will be described below.

Options 7, Section 4

The Exchange proposes to amend Options 7, Section 4, Multiply Listed Options Fees (Includes options overlying equities, ETFs, ETNs and indexes which are Multiply Listed) (Excludes SPY). Today, the Exchange assesses Options Transaction Charges in Multiply Listed options, including options overlying equities, ETFs, ETNs and indexes and excluding options in SPY.[7] The Exchange currently assesses the following Floor Options Transaction Charges in multiply-listed Penny and non-Penny Symbols: $0.50 per contract for a Lead Market Maker and Market Maker, and $0.25 per contract for a Broker-Dealer [8] and Firm.[9] Customers [10] and Professionals [11] are not assessed an Options Transaction Charge in multiply-listed Penny or non-Penny Symbols.

The Exchange proposes a new note 9 which would assess a surcharge to Floor Lead Market Makers and Floor Market Makers of $0.20 per contract on Options Transaction Charges in Penny and non-Penny Symbols when the Floor Lead Market Maker or Floor Market Maker is the counterparty to a Customer complex floor transaction executed by a Floor Broker.[12] For such a trade, the Exchange proposes to pay the Floor Broker side of the trade a $0.20 per contract rebate. The aforementioned pricing will not apply to index options [13] and singly listed options [14] in Options 7, Section 5, strategy transactions (dividend, merger, short stock interest, reversal and conversion, jelly roll and box spread strategies),[15] Floor Qualified Contingent Cross Orders [16] or Customer Cross Orders.[17]

Although the proposed surcharge would increase certain complex fees for Floor Lead Market Makers and Floor Market Makers for open outcry transactions, the Exchange believes these participants will continue to quote actively to participate in floor transactions as they do today, thereby promoting trading opportunities and competition on the trading floor to the benefit of all market participants. The Exchange also believes that the proposed rebate would continue to incentivize Floor Brokers to participate on the trading floor, including when the counterparty to such trading is a Floor Lead Market Maker or Floor Market Maker.

Options 7, Section 9

In 2025, Phlx underwent a technology migration [18] wherein member organizations maintained both legacy FIX Ports that were connected to the legacy Phlx platform and new FIX Ports that were connected to the new Phlx platform that was introduced as part of the migration. The migration was completed in December 2025 and legacy FIX Ports were sunset on February 27, 2026. The Exchange proposes to remove the obsolete rule text that states, ''Phlx will sunset legacy FIX Ports on February 27, 2026. The below FIX Port Fees apply to new and legacy FIX Ports.''

2. Statutory Basis

The Exchange believes that its proposal is consistent with Section 6(b) of the Act,[19] in general, and furthers the objectives of Sections 6(b)(4) and 6(b)(5) of the Act,[20] in particular, in that it provides for the equitable allocation of reasonable dues, fees and other charges among members and issuers and other persons using any facility, and is not designed to permit unfair discrimination between customers, issuers, brokers, or dealers.

The Commission and the courts have repeatedly expressed their preference for competition over regulatory

[3] The term ''Floor Lead Market Maker'' is a member who is registered as an options Lead Market Maker pursuant to Options 2, Section 12(a) and has a physical presence on the Exchange's Trading Floor. *See* Phlx's Pricing Schedule at Options 7, Section 1(c).

[4] The term ''Floor Market Maker'' is a Market Maker who is neither an SQT or an RSQT. A Floor Market Maker may provide a quote in open outcry. *See* Phlx's Pricing Schedule at Options 7, Section 1(c). The term ''Streaming Quote Trader'' or ''SQT'' is defined in Options 1, Section 1(b)(54) as a Market Maker who has received permission from the Exchange to generate and submit option quotations electronically in options to which such SQT is assigned. *See* Phlx's Pricing Schedule at Options 7, Section 1(c). The term ''Remote Streaming Quote Trader'' or ''RSQT'' is defined in Options 1, Section 1(b)(49) as a Market Maker that is a member affiliated with an RSQTO with no physical trading floor presence who has received permission from the Exchange to generate and submit option quotations electronically in options to which such RSQT has been assigned. A Remote Streaming Quote Trader Organization or ''RSQTO,'' which may also be referred to as a Remote Market Making Organization (''RMO''), is a member organization in good standing that satisfies the RSQTO readiness requirements in Options 2, Section 1(a). *See* Phlx's Pricing Schedule at Options 7, Section 1(c).

[5] The term ''floor transaction'' is a transaction that is effected in open outcry on the Exchange's Trading Floor. *See* Phlx's Pricing Schedule at Options 7, Section 1(c).

[6] The term ''Floor Broker'' means an individual who is registered with the Exchange for the purpose, while on the Options Floor, of accepting and handling options orders. *See* Phlx's Pricing Schedule at Options 7, Section 1(c).

[7] Transactions in SPY originating on the Exchange floor will be subject to the Multiply Listed Options Fees (see Multiply Listed Options Fees in Options 7, Section 4). However, if one side of the transaction originates on the Exchange floor and any other side of the trade was the result of an electronically submitted order or a quote, then these fees will apply to the transactions which originated on the Exchange floor and contracts that are executed electronically on all sides of the transaction. The one side of the transaction which originates on the Exchange floor will count toward the volume which qualifies a participant for the Simple Order Rebate for Adding Liquidity for Lead Market Makers and Market Makers in SPY. *See* Options 7, Section 3, Part C.

[8] The term ''Broker-Dealer'' applies to any transaction which is not subject to any of the other transaction fees applicable within a particular category. *See* Phlx's Pricing Schedule at Options 7, Section 1(c).

[9] The term ''Firm'' applies to any transaction that is identified by a member or member organization for clearing in the Firm range at The Options Clearing Corporation (''OCC''). *See* Phlx's Pricing Schedule at Options 7, Section 1(c).

[10] The term ''Customer'' applies to any transaction that is identified by a member or member organization for clearing in the Customer range at OCC which is not for the account of a broker or dealer or for the account of a ''Professional'' (as that term is defined in Options 1, Section 1(b)(45)). *See* Phlx's Pricing Schedule at Options 7, Section 1(c).

[11] The term ''Professional'' applies to transactions for the accounts of Professionals, as defined in Options 1, Section 1(b)(45) means any person or entity that (i) is not a broker or dealer in securities, and (ii) places more than 390 orders in listed options per day on average during a calendar month for its own beneficial account(s). *See* Phlx's Pricing Schedule at Options 7, Section 1(c).

[12] Today, NYSE Arca, Inc. (''NYSE Arca'') assesses a $0.12 per contract surcharge to any Market Maker order on the trading floor that is a counterparty to a complex Manual trade executed by a Floor Broker, and the Floor Broker side of the such trade is eligible of a rebate of $0.20. *See* NYSE Arca Options Fees and Charges. Additionally, NYSE American LLC (''NYSE American'') assesses a $0.12 surcharge to any Floor Market Maker order that is a counterparty to a Manual trade executed by a Floor Broker that is not a Simple Order, and the Floor Broker side of such trade will be eligible for a rebate of ($0.20). *See* NYSE American Options Fee Schedule.

[13] Index Options are subject to pricing within Options 7, Section 5A, and B. Today, Options Transaction Charges in non-Penny Options exclude NDX, NDXP and XND.

[14] Singly Listed Options are subject to pricing within Options 7, Section 5C.

[15] Strategy transactions include dividend, merger, short stock interest, reversal and conversion, jelly roll and box spread strategies as described within Options 7, Section 4.

[16] Floor Qualified Contingent Cross (''QCC'') Orders, as described within Options 8, Section 30(e), are subject to pricing noted within Options 7, Section 4. Floor QCC Orders do not qualify as floor transactions as they are not executed in open outcry.

[17] Customer Cross Orders, as described within Options 8, Section 30(f) are subject to pricing noted within Options 7, Section 4. Customer Cross Orders do not qualify as floor transactions as they are not executed in open outcry.

[18] *See https://www.nasdaqtrader.com/MicroNews.aspx?id=OTU2025-6.*

[19] 15 U.S.C. 78f(b).

[20] 15 U.S.C. 78f(b)(4) and (5).

intervention in determining prices, products, and services in the securities markets. In Regulation NMS, while adopting a series of steps to improve the current market model, the Commission highlighted the importance of market forces in determining prices and SRO revenues and, also, recognized that current regulation of the market system ''has been remarkably successful in promoting market competition in its broader forms that are most important to investors and listed companies.'' [21]

Likewise, in *NetCoalition* v. *Securities and Exchange Commission* [22] (''NetCoalition'') the D.C. Circuit upheld the Commission's use of a market-based approach in evaluating the fairness of market data fees against a challenge claiming that Congress mandated a cost-based approach.[23] As the court emphasized, the Commission ''intended in Regulation NMS that 'market forces, rather than regulatory requirements' play a role in determining the market data . . . to be made available to investors and at what cost.'' [24]

Further, ''[n]o one disputes that competition for order flow is 'fierce.' . . . As the SEC explained, '[i]n the U.S. national market system, buyers and sellers of securities, and the broker-dealers that act as their order-routing agents, have a wide range of choices of where to route orders for execution'; [and] 'no exchange can afford to take its market share percentages for granted' because 'no exchange possesses a monopoly, regulatory or otherwise, in the execution of order flow from broker dealers'. . . . '' [25] Although the court and the SEC were discussing the cash equities markets, the Exchange believes that these views apply with equal force to the options markets.

Options 7, Section 4

The Proposal is Reasonable

The Exchange's proposal to assess a surcharge to Floor Lead Market Makers and Floor Market Makers of $0.20 per contract on Options Transaction Charges in multiply-listed Penny or non-Penny Symbols when the Floor Lead Market Maker or Floor Market Maker is the counterparty to a Customer complex floor transaction executed by a Floor Broker in open outcry is reasonable. The Exchange believes that the proposed rebate of $0.20 per contract to be paid to Floor Brokers would incentivize Floor Brokers to direct additional Customer complex floor transactions to the Exchange, thereby creating more trading opportunities on the trading floor for all market participants, including Floor Lead Market Makers and Floor Market Makers. The Exchange thus believes that, despite the proposed surcharge on Floor Lead Market Makers and Floor Market Makers, Customer floor transactions that are counterparty to such Floor Broker orders, would not be discouraged from continuing to quote and trade actively on the Exchange.

The Exchange believes that the proposed changes are reasonably designed to incent Floor Brokers (and other participants on the trading floor) to increase the number of open outcry complex orders sent to the Exchange. Any increase in trading volume would create more trading opportunities for all market participants and would in turn attract additional order flow to the Exchange, further contributing to a deeper, more liquid market to the benefit of all market participants. The Exchange also notes that the proposed rebate is similar in structure to incentive programs for Floor Brokers offered by competing options exchanges.[26]

The Exchange further believes the surcharge is reasonable because it is designed to offset costs associated with the proposed rebate payable to Floor Brokers when they interact with Floor Lead Market Makers and Floor Market Makers on the trading floor. To the extent this purpose is achieved, the Exchange believes that the proposed surcharge would not disincentivize market making activity on the trading floor because increased order flow from Floor Brokers seeking to earn the proposed rebate would result in more opportunities to trade for all market participants.

To the extent the proposed rule change continues to attract greater volume and liquidity by encouraging Floor Brokers to increase their options volume on the Exchange in an effort to earn the proposed rebate, the Exchange believes the proposed changes would improve the Exchange's overall competitiveness and strengthen its market quality for all market participants. Against the backdrop of the competitive environment in which the Exchange operates, the proposed rule change is a reasonable attempt by the Exchange to increase the depth of its market and improve its market share relative to its competitors.

The Proposal is Equitable

The Exchange believes it is equitable to apply the rebate only to Floor Brokers and not to Floor Lead Market Makers and Floor Market Makers. Floor Lead Market Makers and Floor Market Makers only represent their own interest on the trading floor and therefore do not need a similar incentive. Unlike Floor Lead Market Makers and Floor Market Makers, Floor Brokers act as agents in representing orders on the Exchange's trading floor. Participants who desire to have a Customer order executed on Phlx's trading floor would provide that order to a Floor Broker to be represented. Floor Lead Market Makers and Floor Market Makers may interact with orders represented by the Floor Broker in open outcry on the trading floor. Finally, Floor Lead Market Makers and Floor Market Makers may choose to conduct their business on a trading floor or in an electronic market, unlike Floor Brokers, who have a business model that is naturally tied to the physical trading space.

The Exchange believes the proposed rule change is equitable because the proposed rebate is based on the amount and type of business transacted on the Exchange, and Floor Brokers may elect to earn the proposed rebate if they choose. The Exchange also believes that the proposed surcharge is equitable because it is designed to balance costs associated with encouraging increased execution opportunities on the trading floor, and an increase in such orders would in turn enhance trading opportunities for all market participants. The Exchange also believes that the proposed rebate to Floor Brokers is equitable because it is intended to support Floor Brokers' role in facilitating the execution of open outcry orders, which function benefits all market participants on the trading floor.

Moreover, the proposal is designed to incent participation on the trading floor in an effort to make the Exchange a primary execution venue and to attract more open outcry transactions to the

[21] Securities Exchange Act Release No. 51808 (June 9, 2005), 70 FR 37496, 37499 (June 29, 2005) (''Regulation NMS Adopting Release'').

[22] *NetCoalition* v. *SEC,* 615 F.3d 525 (D.C. Cir. 2010).

[23] *See NetCoalition,* at 534–535.

[24] *Id.* at 537.

[25] *Id.* at 539 (quoting Securities Exchange Act Release No. 59039 (December 2, 2008), 73 FR 74770, 74782–83 (December 9, 2008) (SR–NYSEArca-2006–21)).

[26] *See, e.g.,* BOX Exchange Fee Schedule, Section V. Manual Transaction Fees, available at *https://boxexchange.com/assets/BOX-Fee-Schedule-as-of-January-22-2026.pdf* (offering Floor Brokers that submit QOO and FOO Orders a $0.20 per contract enhanced rebate for executions that trade with a Floor Market Maker, in lieu of lesser per contract rebates also available to Floor Brokers); MIAX Sapphire Options Exchange, Section 1) c) Trading Floor Transactions, available at *https://www.miaxglobal.com/sites/default/files/fee_schedule-files/MIAX_Sapphire_Fee_Schedule_01212026_b.pdf* (providing for the ''Floor Broker Breakup Credit,'' a $0.20 credit applicable to Floor Brokers that submit a QFO or cQFO for executions that trade with a Floor Market Maker, instead of the $0.10 Floor Broker rebate otherwise available).

Exchange. To the extent that the proposed change attracts more Floor Broker orders to the Exchange, this increased order flow would continue to make the Exchange a more competitive venue for, among other things, order execution. Thus, the Exchange believes the proposed rule change would improve market quality for all market participants on the Exchange and, as a consequence, attract more order flow to the Exchange thereby improving market-wide quality and price discovery. The Exchange also notes that the proposed rebate is similar in structure to an incentive program for Floor Brokers offered by NYSE Arca and NYSE American.[27]

The Proposal Is Not Unfairly Discriminatory

The Exchange believes it is not unfairly discriminatory to impose a surcharge on Floor Lead Market Maker and Floor Market Maker orders on the trading floor that are a counterparty to a Customer complex floor transaction executed by a Floor Broker because the proposed change would apply to all Floor Lead Market Maker and Floor Market Maker orders equally, and as discussed above, the Exchange believes it is not unfairly discriminatory to incent order flow to the Exchange, which would enhance liquidity on the Exchange to the benefit of all market participants. The Exchange also believes that the proposed rebate payable to Floor Brokers for a Customer complex floor transactions that trade with a Floor Lead Market Maker or Floor Market Maker is not unfairly discriminatory because it would be available to all similarly-situated market participants on an equal and non-discriminatory basis. The Exchange further believes that the proposed rebate available to Floor Brokers is not unfairly discriminatory to other market participants because it is intended to encourage the role performed by Floor Brokers in facilitating the execution of orders via open outcry, a function which the Exchange wishes to support for the benefit of all market participants. In addition, although the proposed change would apply a surcharge to Floor Lead Market Maker or Floor Market Maker orders that trade with Floor Broker Customer complex floor transactions, the Exchange believes that Floor Lead Market Makers and Floor Market Makers would not be discouraged from continuing to participate actively on the trading floor and would benefit from increased Floor Broker order flow as a result of the proposed change. To the extent that this increased order flow attracts order flow from other market participants to the trading floor, the proposed rule change would improve market quality and promote additional trading opportunities for all market participants on the Exchange.

Finally, the Exchange believes that it is subject to significant competitive forces, as described below in the Exchange's statement regarding the burden on competition.

The Exchange's proposal to exclude index options, singly listed options, strategy transactions, Floor Qualified Contingent Cross Orders and Customer Cross Orders is reasonable, equitable and not unfairly discriminatory. The Exchange notes that index options and singly listed options have their own separate pricing in Options 7, Section 5. These types of options are not multi-list options. The Exchange notes that strategy transactions are not assessed Options Transactions Charges in Options 7, Section 4 for Penny and Non-Penny Symbols and have their own pricing model. Floor Qualified Contingent Cross Orders and Customer Cross Orders are not transacted in open outcry. The Exchange would apply the exclusions to note 9 in a uniform manner to all Phlx member organizations.

Options 7, Section 9B

The Exchange's proposal to remove rule text in Options 7, Section 9B related to a prior migration is reasonable because the migration is complete and the Exchange has sunset all FIX legacy ports as of February 27, 2026. Further, the proposal is equitable and not unfairly discriminatory because no Phlx member organization has access to a FIX legacy port.

B. Self-Regulatory Organization's Statement on Burden on Competition

The Exchange does not believe that the proposed rule change will impose any burden on competition not necessary or appropriate in furtherance of the purposes of the Act.

Inter-market Competition

The proposal does not impose an undue burden on inter-market competition. The Exchange believes its proposal remains competitive with other options markets and will offer market participants with another choice of where to transact options. The Exchange notes that it operates in a highly competitive market in which market participants can readily favor competing venues if they deem fee levels at a particular venue to be excessive, or rebate opportunities available at other venues to be more favorable. In such an environment, the Exchange must continually adjust its fees to remain competitive with other exchanges. Because competitors are free to modify their own fees in response, and because market participants may readily adjust their order routing practices, the Exchange believes that the degree to which fee changes in this market may impose any burden on competition is extremely limited.

Options 7, Section 4

The Exchange believes that the proposed rule change reflects this competitive environment because it modifies the Exchange's fees in a manner designed to continue to incent participants on the trading floor to direct trading interest to the Exchange, to provide liquidity and to attract additional order flow. To the extent that Floor Brokers are encouraged to utilize the Exchange as a primary trading venue for all transactions, all Exchange market participants stand to benefit from the improved market quality and increased opportunities for price improvement. The Exchange notes that it operates in a highly competitive market in which market participants can readily favor competing venues. In such an environment, the Exchange must continually review, and consider adjusting, its fees and credits to remain competitive with other exchanges. For the reasons described above, the Exchange believes that the proposed rule change reflects this competitive environment.

Intra-market Competition

In accordance with Section 6(b)(8) of the Act, the Exchange does not believe that the proposed rule change would impose any burden on competition that is not necessary or appropriate in furtherance of the purposes of the Act. Instead, as discussed above, the Exchange believes that the proposed changes would encourage the submission of additional liquidity to a public exchange, thereby promoting market depth, price discovery and transparency and enhancing order execution opportunities for all market participants. As a result, the Exchange believes that the proposed change furthers the Commission's goal in adopting Regulation NMS of fostering integrated competition among orders, which promotes ''more efficient pricing

[27] *See supra* note 12.

of individual stocks for all types of orders, large and small.'' [28]

The proposed change is designed to attract additional order flow to the Exchange. The Exchange believes that the proposed surcharge on Floor Lead Market Maker and Floor Market Maker orders on the trading floor that are a counterparty to open outcry Customer complex floor transactions executed by a Floor Broker, and the proposed rebate payable to the Floor Broker side of such trades would encourage Floor Broker open outcry order flow and would not disincentivize Floor Lead Market Maker and Floor Market Maker activity on the trading floor. Greater liquidity benefits all market participants on the Exchange and increased order flow would increase opportunities for execution of other trading interest. The proposed modifications would apply and be available to all similarly-situated market participants that execute open outcry on the trading floor, and, accordingly, the proposed changes would not impose a disparate burden on competition among market participants on the Exchange.

Finally, the Exchange would apply the exclusions to note 9 in a uniform manner to all Phlx member organizations.

Options 7, Section 9B

The Exchange's proposal to remove rule text in Options 7, Section 9B related to a prior migration does not impose an undue burden on competition because no Phlx member organization has access to a FIX legacy port.

C. Self-Regulatory Organization's Statement on Comments on the Proposed Rule Change Received From Members, Participants, or Others

No written comments were either solicited or received.

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)(ii) of the Act.[29]

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: (i) necessary or appropriate in the public interest; (ii) for the protection of investors; or (iii) otherwise in furtherance of the purposes of the Act. If the Commission takes such action, the Commission shall institute proceedings to determine whether the proposed rule 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.* Please include file number SR–Phlx–2026–08 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-Phlx-2026–08. 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–Phlx–2026–08 and should be submitted on or before April 7, 2026.

For the Commission, by the Division of Trading and Markets, pursuant to delegated authority.[30]

Sherry R. Haywood,

Assistant Secretary.

[FR Doc. 2026–05132 Filed 3–16–26; 8:45 am]

BILLING CODE 8011–01–P

[28] *See* Reg NMS Adopting Release, supra note 8, at 37499.

[29] 15 U.S.C. 78s(b)(3)(A)(ii).

[30] 17 CFR 200.30–3(a)(12).

SECURITIES AND EXCHANGE COMMISSION

[Release No. 34–104981; File No. SR–NSCC–2026–001]

Self-Regulatory Organizations; National Securities Clearing Corporation; Order Approving Proposed Rule Change Concerning the Clearing of Exchange-Traded Funds With Options as Underlying Components

March 12, 2026.

I. Introduction

On January 16, 2026, National Securities Clearing Corporation (''NSCC'') filed with the Securities and Exchange Commission (''Commission'') proposed rule change SR–NSCC–2026–001, pursuant to Section 19(b)(1) of the Securities Exchange Act of 1934 (''Act'') [1] and Rule 19b–4 thereunder.[2] The proposed rule change would amend the NSCC Rules & Procedures (''NSCC Rules'') to facilitate clearing for the primary market creation and redemption of exchange-traded funds (''ETFs'') that have options as underlying components by implementing new messaging connectivity between NSCC and The Options Clearing Corporation (''OCC'') and allowing NSCC to submit instructions to OCC on behalf of their participants.[3] The proposed rule change was published for comment in the **Federal Register** on January 29, 2026.[4] The Commission has received one comment on the changes proposed.[5]

For the reasons discussed below, the Commission is approving the proposed rule change.

II. Background

ETFs (referred to as ''index receipts'' in the NSCC Rules) are marketable securities that track stock indices, commodities, bonds, or baskets of assets. Shares of ETFs are created and redeemed in the primary market and are traded on listed exchanges in the secondary market. Each share of an ETF represents an undivided interest in the underlying assets of the ETF.

NSCC facilitates central counterparty (''CCP'') clearing and settlement of the

[1] 15 U.S.C. 78s(b)(1).

[2] 17 CFR 240.19b–4.

[3] Capitalized terms not defined herein shall have the meaning assigned to such terms in the NSCC Rules, *available at www.dtcc.com/legal/rules-and-procedures.*

[4] *See* Securities Exchange Act Release No. 104687 (Jan. 26, 2026). 91 FR 3938 (Jan. 29, 2026) (File No. SR–NSCC–2026–001) (''Notice of Filing'').

[5] Comment on the proposed rule change is *available at https://www.sec.gov/rules-regulations/public-comments/sr-nscc-2026-001.*

creation and redemption of ETF shares in the primary market, as well as central clearing of ETF trades in the secondary market. The participants in the ETF primary market typically consist of the issuers of ETFs (''ETF Sponsors''), custodian banks (''ETF Agents,'' also referred to as ''Index Receipt Agents'' in the NSCC Rules), and brokers/dealers that have agreements directly with ETF Sponsors to allow the brokers/dealers to place orders for the creation and redemption of ETF shares (''Authorized Participants'' or ''APs'').[6] Both the ETF Agents and APs are Members of NSCC.[7]

In general, APs create and redeem ETF shares from the ETF Sponsors in blocks called ''creation units.'' An AP that purchases a creation unit of ETF shares delivers a ''basket'' of securities and other assets to the ETF Agent and then receives the creation unit of ETF shares in return for those assets. The redemption process is the reverse of the creation process: the AP redeems a creation unit of ETF shares in exchange for a basket of securities and other assets. These creation and redemption baskets are referred to as ''trading baskets.''

NSCC supports the creation and redemption of ETFs on both a ''cash-only'' and ''in-kind'' basis.[8] In a ''cash-only'' transaction, ETF shares are exchanged for cash; in an ''in-kind'' transaction, ETF shares are exchanged for the component securities and other assets in the trading basket.[9]

NSCC facilitates ''in-kind'' creation and redemption of ETFs with trading baskets comprised of underlying securities that are cleared by NSCC and settled by its affiliate clearing agency, The Depository Trust Company (''DTC'').[10] NSCC states, however, that some ETFs have trading baskets containing securities that are not eligible for clearing at NSCC, such as listed options, which are cleared and settled by OCC.[11] NSCC further states that, while the creation of ETF units with underlying option components may currently be done on a ''cash-only'' basis at NSCC, ETF market participants typically handle the redemption of such ETFs on an ''ex-clearing'' basis (*e.g.,* outside of traditional clearing mechanisms and NSCC).[12]

NSCC states that APs and ETF Agents have raised concerns regarding the existing processes for clearing ETFs that have option components in their trading baskets.[13] NSCC states that the current ETF creation process requires ETF market participants to create the ETF shares at NSCC and effectuate the simultaneous transfer or adjustment of the associated underlying option components at OCC.[14] Specifically, APs and ETF Agents must initiate a ''cash-only'' creation at NSCC, and the ETF Agent uses the cash received from the order to purchase the necessary underlying options components for the ETF through a prime broker, which options components are cleared by OCC.[15]

NSCC states that, conversely, the entire redemption process is generally managed ex-clearing, requiring multiple manual steps to ensure completion, including the tracking, pricing, validation and ultimate execution of options positions transfers at OCC by the APs, ETF Agents and prime brokers, which are required in connection with the redemption process.[16] NSCC states that this process, as it stands, is fragmented and heavily dependent on manual intervention, which increases the potential for errors and operational risk, and this lack of integration and automation has been identified as a significant pain point by industry participants.[17] NSCC also states that the processing of these transactions outside of clearing, and without the benefit of NSCC's CCP guaranty, can introduce counterparty credit risks among participants, and that the bilateral processing of these transactions outside a CCP model may result in additional balance sheet costs to APs.[18]

NSCC states that it has closely collaborated with OCC and key industry stakeholders to design a new industry messaging interface between NSCC, OCC, and ETF market participants to facilitate the ''in-kind'' creation and redemption of ETFs with option components at NSCC, mitigating the aforementioned current challenges.[19] While the proposed rule change would provide ETF industry participants with the ability to process both ''in-kind'' creations and redemptions of ETFs with option components, NSCC states that it understands that industry participants would initially use this new functionality primarily for ETF redemption orders, which currently present the largest challenges for industry participants.[20] NSCC states that addressing industry concerns and reducing operational burdens associated with the redemption of ETFs with option components may in turn promote and facilitate primary market creation and redemption activity more broadly for such ETFs.[21]

III. Description of the Proposed Rule Change

The proposed rule change would amend the NSCC Rules to facilitate clearing for the primary market creation and redemption of ETFs with options as underlying components, and particularly the ''in-kind'' redemption of such ETFs. Under the proposal, NSCC would process the intake of ETF creation/redemption orders and any underlying securities that are cleared by NSCC and settled by DTC. For underlying option components that are ineligible for clearance through NSCC, such as FLEX options and covered call options, NSCC would route instructions to OCC for the processing of any option position transfers or adjustments associated with the creation/redemption order. NSCC states that it is working with OCC and other stakeholders to develop a messaging interface that would operate similar to the existing messaging interface between NSCC and OCC used for NSCC's Automated Customer Account Transfer Service (''ACATS'') in transmitting such instructions to OCC.[22] NSCC would guarantee settlement of the ETFs as well as any underlying components eligible for clearance and settlement at NSCC.[23] However, NSCC would not guarantee position transfers, position adjustments or related activity concerning the underlying option components at OCC.

NSCC would adopt new rules in Section F of Procedure II, including new sub-section 3 of Section F, to describe additional requirements related to the creation and redemption of ETFs with option components. The proposed rule change would provide that ETF component securities that are options (''Index Receipt Option Components'') that are not eligible for settlement or processing through the facilities of

[6] *See* Notice of Filing, *supra* note 4, at 3938.

[7] *Id.*

[8] *Id.*

[9] *Id.*

[10] *Id.*

[11] *Id.* OCC is the sole clearing agency for standardized equity options listed on national securities exchanges registered with the Commission.

[12] *Id.*

[13] *Id.*

[14] *Id.*

[15] *Id.*

[16] *Id.*

[17] *Id.* at 3939.

[18] *Id.*

[19] *Id.*

[20] *Id.*

[21] *Id.*

[22] *Id.* at 3939.

[23] *Id.* ACATS is a non-guaranteed service provided by NSCC that enables Members to effect transfers of customer accounts among themselves. *See* Rule 50 (Automated Customer Account Transfer Service) and Procedure XVIII (ACATS Settlement Accounting Operation) of the NSCC Rules, *supra* note 3.

NSCC may be eligible for position transfer or adjustments through another Registered Clearing Agency or derivatives clearing organization (an ''Options Clearing Organization,'' such as OCC). The proposed rule change would further state that NSCC may provide instructions to the applicable Options Clearing Organization concerning position transfers or adjustment of Index Receipt Option Components in connection with the creation and redemption of Index Receipts, and that any transactions, position transfers, position adjustments, or settlements related to Index Receipt Option Components shall be governed by and subject to rules of the applicable Options Clearing Organization. These instructions would be created by using the daily portfolio composition files provided to NSCC by the ETF Agents to identify the underlying option components within the fund to be transferred at OCC.[24]

In addition, the proposed rule change would provide that NSCC would not be responsible for the completeness or accuracy of any instruction received from an Index Receipt Agent and transmitted to an Options Clearing Organization with respect to Index Receipt Option Components and would not be responsible for any action taken, or any delay or failure to take any action by the Options Clearing Organization, in connection with the transfer or adjustment of such Index Receipt Option Components. The proposed rule change would also clarify that NSCC's guaranty would not apply to position transfers, position adjustments or any associated settlements for Index Receipt Option Components and that NSCC would not be liable for any obligations of any Options Clearing Organization transferring such Index Receipt Option Components nor shall the Clearing Fund or other assets of NSCC be available to such Options Clearing Organization. As noted above, NSCC would only guarantee the settlement of ETFs and underlying components that are eligible for clearing at NSCC.[25]

The proposed rule change would also allow NSCC to automatically process payment orders between APs and ETF Agents to offset CNS [26] cash debit amounts associated with the value of the option components that have been instructed for position movement at such Options Clearing Organization. For example, in a redemption scenario, CNS credits the ETF Agent the ETF shares and debits the ETF Agent the value of the ETF shares.[27] In the case of an ETF with option components, NSCC states that this would create exposure for the ETF Agent as they are debited for the value of the entire ETF when they have already instructed for the underlying option components to be transferred at the OCC.[28] Through industry discussions, NSCC states that ETF market participants have agreed that the AP should issue a credit through a special payment order to the ETF Agent to offset their CNS debit, reducing ETF Agent's exposure on the order.[29] NSCC states that the proposed rule change would automate the processing of such payment orders.[30]

Accordingly, NSCC proposes to add new rules to provide that, with respect to the redemption of index receipts containing Index Receipt Option Components, Authorized Participants may be required to make a cash payment to the Index Receipt Agents, which will be facilitated by NSCC, equal to the value of the Index Receipt Option Components. Alternatively, for the creation of index receipts containing Index Receipt Option Components, Index Receipt Agents may be required to make a cash payment to the Authorized Participant, which will be facilitated by NSCC, equal to the value of the Index Receipt Option Components. These cash payments are intended to offset corresponding debits in CNS for the value of the Index Receipt Option Components transferred through an Options Clearing Organization.

Finally, NSCC would amend existing Section F.1. of Procedure II to incorporate the inclusion of certain information regarding Index Receipt Option Components in the submission and reporting of the composition of ETFs for creations and redemptions. Specifically, the proposed rule change would require that Index Receipt Agents include in portfolio composition files information concerning any component securities that are Index Receipt Option Components to be transferred through an Options Clearing Organization (*e.g.,* the shares and their associated quantities). The proposed rule change would also clarify that the Portfolio Reports made available to Members by NSCC would include information regarding Index Receipt Option Components. The composition data within these Portfolio Reports may be used by NSCC to process index receipt creations and redemptions on the next Business Day.

NSCC states that the proposed rule change would address industry concerns and reduce operational burdens by allowing NSCC to function as the central hub for creation and redemption order processing for ETFs with option components.[31] NSCC also states that the proposal would alleviate the operational burdens currently placed on APs, ETF Agents, and prime brokers, reduce bilateral counterparty risks by applying NSCC's guaranty to these transactions, and reduce balance sheet costs for APs.[32] Accordingly, NSCC states that the proposed rule change would improve the overall efficiency of the creation/redemption process for ETFs with option components and reduce risk between counterparties and across the industry.[33]

IV. Discussion and Commission Findings

Section 19(b)(2)(C) of the Act [34] directs the Commission to approve a proposed rule change of a self-regulatory organization if it finds that such proposed rule change is consistent with the requirements of the Act and rules and regulations thereunder applicable to such organization. After careful review of the proposed rule change, the Commission finds that the proposed rule change is consistent with the requirements of the Act and the rules and regulations thereunder applicable to NSCC.[35] In particular, the Commission finds that the proposed

[24] *See* Section F.1. of Procedure II (Trade Comparison and Recording Service) of the NSCC Rules, *supra* note 3.

[25] *See* Notice of Filing, *supra* note 4, at 3939.

[26] CNS is NSCC's automated accounting and securities settlement system that centralizes and nets the settlement of compared and recorded securities transactions and maintains an orderly flow of security and money balances. CNS provides clearance for equities, ETFs, corporate bonds, unit investment trusts, and municipal bonds that are eligible for book-entry transfer at DTC. Within CNS, all eligible compared and recorded transactions for a particular settlement date are netted by issue into one position per Member. The position can be net long (buy), net short (sell) or flat. As a continuous net system, those positions are further netted with positions of the same issue that remain open after their original scheduled settlement date (usually one business day after the trade date or T+1), so that transactions scheduled to settle on any day are netted with fail positions (*i.e.,* positions that have failed in delivery or receipt on the settlement date), which results in a single deliver or receive obligation for each Member for each issue in which the Member has activity. *Id.* at 3939.

[27] *Id.*

[28] *Id.*

[29] *Id.*

[30] *Id.*

[31] *Id.* at 3940.

[32] *Id.*

[33] *Id.*

[34] 15 U.S.C. 78s(b)(2)(C).

[35] The Commission received one comment letter from The Security Traders Association (''STA'') recommending that the Commission approve the proposed rule change. *See* Letter from Kevin Skarbek, Chairman of the Board, STA, and James Toes, President & CEO, STA, dated March 4, 2026 (''STA Letter'').

rule change is consistent with Section 17A(b)(3)(F) of the Act.[36]

Section 17A(b)(3)(F) of the Act requires that the rules of a clearing agency, such as DTC, be designed to, among other things, promote the prompt and accurate clearance and settlement of securities transactions, assure the safeguarding of securities and funds which are in the custody or control of the clearing agency or for which it is responsible, and foster cooperation and coordination with persons engaged in the clearance and settlement of securities transactions.[37] The proposed rule change is consistent with Section 17A(b)(3)(F) of the Act for the reasons stated below.

As described in Sections II and III above, the proposed rule change will expand NSCC's ETF clearing services to facilitate the ''in-kind'' creation and redemption of ETFs with options as underlying components by establishing new messaging connectivity between NSCC and OCC and allowing NSCC to submit instructions to OCC on behalf of their participants. Market participants primarily manage this process outside of NSCC today (*i.e.,* ex-clearing) through fragmented and manual workflows, and without the benefit of NSCC's CCP guaranty, which introduces operational and counterparty credit risks among market participants and may result in additional balance sheet costs to APs. The proposed rule change should address these challenges by allowing NSCC to function as the central hub for creation and redemption order processing for ETFs with option components.[38] Specifically, the proposed rule change would apply NSCC's CCP guaranty for transactions involving ETFs and eligible underlying components that are currently processed ex-clearing. By guaranteeing settlement of these transactions, the proposed rule change should reduce bilateral counterparty credit risks among participants, which should reduce systemic risks during periods of market stress and thereby promote the safeguarding of securities and funds.[39] Further, by automating the routing of instructions for underlying options components to OCC, the proposed rule change should reduce the reliance on manual processes and the potential for settlement failures, errors, and operational disruptions, thereby promoting the prompt and accurate clearance and settlement of securities transactions.[40] Finally, establishing a standardized messaging interface between NSCC and OCC, which was developed in collaboration with key industry stakeholders, should foster cooperation and coordination with persons engaged in the clearance and settlement of securities transactions.[41] For these reasons, the proposed rule change is consistent with Section 17A(b)(3)(F) of the Act.

V. Conclusion

On the basis of the foregoing, the Commission finds that the proposed rule change is consistent with the requirements of the Act, and in particular, with the requirements of Section 17A of the Act[42] and the rules and regulations promulgated thereunder.

It is therefore ordered, pursuant to Section 19(b)(2) of the Act[43] that proposed rule change SR–NSCC–2026–001, be, and hereby is, *approved*.[44]

For the Commission, by the Division of Trading and Markets, pursuant to delegated authority.[45]

Sherry R. Haywood,

Assistant Secretary.

[FR Doc. 2026–05128 Filed 3–16–26; 8:45 am]

BILLING CODE 8011–01–P

[36] 15 U.S.C. 78q–1(b)(3)(F).

[37] *Id.*

[38] *See* STA Letter, *supra* note 35, at 4 (stating that automating this process and bringing it into a CCP environment may facilitate ''in-kind'' transactions in more types of options-based ETFs and reduce operational complexities).

[39] *Id.* (''Without CCP involvement in redemptions, participants face direct counterparty exposure, which can amplify systemic risks during periods of market stress. NSCC's role as a CCP would extend its guaranty to the settlement of the ETFs as well as any underlying components eligible for clearance and settlement at NSCC. This is particularly important for ETFs with option components, which may involve volatile assets and require precise position adjustments'').

[40] *Id.,* at 2 and 4–5 (stating that the proposed rule change would minimize operational risks such as miscommunications or delays that could lead to failed trades by reducing reliance on manual processes, represents a critical step forward in modernizing ETF clearing processes, reduces operational risks and enhances market efficiency, would support competition without unfair discrimination, and enables more APs to participate by reducing operational complexity).

[41] *Id.* at 4–5 (stating that the proposal could promote market growth and innovation).

[42] 15 U.S.C. 78q–1.

[43] 15 U.S.C. 78s(b)(2).

[44] In approving the Proposed Rule Change, the Commission considered its impact on efficiency, competition, and capital formation. 15 U.S.C. 78c(f).

[45] 17 CFR 200.30–3(a)(12).

SECURITIES AND EXCHANGE COMMISSION

[Release No. 34–104980; File No. SR–LCH SA–2025–010]

Self-Regulatory Organizations; LCH SA; Order Approving Proposed Rule Change Relating to LCH SA's Default Management Policy, Investment Risk Policy, Liquidity Risk Policy, Settlement, Payment and Custody Risk Policy, Model Governance, Validation and Review Policy and Contract and Market Acceptability Policy

March 12, 2026.

I. Introduction

On December 29, 2025, Banque Centrale de Compensation, which conducts business under the name LCH SA (''LCH SA''), filed with the Securities and Exchange Commission (the ''Commission''), pursuant to Section 19(b)(1) of the Securities Exchange Act of 1934 (the ''Act'')[1] and Rule 19b–4 thereunder,[2] a proposed rule change to submit for Commission approval the following risk policies (the ''Risk Policies''): (i) the Default Management Policy; (ii) the Investment Risk Policy; (iii) the Liquidity Risk Policy; (iv) the Settlement, Payment and Custody Risk Policy; (v) the Model Governance, Validation and Review Policy; and (vi) the Contract and Market Accessibility Policy. The proposed rule change was published for comment in the **Federal Register** on January 5, 2026.[3] On January 28, 2026, pursuant to Section 19(b)(2) of the Exchange Act,[4] the Commission designated a longer period within which to approve, disapprove, or institute proceedings to determine whether to approve or disapprove the proposed rule change, until April 5, 2026.[5] The Commission did not receive comments regarding the proposed rule change. For the reasons discussed below, the Commission is approving the proposed rule change.

II. Description of the Proposed Rule Change

LCH SA is a clearing agency registered with the Commission. Through its CDSClear business unit, LCH SA provides central counterparty services for security-based swaps, including credit default swaps (''CDS'')

[1] 15 U.S.C. 78s(b)(1).

[2] 17 CFR 240.19b–4.

[3] Securities Exchange Act Release No. 104529 (Dec. 30, 2025), 91 FR 315 (Jan. 5, 2026) (File No. SR–LCH SA–2025–010) (''Notice'').

[4] 15 U.S.C. 78s(b)(2).

[5] Securities Exchange Act Release No. 104716 (Jan. 28, 2026), 91 FR 4704 (Feb. 2, 2026) (File No. SR–LCH SA–2025–010).

and options on CDS. LCH SA is an affiliate of LCH, Ltd, through common ownership by LCH Group Holdings Limited (''LCH Group''). LCH SA's ultimate parent company is London Stock Exchange Group. LCH Group issued the Risk Policies, and, thereafter, LCH SA adopted them.

LCH SA's Risk Policies formally enact the specific risk management requirements that govern its operations as a clearing agency. The policies and procedures set forth therein clarify the roles and responsibilities within LCH SA for compliance with the Risk Policies. LCH SA's Risk Policies must ensure consistency with all relevant laws and regulations, including the European Markets Infrastructure Regulation (''EMIR'') and, relevant here, Section 17A of the Act[6] and the regulations thereunder.[7]

A. The Default Management Policy (''DMP'')

The Default Management Policy (''DMP'') sets forth the minimum standards that LCH SA must meet in managing clearing member defaults. Clearing member defaults, if not properly managed, could lead to losses for LCH SA and its clearing members. The DMP sets out general standards related to calling a default, managing a default, and communicating the occurrence of a default. The DMP also sets out the relevant responsibilities of LCH SA personnel and the review cycle of the policy.

The default management process begins with placing a clearing member in default, also known as calling a default. The DMP requires that the authority for placing a clearing member in default belong to the Chief Executive Officer (''CEO'') of LCH SA. The DMP further requires that the CEO's grounds for default be clear and agreed to by LCH SA's legal team.

With respect to managing a default, LCH SA has stated that the DMP requires that LCH SA establish Default Management Guidelines (''Guidelines'') and Default Management Procedures (''Procedures'').[8] According to LCH SA, the DMP is part of larger multi-tiered framework, that includes Default Management Guidelines and Default Management Procedures.[9] The Guidelines must comply with the principles of the DMP and provide a specific guide for implementing LCH SA's default management process. The Procedures must comply with the Guidelines and specify the processes and procedures, specific to CDSClear, that LCH SA will use in managing the default of a clearing member of CDSClear,[10] and must be reviewed quarterly.

The DMP also requires that the LCH SA CEO (or their authorized delegate) convene a Default Crisis Management Team (''DCMT'') and a Default Management Group (''DMG''). As required by the DMP, DCMT is responsible for the overall management of a default at LCH SA, while the DMG can execute actions to manage a default, such as liquidating positions and implanting hedging strategies. The DMP sets certain standards the DCMT and DMG must satisfy. For example, if the DMG includes external representation, such as other clearing member traders, then the DMG is required to enter into a contractual agreement with those parties to ensure their independence and outline their duty to provide impartial advice to LCH SA. The DMG also is responsible for documenting critical actions and decisions, and maintaining records of all relevant documents, including emails.

The DMP sets out other requirements related to LCH SA's management of the default of a clearing member. For example, the DMP requires that LCH SA have a defined exit methodology for each defaulting clearing member's portfolio. The DMP also requires that LCH SA have adequate resources to manage a member default. LCH SA may borrow personnel from support and operations groups to manage a default, but staffing must be sufficient to maintain ordinary business processes. Finally, the DMP sets out requirements regarding testing the default management process, which LCH SA refers to as fire drills.

The DMP sets out the roles and responsibilities within LCH SA for managing a default, including who can initiate a default, draft the appropriate documents, inform regulators, and make certain public disclosures. For example, LCH SA compliance must notify regulators when a decision is made to place a clearing member in default, while LCH SA finance is responsible for producing the financial statement at the end of the default management process. LCH SA legal, in conjunction with other LCH SA personnel, is responsible for ensuring that key aspects of the default procedures are publicly disclosed in the LCH SA CDSClear Rulebook (''the Rulebook''). Finally, in addition to establishing the DMG and the other responsibilities noted above, the CEO is the executive responsible for, and the owner of, the DMP.

The DMP requires that the policy itself be reviewed annually by LCH SA's Executive Risk Committee (''ERCo'') and Risk Committee, with any non-compliance reported to the ERCo. Moreover, the Risk Committee must recommend the DMP to the LCH SA Board of Directors (''Board'') for approval. The LCH SA CEO and Chief Risk Officer (''CRO''), or their authorized delegates, can jointly decide to override the DMP if the application leads to results which are not in line with the intent of the policy, such as by delaying action or increasing risk.

B. Investment Risk Policy

The Investment Risk Policy (''IRP'') sets forth standards that LCH SA must follow for the management of investment risk. The IRP defines investment risk as the risk of a loss arising from the investment of cash funds to manage daily liquidity needs, either through outright investments, cash deposits or the repo markets. The IRP applies to investment risk from certain cash funds obtained by LCH SA in respect to its business functions. Specifically, those funds include cash that LCH SA receives from clearing members to satisfy margin and default funds requirements, cash arising from settlement failures, and LCH SA's own funds, such as capital and retained earnings. Because LCH SA invests these funds, it is inherently exposed to investment-related risks.

The IRP includes standards related to counterparties and issuers with which LCH SA may invest cash and instruments in which LCH SA may invest cash. The IRP includes, in an appendix, specific limits that apply to LCH SA's investments and sets the process for monitoring, changing, and approving these limits. Finally, the IRP sets out the relevant responsibilities of LCH SA personnel and the review cycle of the policy.

With respect to investment counterparties and issuers, the IRP's standards are primarily based on a counterparty's internal credit score (''ICS''). The ICS represents LCH SA's assessment of the risk of investment with a particular counterparty or investing in a particular issuer's

[6] 15 U.S.C. 78q–1.

[7] Each of the Risk Policies generally identify the relevant provisions of law and regulation applicable to that policy.

[8] Notice, 91 FR at 315.

[9] *Id.*

[10] The Procedures are set out in Appendix 1 to the CDSClear Rule Book. Notice, 91 FR at 315; LCH SA CDS Clearing Rule Book, APPENDIX 1 CDS DEFAULT MANAGEMENT PROCESS, *https://www.lseg.com/content/dam/post-trade/en_us/documents/lch/rulebooks/lch-sa/csdclear-rulebook-24092025.pdf.*

securities.[11] For example, a central bank or sovereign government is an appropriate counterparty if it has a certain minimum ICS. Certain counterparties or issuers must meet other criteria, in addition to a minimum ICS. Credit and financial institutions, for example, must be authorized, regulated, and eligible for investment under the regulations applicable to LCH SA.

With respect to instruments in which LCH SA may invest cash, the IRP sets out certain minimum standards for the transactions and for the specific investments. All investment transactions must be executed in a manner consistent with market practice, and cash investments should be in a currency that LCH SA uses for clearing. For specific instruments, the criteria depend on the type of investment. LCH SA can make cash deposits, for example, with eligible central banks and overnight deposits with acceptable credit institutions. As another example, LCH SA may only invest in securities that, among other things, are issued by an approved sovereign, government guaranteed institution, or supranational institution.

The IRP also includes two annexes. These annexes specify discrete investment limits that apply to LCH SA and its affiliated clearing agency, LCH Ltd. For example, to avoid over exposure to certain entities, the annex overall concentration limits on cash deposits at central banks, and purchases of securities issued by sovereign entities associated with central banks, with the limits set per ICS. Moreover, the annex sets overall limits on the percentage of a particular issue of sovereign securities that LCH SA may purchase. Similarly, the annex sets out limits on the cash deposits, reverse repurchase, and other transactions that LCH SA may engage in with credit and financial institutions. These limits are set by ICS and measured in Euro equivalent against the transaction amount. The annex contains similar limits for other investment counterparties, overall aggregate exposure limits, and haircuts for reverse repurchase transactions, among other things.

The IRP further establishes how LCH SA should monitor and update these limits. Overall, LCH SA's Second-line Collateral and Liquidity Risk Management group (''CaLM Risk'') is the owner of the annex and is responsible for monitoring compliance with the investment limits. If any limits are breached, the breach must be reported to LCH SA's Collateral and Liquidity Management group (''CaLM'') and to the CRO. LCH SA's Credit Risk group assigns and maintains ICS for investment counterparties and can update specific investment limits with a change in ICS. Finally, the IRP gives the CRO authority to amend limits for up to three business days, as needed to facilitate liquidity management in exceptional circumstances.

The IRP sets out other relevant responsibilities of LCH SA personnel. Responsibility for adherence to the IRP falls to the CRO, who is the policy owner. The Collateral and Liquidity Management (''CaLM'') team is responsible for investment and monitoring activities, static data and collateral pricing, and reviewing controls at least annually. The CaLM Risk team bears the responsibility of assessing and monitoring investment exposure, including country and supranational concentration, such as correlated exposure across members or collateral in respect to a specific sovereign entity. LCH SA Compliance is responsible for monitoring and communicating relevant regulatory rules to internal stakeholders and for maintaining compliance with regulations as they apply to CaLM's activities. LCH SA Legal is responsible for preparing legal documentation and providing a review of segregation arrangements. Finally, the IRP requires the ERCo to review and approve new investments, counterparties and issuers, and may even authorize exceedances to certain thresholds, such as country concentration limits, subject to additional notification to specified units at LCH SA.

The IRP requires that the policy itself be reviewed annually by the ERCo and Risk Committee and be approved by the Board. Moreover, while the Risk Committee and the Board must approve any changes to the IRP itself, the ERCo may approve changes to the annexes, with notification to the Risk Committee.

C. The Liquidity Risk Policy

The Liquidity Risk Policy (''LRP'') sets forth standards that LCH SA must meet in managing liquidity risk. Liquidity risk is the risk that LCH SA will not have sufficient liquidity to meet payment obligations when due. LCH SA has stated that the LRP's main goal is to ensure it has enough cash on hand to meet daily obligations.[12] The LRP includes standards related to determining liquidity resources and needs, assessing LCH SA's overall liquidity position, and specific measures and limits regarding LCH SA's liquidity position. The LRP also sets out the relevant responsibilities of LCH SA personnel and the review cycle of the policy.

The LRP describes generally LCH SA's sources of liquidity and needs for liquidity. With respect to sources, the LRP identifies cash deposits and investments held by LCH SA, its own non-cash unencumbered assets, and other unencumbered assets gained either from repurchase agreements or from defaulting members which can be readily transferred to cash. The LRP also describes other potential sources of liquidity, including defaulted members' non-cash margin contributions, Central Bank loans collateralized through member deposits, and in certain cases, assets received from non-defaulting counterparties when LCH SA completes the obligations of defaulted members. The LRP also sets out certain minimum standards that these sources must satisfy, such as minimum ICS for credit institutions.

Liquidity needs are primarily categorized as operational or default related. Operational liquidity needs include, among other requirements, repaying excess collateral to clearing members (which can occur when a clearing member's margin requirement decreases); replacement of cash collateral with non-cash collateral when members substitute non-cash assets for cash; and liquidity provided to business operations to facilitate settlement. Default-related liquidity needs are those arising from the default of a clearing member, such as liquidity needed to cover a defaulting member's obligations, settle its positions, or pay non-defaulting member counterparties variation margin. The LRP identifies other potential liquidity needs outside of operations and defaults, such as cash restricted by investment activities or payments delated by operational issues at commercial and central banks.

The LRP describes how LCH SA must assess its liquidity position. Generally, LCH SA must subtract its total liquidity requirements from its total liquidity resources, to determine an overall excess (or deficit) of liquidity resources. The LRP requires that LCH SA perform a liquidity assessment daily, on all currencies, to cover a forward period of thirty days (or less, with ERCo approval), and that intraday assessments

[11] LCH SA assigns and applies the ICS pursuant to its Counterparty Credit Risk Policy. For more information regarding that policy and the ICS, *see* Self-Regulatory Organizations; LCH SA; Order Approving Proposed Rule Change Relating to LCH SA's Risk Governance Framework and Collateral, Financial, Credit, Operational and Third Party Risk Policies, Exchange Act Release No. 104051 (Sep. 25, 2025), 90 FR 47001, 47004 (Sep. 30, 2025) (LCH SA–2025–007).

[12] Notice, 91 FR at 317.

need to be made if LCH SA has certain scheduled obligations to make. The LRP also has requirements to ensure that the liquidity assessment is sufficient relative to LCH SA's liquidity risk. For example, it must factor in regulatory restrictions as they pertain to client assets and incorporate stress scenarios under certain extreme but plausible market conditions, which might occasionally implicate even deeper analysis. In addition to assessing forward, LCH SA must model how the default of its two clearing member groups with the largest liquidity requirements would affect its liquidity position, including in executed but plausible stress scenarios.

In addition to these minimum requirements for assessing its liquidity position, the LRP also establishes certain minimum coverage requirements that LCH SA must meet. For example, the LRP requires that LCH SA determine each day its liquidity coverage ratio, which is defined as the total available liquidity resources divided by liquidity needs. The liquidity coverage ratio must be at least 105% on each day during the assessment period. The LRP similarly sets out an overall percentage limit on how much of LCH SA's liquidity resources could be taken up by a clearing member's positions in certain circumstances.[13] Specifically, no one clearing member may use more than 25% of available liquidity following the default of the member that is the largest liquidity user assuming that the repo market is fully closed.[14]

As noted above, the LRP also requires that LCH SA model how the default of the two clearing member groups with the largest liquidity needs would affect its liquidity position, including in extreme but plausible stress scenarios. The LRP sets out general standards for this modeling and the stress scenarios that LCH SA must use when conducting the modeling. Moreover, the LRP requires that LCH SA review the models through reverse stress testing at least monthly, and that it reports its conclusions to various stakeholders, including the CRO, ERCo, and the Risk Committee. Moreover, the LRP requires that the model be subject to an annual validation.

The LRP also sets out the relevant responsibilities of LCH SA personnel. The LCH SA CRO is the owner of the policy. CaLM is responsible for maintaining a liquidity plan,[15] including testing of that plan and managing daily liquidity. LCH SA's CaLM Risk must monitor and measure the adequacy of LCH SA's cash in light of its operations and report to CaLM when issues arise. Finally. LCH SA's Operations team is given responsibility for operational processes and controls related to intraday liquidity flows.

The LRP requires that the policy itself be reviewed annually by LCH SA's ERCo and Risk Committee and then approved by the Board. Moreover, the model used by LCH SA to consider the impact of the default of the two clearing member groups with the largest liquidity needs is subject to an annual validation by LCH SA's Model Validation team.

D. Settlement, Payment and Custody Risk Policy

The Settlement, Payment and Custody Risk Policy (''CRP'') sets standards that LCH SA must meet in for managing risk to LCH SA from using intermediaries for settlement, payment, and custody activities.[16] These risks could be realized from the default or operational failure of an intermediary, which could expose LCH SA and its clearing members to losses and result in delayed access to funds and payments. The standards consist of minimum criteria that intermediaries must satisfy. Moreover, the CRP explains how LCH SA must monitor counterparties for compliance with these criteria. Finally, the CRP sets out the relevant responsibilities of LCH SA personnel and the review cycle of the policy.

The standards for counterparties consist of minimum criteria that all counterparties must satisfy, as well as more specific criteria for certain counterparties. For example, all intermediaries must have an assigned ICS and be subject to due diligence by LCH SA's operations team. The due diligence must provide certainty that the intermediary will segregate, identify, and make available assets belonging to LCH SA or its clearing members. In addition to these general requirements, the CRP sets out more specific requirements for certain intermediaries. For example, payment systems specifically must have controls in place to validate all payment amounts and receipts, which LCH SA must independently test annually.

The CRP requires that LCH SA monitor compliance with these criteria and its exposures to intermediaries. LCH SA must monitor its overnight direct credit exposure to intermediaries resulting from settlement, payment, and custody activities. LCH SA must also monitor its intraday unsecured exposure to commercial concentration banks as a result of concentration and investment activities. An appendix to the CRP contains precise limits on these exposures. With respect to the intraday limit in particular, the CRP provides that intraday limit usage is monitored by LCH SA Collateral Operations team and any breaches must be reported to LCH SA Credit Risk, CaLM, and CaLM Risk immediately. The report should contain details regarding usage, breaches, explanation and remediation.

If an intermediary no longer meets LCH SA's criteria, the CRP sets out procedures and internal escalation, including additional due diligence, to assess its capabilities or prohibit the intermediary from offering services to other clearing members doing business with LCH SA. LCH SA is also required to cease operating with the intermediary, with certain allowances for transition. LCH SA must monitor these limitations, and an escalation protocol exists in the case of breaches, explanations, and remediation.

The CRP establishes the responsibilities within LCH SA for compliance purposes, with LCH SA CaLM, CaLM Risk, Operations, Clearing Services, and Legal all having defined roles and working in conjunction with each other. For example, CaLM Risk is responsible for the ongoing monitoring of compliance with the policy and is regularly updated by Operations as to current liquidity facilities and by LCH SA Clearing Services as to changes to clearing facilities. When necessary, CaLM must also organize and establish investment-related liquidity facilities, sponsor investment-related intermediaries, and LCH SA Legal ensuring that all legal documentation is appropriately accounted for. The CRO is the owner of the policy. Finally, Credit Risk is responsible for assigning and maintaining for each intermediary an ICS.

The CRP requires that the policy itself be reviewed annually by ERCo and the Risk Committee and then approved by

[13] Notice, 91 FR at 318, n.35.

[14] Notice, 91 FR at 318. To ensure that member cash stay below this threshold, LCH SA requires that members give it advance notice when they want to replace cash with non-cash margin, and LCH SA may limit the return of a member's cash margin. *Id.*

[15] The liquidity plan supplements the LRP by setting out the principles and procedures for liquidity management that are specific to LCH SA. *See* Self-Regulatory Organizations; LCH SA; Notice of Filing of Proposed Rule Change Relating to the Liquidity Risk Model Framework, Exchange Act Release No. 96694 (Jan. 18. 2023), 88 FR 4227, 4228 (Jan. 24, 2023).

[16] The intermediaries covered by the CRP include: (i) central banks; (ii) settlement platforms; (iii) international or domestic central securities depositories (ICSDs and CSDs); (iv) settlement agents; (v) custodians and sub-custodians; (vi) concentration banks; (vii) protected payment system (PPS) banks; and (viii) other intermediaries which give rise to settlement, payment or custody risks.

the Board. Changes to the policy require the approval of the Risk Committee and the Board. Changes to the appendix require approval by ERCo, with notification to the Board Risk Committee.

E. Model Governance, Validation and Review Policy

The Model Governance, Validation and Review Policy (''MGVRP'') sets standards that govern LCH SA's development, maintenance, and validation of its models. The overall goal of the MGVRP is to help mitigate model risk, which is the risk that LCH SA's models fail, perform inadequately, or are subject to inadequate governance or monitoring. Failure of LCH SA's models could lead to under-estimation of margin, default fund, and other requirements that LCH SA uses to mitigate risks arising from providing clearing services. The MGVRP applies to models that have certain features, such as reliance on historical data, use of inputs and assumptions, and a methodology or algorithm that turns inputs into estimates.[17]

The MGVRP requires that LCH SA maintain certain documentation for its models, including an overall model inventory; follow a set governance process when changing an existing model or establishing a new model; and review the performance of its models, including by conducting an independent model validation. Finally, the MGVRP sets out the relevant responsibilities of LCH SA personnel and the review cycle of the policy.

The MGVRP requires that LCH SA maintain a model framework governing the development, validation, approval and ongoing monitoring of quantitative models used to measure financial risk, in a way that is consistent with regulatory requirements. The MGVRP further requires that LCH SA establish and maintain a model inventory, which will be used to track each model's owner, classification, and status of the validation process.

The MGVRP requires that LCH SA classify each model as either of high or low importance, based on the expected financial impact if the model is incorrect. Models are classified as high importance if an error in the model could lead to certain outcomes, like a shortfall in total margin requirements for a class of cleared instruments greater than ten percent, and models are classified as low important if an error would not lead to such outcomes. The MGVRP requires certain risk review when LCH SA creates a new model or materially changes one with high importance. The review includes, among other steps, consultations with members, independent validation, and approval by the ERCo. Models ranked as low importance need only review and approval by the LCH SA Financial Risk Working Group and ERCo. The materiality of a change to a model is determined by the potential effect of the change. For example, a change to a model that would lead to substantial change in outcomes, including a reduction in coverage, would be considered material.[18]

In addition to maintaining documentation and setting out a governance process with respect to models, the MGVRP also establishes requirements related to the monitoring of model performance. With respect to margin models, on a daily basis LCH SA must perform backtesting on actual portfolios to determine the performance of the model. Where backtesting shows numerous breaches or a model falling below the target confidence level, LCH SA must take remedial steps, including a further investigation to determine the reason for the model's underperformance. Results of these investigations could lead LCH SA to take additional steps affecting margin or additional reviews.

Finally, LCH SA must independently validate all models at least annually to determine if the models are performing adequately. The independent validator must have the relevant knowledge and experience to perform this task and will not be involved in any way in the model building and testing process. The model validation must evaluate the conceptual and practical soundness of the models and consider all relevant data, recorded during the validation period, which provides an indication of model performance. Where stress testing is concerned, such validation assesses the framework under extreme but plausible conditions, includes an analysis of risks within the stress testing environment itself, and evaluates the stress testing framework and outcomes, all to ensure that the stress testing is adequately correlated to the appropriate risk factors.

The MGVRP also sets out the relevant responsibilities of LCH SA personnel. While relevant model owners are responsible for the initiation, development, implementation, documentation and maintenance of the respective models, CaLM Risk is responsible for overseeing the design, approval, performance monitoring, and modification of margin and related pricing models. The Head of Market Risk/Credit Risk can delegate monitoring and some oversight responsibilities, particularly those concerning development and change, to an LCH SA model working group. The LCH SA Model Validation team must also validate each model yearly, though this can likewise be outsourced to a qualified independent third party, with the relevant knowledge and experience, and who has not been previously involved in the building and testing of the model subject to validation.

The MGVRP requires that the policy itself be reviewed annually by LCH SA's ERCo and Risk Committee and then approved by the Board. Changes to the policy require the approval of the Risk Committee and the Board. Changes to the appendix require approval by ERCo, with notification to the Risk Committee.

F. Contract and Market Acceptability Policy (''CMAP'')

The Contract and Market Acceptability Policy (''CMAP'') describes the principles and factors that LCH SA applies when assessing new markets, financial products, and contracts. The CMAP is designed to create a standard, consistent approach to LCH SA's assessment of new contracts and markets, with the goal of, among other things, identifying and managing any new risks which may be posed by the new contracts and markets. The CMAP sets out certain principles that all new contracts and markets must meet, a governance process for onboarding new contracts and markets, and factors that LCH SA must consider when onboarding new contracts and markets. Finally, the CMAP sets out the relevant responsibilities of LCH SA personnel and the review cycle of the policy.

The CMAP first establishes general principles that apply to all contracts and markets that LCH SA clears. Overall, when determining whether to clear a new contract or market, LCH SA must ensure that it could close out a clearing member's positions in that contract or market, if that clearing member were to default. Moreover, LCH SA must ensure there is sufficient price discovery to determine a reliable market value for a contract. Finally, LCH SA must ensure

[17] The MGVRP provides examples of the models subject to the policy, and these include, among others: (i) a margin model that estimates market risk under certain conditions or assumptions; (ii) a stress testing framework used for default fund sizing; and (iii) a credit scoring model providing an assessment of the creditworthiness of a CCP's counterparties. *See* Notice, 91 FR at 320.

[18] A change also would be classified as material if it affects a key parameter of a model that could lead to a substantial change in outcome, alters the theoretical or empirical underpinning of a model, or leads to modification of a risk policy.

that its risk measures and margin are in line with the risks of a new contract market. The CMAP further requires that markets and products be reviewed on an ongoing basis to ensure they comply with this criteria, with an annual summary and statement presented to the Risk Committee by the CRO.

In addition to these general principles, the CMAP includes a specific governance process to follow when accepting new contracts and markets for clearing and includes factors that LCH SA should consider when determining whether to accept a new contract or market. The governance process is determined by the riskiness of the contract or market. A contract or market that exhibits novel risk features or requires significant changes to existing risk controls must be approved by LCH SA's Risk Committee and the Board, with some exceptions dependent on the type of market and the risk exposure. A contract or market that does not exhibit novel risk features or require significant changes to existing risk controls may be approved by LCH SA's ERCo, with notification to the Board Risk Committee. Moreover, ERCo has delegated to LCH SA's Operations group authority to approve contracts that (i) arise from the normal course of business and that meet the criteria set out in the appendix to the CMAP [19] and (ii) LCH SA has contractually agreed to clear within a pre-determined framework. With respect to the factors to consider when accepting a new contract or market, the CMAP requires that LCH SA consider various potential risks and features, such as (i) membership or counterparty risk; (ii) standardization of products; (iii) pricing; and (iv) product liquidity.

The CMAP also sets out the relevant responsibilities of LCH SA personnel. LCH SA's ERCo is responsible for reviewing and making decisions on the suitability of any new contract and market. The relevant LCH SA business line is responsible for preparing and evaluating requests with respect to clearing new contracts and markets and for ensuring ongoing compliance with the CMAP.

The CMAP requires that the policy itself be reviewed annually by ERCo and the Risk Committee and then approved by the Board.

III. Discussion and Commission Findings

Section 19(b)(2)(C) of the Act requires the Commission to approve a proposed rule change of a self-regulatory organization if it finds that the proposed rule change is consistent with the requirements of the Act and the rules and regulations thereunder applicable to the organization.[20] Under the Commission's Rules of Practice, the ''burden to demonstrate that a proposed rule change is consistent with the Exchange Act and the rules and regulations issued thereunder . . . is on the self-regulatory organization ['SRO'] that proposed the rule change.'' [21]

The description of a proposed rule change, its purpose and operation, its effect, and a legal analysis of its consistency with applicable requirements must all be sufficiently detailed and specific to support an affirmative Commission finding,[22] and any failure of an SRO to provide this information may result in the Commission not having a sufficient basis to make an affirmative finding that a proposed rule change is consistent with the Exchange Act and the applicable rules and regulations.[23] Moreover, ''unquestioning reliance'' on an SRO's representations in a proposed rule change is not sufficient to justify Commission approval of a proposed rule change.[24]

After carefully considering the proposed rule change, the Commission finds that the proposed rule change is consistent with the requirements of the Act and the rules and regulations thereunder applicable to LCH SA. More specifically, for the reasons given below, the Commission finds that the proposed rule change is consistent with Section 17A(b)(3)(F) of the Act,[25] and Rules 17ad–22(e)(2)(i), 17ad–22(e)(2)(v), 17ad–22(e)(3)(i), 17ad–22(e)(4)(vii), 17ad–22(e)(7)(i), 17ad–22(e)(13), 17ad–22(e)(16), and 17ad–22(e)(17)(i) thereunder, as described in detail below.[26]

A. Section 17A(b)(3)(F)

Section 17A(b)(3)(F) of the Act requires, among other things, that the rules of LCH SA be designed to promote the prompt and accurate clearance and settlement of securities transactions and, to the extent applicable, derivative agreements, contracts, and transactions, as well as to assure the safeguarding of securities and funds which are in the custody or control of LCH SA or for which it is responsible.[27]

As discussed above, LCH SA's Risk Policies formally enact the specific risk management requirements that govern its day-to-day operations as a clearing agency. The policies and procedures set forth therein clarify the roles and responsibilities within LCH SA for compliance with the Risk Policies. To that end, LCH SA has identified specific risks areas that may compromise its business operations. Such risk areas include, but are not limited to, default risk, investment risk, liquidity risk, settlement and custodial risk, model risk, and the risks associated with clearing a new contract or market. The corresponding Risk Policies consist of detailed risk management requirements that govern LCH SA's clearing agency operations as they relate to managing, mitigating, and monitoring these risks.

These risks, if not properly managed, could disrupt LCH SA's clearing services and its ability to safeguard funds. Thus, the risks addressed by the Risk Policies, if not managed or mitigated, could prevent LCH SA from promptly and accurately clearing and settling transactions and safeguarding funds. The Risk Policies, in helping LCH SA to manage and mitigate these risks, are therefore consistent with the prompt and accurate clearance and settlement of securities transactions and the safeguarding of securities and funds which are in the custody or control of LCH SA or for which it is responsible.

Accordingly, the Commission finds that the proposed rule change is consistent with the requirements of Section 17A(b)(3)(F) of the Act.[28]

B. Rules 17ad–22(e)(2)(i) and (v)

Rules 17ad–22(e)(2)(i) and (v) require that each covered clearing agency establish, implement, maintain, and enforce written policies and procedures reasonably designed to provide for governance arrangements that are clear and transparent and specify clear and direct lines of responsibility.[29] As discussed in Section II, each of the Risk Policies describe in detail the roles and responsibilities of the various personnel at LCH SA for implementing and ensuring compliance with the policy. For example, the CRO is the owner of the IRP, which itself assigns responsibilities to other units within LCH SA. LCH SA Credit Risk, for instance, assigns and maintains internal credit scores for the counterparties

[19] The appendix to the CMAP contains specific acceptance criteria for various products, organized by type of product (such as equity, bond, CDS contract, etc.). Notice, 91 FR at 321–322.

[20] 15 U.S.C. 78s(b)(2)(C).

[21] Rule 700(b)(3), Commission Rules of Practice, 17 CFR 201.700(b)(3).

[22] *Id.*

[23] *Id.*

[24] *Susquehanna Int'l Group, LLP* v. *Securities and Exchange Commission,* 866 F.3d 442, 447 (D.C. Cir. 2017).

[25] 15 U.S.C. 78q–1(b)(3)(F).

[26] 17 CFR 240.17ad–22(e)(2)(i), (e)(2)(v), (e)(3)(i), (e)(4)(vii), (e)(7)(i), (e)(13), (e)(16), and (e)(17)(i).

[27] 15 U.S.C. 78q–1(b)(3)(F).

[28] *Id.*

[29] 17 CFR 240.17ad–22(e)(2)(i) and (v).

wherein LCH SA places its investments, as well as counterparty limits to manage exposure. The CaLM team, among other responsibilities, oversees investment and monitoring activities, while CaLM Risk assesses and monitors investment exposure, and Compliance and Legal are responsible for regulatory and legal matters, respectively. Each of the Risk Policies likewise detail the relevant responsibilities, including the various team interdependencies and management oversight, in a manner that is transparent, specify unique roles, and mandate clear supervisory notifications and approvals, including, where relevant, those by LCH SA's Board, consistent with the rules.

Accordingly, the Commission finds that the proposed rule change is consistent with the requirements of Rules 17ad–22(e)(2)(i) and (v).[30]

C. Rule 17ad–22(e)(3)(i)

Rule 17ad–22(e)(3)(i) requires a covered clearing agency to establish, implement, maintain and enforce written policies and procedures reasonably designed to maintain a sound risk management framework for comprehensively managing legal, credit, liquidity, operational, general business, investment, custody, and other risks that arise in or are borne by the covered clearing agency, which includes risk management policies, procedures, and systems designed to identify, measure, monitor, and manage the range of risks that arise in or are borne by the covered clearing agency, that are subject to review on a specified periodic basis and approved by the LCH SA Board annually.[31]

Taken together, the Risk Policies establish a risk management framework responsive to the various risks that LCH SA faces as a covered clearing agency and central counterparty for CDS. As stated above, the Risk Policies identify key risks faced by LCH SA and set out the roles and responsibilities within LCH SA for managing these risks. For example, the CRP was created to address the custody risk that LCH SA assumes when it relies on third parties to hold its cash. As a further example, the IRP sets forth standards for LCH SA to follow when managing its investment risk. Finally, the Risk Policies are subject to review on a specified basis and subject to Board approval, consistent with the rule.

Accordingly, the Commission finds that the proposed rule change is consistent with the requirements of Rule 17ad–22(e)(3)(i).[32]

D. Rule 17ad–22(e)(4)(vii)

Rule 17ad–22(e)(4)(vii) requires a covered clearing agency to establish, implement, maintain and enforce written policies and procedures reasonably designed to effectively identify, measure, monitor, and manage its credit exposures to participants and those arising from its payment, clearing, and settlement processes, including by, among other things, performing a model validation for its credit risk models not less than annually or more frequently as may be contemplated by the covered clearing agency's risk management framework.[33] As discussed in Section II, the MGVRP requires that LCH independently validate all models at least annually to determine if the models are performing adequately. The MGVRP specifically applies to LCH SA's margin models, which LCH SA uses to manage the credit risk arising from clearing CDS. The LCH SA Validation team, or an external, qualified party with the relevant knowledge and experience and who is not involved in the model building and testing, would perform the independent validation. Thus, the MGVRP establishes the requirement that LCH SA perform a model validation of its credit risk models, consistent with the rule.

Accordingly, the Commission finds that the proposed rule change is consistent with the requirements of Rule 17ad–22(e)(4)(vii).[34]

E. Rule 17ad–22(e)(7)(i)

Rule 17ad–22(e)(7)(i) requires a covered clearing agency to establish, implement, maintain and enforce written policies and procedures reasonably designed to effectively measure, monitor, and manage the liquidity risk that arises in or is borne by the covered clearing agency, including measuring, monitoring, and managing its settlement and funding flows on an ongoing and timely basis, and its use of intraday liquidity by, at a minimum, maintaining sufficient liquid resources at the minimum in all relevant currencies to effect same-day and, where appropriate, intraday and multiday settlement of payment obligations with a high degree of confidence under a wide range of foreseeable stress scenarios that includes, but is not limited to, the default of the participant family that would generate the largest aggregate payment obligation for the covered clearing agency in extreme but plausible market conditions.[35]

As stated above, the LRP is the policy that LCH SA uses to manage liquidity risk. The LRP describes LCH SA's sources of liquidity and its liquidity needs. The LRP also requires that LCH SA assess its liquidity position, and describes how LCH SA must do so, including by determining on a daily basis its liquidity coverage ratio. It requires that LCH SA measure whether it has enough liquidity, or available cash, both for daily and intraday purposes, including the default of the two member groups with the largest liquidity requirements. These requirements generally would help LCH SA to measure, monitor, and manage the liquidity risk and maintain sufficient liquid resources, consistent with the rule.

Accordingly, the Commission finds that the proposed rule change is consistent with the requirements of Rule 17ad–22(e)(7)(i).[36]

F. Rule 17ad–22(e)(13)

Rule 17ad–22(e)(13) requires a covered clearing agency to establish, implement, maintain and enforce written policies and procedures reasonably designed to ensure the covered clearing agency has the authority and operational capacity to take timely action to contain losses and liquidity demands and continue to meet its obligations by, at a minimum, requiring the covered clearing agency's participants and, when practicable, other stakeholders to participate in the testing and review of its default procedures, including any close-out procedures, at least annually and following material changes thereto.[37]

As discussed in Section II, the DMP requires that LCH SA establish Guidelines and Procedures for managing the default of a clearing member. The DMP also requires that the LCH SA CEO establish the DMG, who will be responsible for managing the default. The DMP further sets out standards regarding calling and communicating a default and sets out relevant responsibilities of LCH SA personnel for managing a default. These requirements should help LCH SA to have the authority and operational capacity to take timely action to contain losses and liquidity demands during a default, consistent with the rule.

Accordingly, the Commission finds that the proposed rule change is

[30] 17 CFR 240.17ad–22(e)(2)(i) and (v).

[31] 17 CFR 240.17ad–22(e)(3)(i).

[32] 17 CFR 240.17ad–22(e)(3)(i).

[33] 17 CFR 240.17ad–22(e)(4)(vii).

[34] 17 CFR 240.17ad–22(e)(4)(vii).

[35] 17 CFR 240.17ad–22(e)(7)(i).

[36] 17 CFR 240.17ad–22(e)(7)(i).

[37] 17 CFR 240.17ad–22(e)(13).

consistent with the requirements of Rule 17ad–22(e)(13).[38]

G. Rule 17ad–22(e)(16)

Rule 17ad–22(e)(16) requires a covered clearing agency to establish, implement, maintain and enforce written policies and procedures reasonably designed to safeguard the covered clearing agency's own and its participants' assets, minimize the risk of loss and delay in access to these assets, and invest such assets in instruments with minimal credit, market, and liquidity risks.[39]

As discussed in Section II, the IRP sets out standards that LCH SA must follow to manage investment risk, meaning the risk of loss arising from its investment of cash funds. The IRP includes minimum standards with respect to investment counterparties, issuers, investment transactions, and instruments in which LCH SA may invest. The IRP also sets out limits on investments and a process for monitoring and following these limits. These requirements should help LCH SA to invest its assets in instruments with minimal credit, market, and liquidity risks, consistent with the rule.

Moreover, as discussed in Section II, the CRP sets out standards that LCH SA must follow to manage risks that arise from the intermediaries used for settlement, payment and custody activities. These standards consist of minimum criteria that intermediaries must satisfy. The CRP also requires that LCH SA conduct due diligence on such intermediaries and comply with limits on its exposure to these intermediaries. The CRP further explains how LCH SA must monitor counterparties for compliance with these criteria and limits and sets out the relevant responsibilities of LCH SA personnel with respect to applying these criteria and limits. These requirements should help LCH SA to safeguard its own and its participants' assets, and minimize the risk of loss and delay in access to these assets, by limiting LCH SA's custodians and similar intermediaries to those that are well established, reliable, and demonstrate an ability to segregate, identify, and make available LCH SA's assets, consistent with the rule.

Accordingly, the Commission finds that the proposed rule change is consistent with the requirements of Rule 17ad–22(e)(16).[40]

H. Rule 17ad–22(e)(17)(i)

Rule 17ad–22(e)(17)(i) requires a covered clearing agency to establish, implement, maintain and enforce written policies and procedures reasonably designed to manage the covered clearing agency's operational risks by, among other things, identifying the plausible sources of operational risk, both internal and external, and mitigating their impact through the use of appropriate systems, policies, procedures, and controls.[41]

As discussed in Section II, the CMAP sets out a process that LCH SA must follow when accepting a new contract or market for clearing, including certain core principles that any new contract or market must satisfy. Among other things, before accepting any new contract or market for clearing, LCH SA must determine that it could close out a clearing member's positions therein; that there is sufficient price discovery for LCH SA to determine a reliable market price for a contract; and that LCH SA's risk measures and margin are appropriate for the risks presented by the contract. Finally, the CMAP establishes a governance process for accepting new contracts or markets for clearing and assigns authority to relevant LCH SA personnel. In doing so, the CMAP should help LCH SA to identify potential operational risks that could arise from clearing a new contract or market consistent with the rule. The CMAP should also help LCH SA to mitigate those risks by applying its existing risk management system or modifying its risk management system to accommodate the new contract or market, consistent with the rule.

Accordingly, the Commission finds that the proposed rule change is consistent with the requirements of Rule 17ad–22(e)(17)(i).[42]

IV. Conclusion

On the basis of the foregoing, the Commission finds that the proposed rule change is consistent with the requirements of the Act, and in particular, with the requirements of with Section 17A(b)(3)(F) of the Act,[43] and Rules 17ad–22(e)(2)(i), 17ad–22(e)(2)(v), 17ad–22(e)(3)(i), 17ad–22(e)(4)(vii), 17ad–22(e)(7)(i), 17ad–22(e)(13), 17ad–22(e)(16), and 17ad–22(e)(17)(i).[44]

It is therefore ordered pursuant to Section 19(b)(2) of the Act[45] that the proposed rule change (SR–LCH SA–2025–010) be, and hereby is, approved.[46]

For the Commission, by the Division of Trading and Markets, pursuant to delegated authority.[47]

Sherry R. Haywood,

Assistant Secretary.

[FR Doc. 2026–05127 Filed 3–16–26; 8:45 am]

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[38] 17 CFR 240.17ad–22(e)(13).

[39] 17 CFR 240.17ad–22(e)(16).

[40] 17 CFR 240.17ad–22(e)(16).

[41] 17 CFR 240.17ad–22(e)(17)(i).

[42] 17 CFR 240.17ad–22(e)(17)(i).

[43] 15 U.S.C. 78q–1(b)(3)(F).

[44] 17 CFR 240.17ad–22(e)(2)(i), (e)(2)(v), (e)(3)(i), (e)(4)(vii), (e)(7)(i), (e)(13), (e)(16), and (e)(17)(i).

[45] 15 U.S.C. 78s(b)(2).

[46] In approving the proposed rule change, the Commission considered the proposal's impact on efficiency, competition, and capital formation. 15 U.S.C. 78c(f).

[47] 17 CFR 200.30–3(a)(12).

SURFACE TRANSPORTATION BOARD

[Docket No. FD 36501]

Union Pacific Railroad Company—Construction & Operation Exemption—in Maricopa County, Ariz.

On June 30, 2022, Union Pacific Railroad Company (UP) filed a petition for an exemption under 49 U.S.C. 10502 from the prior approval requirements of 49 U.S.C. 10901 to construct and operate approximately six miles of rail line in connection with the Pecos Industrial Rail Access and Train Extension Project (the PIRATE project) in Maricopa County, Ariz. (the Line). The Line would connect the Pecos Advanced Manufacturing Zone (the PAMZ) to the UP main line west of the project area and provide rail service for Commercial Metals Company (CMC), as well as an alternative mode of freight transportation to future shippers. (Pet. 2.) By decision served on September 28, 2022, the Board instituted a proceeding under 49 U.S.C. 10502(b). No comments opposing the transportation merits of UP's petition were filed.

The Board's Office of Environmental Analysis (OEA) issued a Draft Environmental Assessment (Draft EA) on May 31, 2023, examining the potential environmental and historic impacts of UP's proposal and requesting public comments, pursuant to the National Environmental Policy Act (NEPA), 42 U.S.C. 4321–4370m–11, and the National Historic Preservation Act (NHPA), 54 U.S.C. 300101–307108.

As discussed in more detail below, in August 2023, OEA delayed issuance of a Final Environmental Assessment (Final EA) after discovering that there had been significant ground disturbance and damage to National Register of Historic Places-eligible archaeological resources within the proposed right-of-way. Following briefing on the issue, the Board was unable to reach a majority decision on whether a violation

of NHPA had occurred, and the historic review process under NHPA resumed. On February 27, 2026, OEA issued a Final EA updating the environmental analysis and responding to the comments received on the Draft EA. In the Final EA, based on that analysis, OEA determined that the conclusions in the Draft EA remain valid. The Final EA also recommended conditions to the Board to avoid, minimize, or mitigate the project's potential impacts on the environment and historic properties.

After considering the entire record, including the record on the transportation merits, the Draft EA, the Final EA, and all comments received, the Board will grant UP's petition for exemption, subject to the environmental and historic preservation mitigation measures listed in the Appendix and set forth in the Final EA.

Background

UP proposes to construct and operate the Line in connection with the PIRATE project, a public/private initiative to fund, engineer, design, and build a six-mile industrial rail branch, on land primarily situated on the former Williams Air Force Base. (Pet. 3.) The Line would connect the PAMZ to the UP main line (the Phoenix Subdivision) located west of the project area. (*Id.* at 2.) According to the petition, UP has collaborated with the City of Mesa, Ariz., for several years on the project, which UP states will ''provide far-reaching public benefits by transferring materials away from public roadways onto rail, while also reducing greenhouse gas emissions, local air pollution, highway maintenance costs, and congestion associated with long-haul trucking.'' (*Id.* at 3; *see also id.,* Ex. A (CMC Statement) at 2.) UP states that the project, which has support from several business organizations as well as public officials and governmental entities, is expected to drive economic growth and expand high-skill manufacturing jobs in Maricopa County. (*Id.* at 3–4; *see also id.,* Ex. A (CMC Statement) at 1–2.) According to UP, the Line will allow CMC, the largest manufacturer of steel rebar in North America and Central Europe as well as a leading producer in the steel long products market, to receive raw materials and ship products to customers by rail more efficiently from two facilities in Mesa, eliminating an estimated 35,000 trucks per year (10,000 from current operations, and 25,000 from a new manufacturing facility that was scheduled to open in mid-2023). (*Id.* at 4; *id.,* Ex. A (CMC Statement) at 1–2.) UP states that the addition of the Line will also provide an alternative mode of freight transportation for future customers that locate along the industrial lead. (*Id.* at 2, 5.)

On June 30, 2023, CMC filed a letter in support of UP's petition for exemption, stating that the project is critical to the success of CMC's operations in Mesa. (CMC Letter 1–2, June 30, 2023.) As noted above, no comments opposing the transportation merits of the proposed Line were filed.

As part of the environmental and historic review process,[1] OEA initiated a historic review under Section 106 of the NHPA. Section 106 requires federal agencies to take into account the effects of their actions on historic properties (those listed or eligible for listing in the National Register of Historic Places (National Register)). On April 6, 2022, OEA sent letters to a group of potential consulting parties [2] inviting them to participate in Section 106 consultation and soliciting comments regarding the proposed Area of Potential Effects (APE) for cultural resources.[3] (Draft EA 5–4; *id.,* App. K (Section 106 Consultation Documentation).) On September 1, 2022, UP was notified that a number of previously identified significant archaeological sites within the project's APE remained eligible for listing in the National Register, and that the proposed undertaking would have an adverse effect on historic resources. (*See* Jacobs Tech. Memorandum (Env't Comment E.O.–3827) at 3.) [4]

On May 31, 2023, OEA issued a Draft EA that examined the potential environmental and historic impacts of the project, recommended preliminary mitigation based on the results of that analysis and agency consultation, and requested public comments. The Draft EA explained that, if the Board were to authorize the PIRATE project, measures to mitigate the project's adverse effects on cultural resources would be included in the project's Memorandum of Agreement (MOA) and Historic Properties Treatment Plan (HPTP), which OEA was drafting at the time in consultation with the Arizona State Historic Preservation Officer (SHPO); Native American Tribes (Tribes); other federal, state, and local agencies; and UP. (Draft EA 3–88 to 3–89.) The Draft EA comment period closed on June 30, 2023.

On July 28, 2023, while preparing the Final EA, OEA discovered that there had been significant ground disturbance and damage to National Register-listed and eligible archaeological resources in the APE. (*See* Letter from D. Gosselin (Director, OEA) to K. Rice (Sr. Manager M/W Environmental, UP) at 1 (Aug. 1, 2023) (Env't Comment E.O.–3825) (noting that OEA made this discovery during analysis of current aerial photography of the project area).) OEA promptly directed UP to secure the right-of-way to prevent further damage, began gathering information, and engaged in outreach with stakeholders.[5] On August 31, 2023, following meetings with several Tribes, OEA delayed issuance of the Final EA until further notice. *Union Pac. R.R.—Constr. & Operation Exemption—in Maricopa Cnty., Ariz.,* FD 36501 (STB served Aug. 31, 2023).

Among the issues raised by the Tribes were concerns as to whether a violation of Section 110(k) of the NHPA had occurred.[6] On December 11, 2023, the Board commenced consideration of the applicability of Section 110(k) and took steps to obtain additional information

[1] As noted in the petition, OEA granted a waiver of the requirement that an Environmental Impact Statement (EIS) be prepared. (Pet. 5. *See also* Draft EA 1–7 to 1–8 (describing process undertaken to determine that preparation of an EA, rather than an EIS, was appropriate).)

[2] Consulting parties include the individuals and entities specified in 36 CFR 800.2(c)(1)–(4) and may also include other individuals and organizations with a demonstrated interest in the project ''due to the nature of their legal or economic relation to the undertaking or affected properties, or their concern with the undertaking's effects on historic properties.'' 36 CFR 800.2(c)(5).

[3] The APE is defined as ''the geographic area or areas within which an undertaking may directly or indirectly cause alterations in the character or use of historic properties, if any such properties exist.'' 36 CFR 800.16(d). Historic properties can include prehistoric and historic archaeological sites, buildings, districts, objects, and structures, as well as traditional cultural properties and landscapes, and the term ''historic property'' includes properties of religious or cultural significance to Native American Tribes. (*See* Draft EA 3–7; Final EA 3–93.)

[4] As permitted by the regulation at 49 CFR 1105.10(d), OEA used an independent third-party consultant, Jacobs Engineering Group Inc. (Jacobs), to assist OEA in conducting the environmental analysis for the PIRATE project.

[5] (*See, e.g.,* Env't Comment E.O.–3866 (August 7, 2023 email from OEA to S. Anton, Salt River Pima-Maricopa Indian Community, re upcoming field meeting and information learned); Env't Comment E.O.–3829 (August 23, 2023 email from Jacobs/OEA to UP re action items from first weekly call); Env't Comment E.O.–3833 (September 13, 2023 OEA report to SHPO and Section 106 Consulting Parties); Env't Comment E.O.–3868 (October 13, 2023 letter from Jacobs to SHPO attaching minutes of October 4, 2023 meeting with consulting parties re site damage update).)

[6] Section 110(k) provides that ''[e]ach Federal agency shall ensure that the agency will not grant a loan, loan guarantee, permit, license, or other assistance to an applicant that, with intent to avoid the requirements of [Section 106 of NHPA], has intentionally significantly adversely affected a historic property to which the grant would relate, or having legal power to prevent it, has allowed the significant adverse effect to occur, unless the agency, after consultation with the [Advisory Council on Historic Preservation], determines that circumstances justify granting the assistance despite the adverse effect created or permitted by the applicant.''

about the circumstances surrounding the damage. *See Union Pac. R.R.—Constr. & Operation Exemption—in Maricopa Cnty., Ariz.,* FD 36501, slip op. at 4–6 (STB served Dec. 11, 2023). The Board directed UP to respond to several information requests and to produce documents. *Id.* at 5–6; *id.,* App. 2. It also invited submissions from UP and interested parties on whether UP engaged in ''anticipatory demolition'' of historic properties in violation of Section 110(k). *Id.* at 6. OEA also conducted a thorough damage assessment, which was memorialized in a technical report finalized in January 2025. (Env't Comment E.O.–3990, Jan. 30, 2025 (Invasive Cultural Res. Damage Assessment Tech. Rep.).)

On June 3, 2025, the Board issued a decision stating that it was unable to reach a majority on whether UP had violated Section 110(k) and that, therefore, no determination that Section 110(k) is applicable would be issued, and the Board would continue with the NHPA Section 106 process and its consideration of the merits of the petition. *Union Pac. R.R.—Constr. & Operation Exemption—in Maricopa Cnty., Ariz.,* FD 36501, slip op. at 5 (STB served June 3, 2025). Following further consultations between and among the consulting parties, the MOA was executed on February 23, 2026, committing UP to comply with the terms and conditions pertaining to the protection of cultural resources within the APE, including the development of a HPTP. OEA issued the Final EA on February 27, 2026. The Final EA recommends conditions to the Board—including voluntary mitigation (VM) proposed by UP and mitigation measures (MMs) developed by OEA (each, an MM)—to avoid, minimize, or mitigate the potential environmental and historic impacts of the proposed construction and operation of the Line.

Discussion

Rail Transportation Analysis. The construction and operation of new railroad lines requires prior Board authorization, either through issuance of a certificate under 49 U.S.C. 10901 or, as requested here, through an exemption under 49 U.S.C. 10502 from the formal application procedures of section 10901. ''In either case, the [statute] expresses a clear presumption in favor of approving railways.'' *Seven Cnty. Infrastructure Coal.* v. *Eagle Cnty.,* 605 U.S. 168, 194 (2025) (Sotomayor, J., concurring); *see also N. Plains Res. Council* v. *STB,* 668 F.3d 1067, 1091–92 (9th Cir. 2011) (agreeing that there is a statutory ''presumption for construction''); *Mid States Coal. for Progress* v. *STB,* 345 F.3d 520, 552 (8th Cir. 2003) (same). Section 10901(c) directs the Board to grant rail construction proposals unless it finds the proposal ''inconsistent with the public convenience and necessity.'' *See Mid States,* 345 F.3d at 552 (quoting 49 U.S.C. 10901(c)); *Alaska R.R.—Constr. & Operation Exemption—A Rail Line Extension to Port MacKenzie, Alaska,* FD 35095, slip op. at 5 (STB served Nov. 21, 2011), *aff'd sub nom. Alaska Survival* v. *STB,* 705 F.3d 1073 (9th Cir. 2013). Under section 10502(a), the Board must, to the maximum extent consistent with Title 49, subtitle IV, part A, exempt the proposed construction and operation of a rail line from the detailed application procedures of section 10901 when it finds that: (1) those procedures are not necessary to carry out the rail transportation policy of 49 U.S.C. 10101; and (2) either (a) the proposal is of limited scope, or (b) the full application procedures are not necessary to protect shippers from an abuse of market power.

While UP's posture and conduct during the course of this proceeding have raised serious concerns, the Board concludes that, based on the record, the proposed construction and operation of the Line qualify for an exemption under section 10502. The transportation merits of UP's petition are unopposed. The record shows that there is currently no rail service to the PAMZ, and that CMC, a major industrial shipper in the area, must rely solely on trucks to support operations at its two Mesa-based facilities. (*See* Pet. 2, 5, 7, 9; *id.,* Ex. A at 1–2.) The Line would enhance competition by providing CMC and other potential shippers in the area with a freight rail option that does not currently exist, advancing the goals specified by 49 U.S.C. 10101(4) & (5). Additionally, providing a rail-based alternative to trucking would encourage and promote energy conservation in furtherance of 49 U.S.C. 10101(14). The requested exemption would also eliminate the unnecessary expense associated with the preparation and filing of a formal construction application, expedite regulatory decisions, and reduce regulatory barriers to entry for the Line, in furtherance of 49 U.S.C. 10101(2), (7) & (15). Other aspects of the rail transportation policy would not be adversely affected.

In addition, consideration of the proposed construction and operation of the Line under section 10901 is not necessary to protect shippers from an abuse of market power. As explained above, the Line would introduce a new freight transportation option for CMC and potential future shippers located in the PAMZ. CMC fully supports the project, and no comments opposing the project's transportation merits have been filed.[7]

Environmental Analysis. NEPA requires federal agencies to analyze the environmental effects of proposed federal actions and to inform the public concerning those effects. *See Balt. Gas & Elec. Co.* v. *Nat. Res. Def. Council,* 462 U.S. 87, 97 (1983). Under NEPA and related environmental laws, the Board must examine environmental impacts prior to deciding whether to authorize the construction of a new rail line as proposed, deny the proposal, or grant it with conditions (including environmental mitigation conditions). *Lone Star R.R.—Track Constr. & Operation Exemption—in Howard Cnty., Tex.,* FD 35874, slip op. at 4 (STB served Mar. 3, 2016). The Board has ''substantial discretion'' in assessing the facts relevant to its environmental review and the relevant impacts. *Seven Cnty.,* 145 S. Ct. at 1512. It also has ''broad latitude'' to ''draw a 'manageable line''' regarding the scope of its inquiry. *Id.* at 1513 (citing *Dep't of Transp.* v. *Pub. Citizen,* 541 U.S. 752, 767 (2004)). NEPA does not require that the Board evaluate potential environmental effects arising from ''future or geographically separate projects,'' ''particularly'' those over which the Board does not ''exercise regulatory authority.'' *Seven Cnty.,* 145 S. Ct. at 1515–17; *see also id.* at 1515 (''Importantly, the textually mandated focus of NEPA is the 'proposed action'—that is, the project at hand—not other future or geographically separate projects that may be built (or expanded) as a result of or in the wake of the immediate project under consideration.'') (citing 42 U.S.C. 4332(2)(C)).

Moreover, while NEPA prescribes a process that must be followed, it does not mandate a particular result. *See Seven Cnty.,* 145 S. Ct. at 1510 (citing *Robertson* v. *Methow Valley Citizens Council,* 490 U.S. 332, 350 (1989)). Nor does NEPA otherwise impose any ''*substantive* constraints on the agency's ultimate decision to build, fund, or approve a proposed project.'' *Seven Cnty.,* 145 S. Ct. at 1511; *see also Robertson,* 490 U.S. at 350–51. Rather, in making such decisions, the Board may ''weigh environmental consequences as [it] reasonably sees fit under its governing statute and any relevant substantive environmental laws,'' and may conclude that ''other

[7] Given the finding that regulation here is not needed to protect shippers from an abuse of market power, the Board need not determine whether the transaction is limited in scope. *See* 49 U.S.C. 10502(a)(2).

values outweigh the environmental costs.'' *See Seven Cnty.,* 145 S. Ct. at 1507, 1510 (citing *Robertson,* 490 U.S. at 350).

There has been a thorough environmental review in this case. On May 31, 2023, OEA issued a Draft EA addressing in detail the potential environmental impacts of the proposed construction and operation of the Line.[8] The Draft EA analyzed a broad range of environmental issues, such as transportation and safety, air quality, noise and vibration, hazardous materials and waste sites, biological resources, water resources, geology and soils, land use and farmland, socioeconomics, visual quality, and cultural resources. The Draft EA concluded that UP's proposed action would have negligible, minor, and/or temporary impacts and that with the mitigation, no significant impacts would occur. (*See generally* Draft EA v–ix (tbl. S–1).) OEA recommended 74 mitigation measures to address project-related impacts in the areas of transportation and safety, air quality, noise and vibration, hazardous materials and waste sites, biological resources, water resources, geology and soils, land use and farmland, socioeconomics, cultural resources, and visual quality. (*See* Draft EA 4–2 to 4–13 (listing measures).) The Draft EA also explained that an EA is appropriate in this case and that an Environmental Impact Statement (EIS) is not required. (*Id.* at xii, 1–7 to 1–8, 3–108.)

OEA received 10 comments on the Draft EA.[9] In the Final EA, served February 27, 2026, OEA updated its analysis and responded to the substantive comments received on the Draft EA.[10] (Final EA, App. M at M–1 to M–2, M–3 to M–14 (tbl. M–1, Draft EA Comments and Responses).) In response to comments, OEA recommended adding four new MMs; removing one MM because it is no longer applicable; and modifying 12 MMs to address changes to an existing condition or otherwise respond to a comment received. (Final EA 4–2 (listing the MMs).) Where appropriate, OEA also clarified and corrected information in the Draft EA. (Final EA, App. M at M–1.) OEA reaffirmed its conclusion in the Draft EA that the potential environmental and historic impacts of the Line would be negligible, minor, and/or temporary and that with mitigation, no significant impacts would occur. (Final EA iii.) In the Final EA, OEA did not change any of its conclusions from the Draft EA. (*Id.* at ii.) OEA also recommended that the Board impose all of the mitigation in the Final EA on any decision authorizing the proposed rail line. (*Id.* at xi (citing Ch. 4, *Recommended Mitigation*).)[11]

The Board is satisfied that OEA has taken the requisite hard look at the potential environmental impacts associated with the proposed construction and operation of the Line and that the EA complied with NEPA. The Draft EA and Final EA adequately assess the environmental impacts of the proposed construction and operation and include appropriate recommended environmental mitigation to avoid or minimize potential environmental impacts.[12] The Board finds that OEA properly determined that, with the recommended environmental mitigation measures, the proposed project will not have potentially significant environmental impacts, and that preparation of an EIS is unnecessary. Accordingly, the Board adopts the analysis and conclusions in the Final EA, including the recommendation to authorize Alternative 1 and the final recommended mitigation measures, which are set forth in the Appendix to this decision.

Historic Review Analysis. Section 106 of the NHPA requires federal agencies to ''take into account the effect of'' their licensing decisions (in this case, whether to grant UP's request for an exemption, also called the ''undertaking'' under NHPA) on properties included in, or eligible for inclusion in, the National Register. If the undertaking would have an adverse effect on historic properties, the agency must continue to consult to avoid, minimize or mitigate the adverse effect. *See* 36 CFR 800.6(a).

As detailed in the Final EA, OEA initiated the Section 106 process for the PIRATE project in April 2022, conducted cultural resources surveys from May through September 2022, assessed project effects in October and November 2022, and thereafter started the process to resolve adverse effects. (Final EA x, 5–4 to 5–7; *id.,* App. K2 (Sec. 106 Consultation Documentation).) During the Section 106 process, OEA consulted with 15 agencies and 10 federally recognized Native American Tribes (Section 106 consulting parties), four of which requested government-to-government consultation. (Final EA x.) OEA determined that construction of the Line would adversely affect four National Register-eligible and/or listed archaeological sites under Alternative 1, while Alternative 2 would affect three of those sites. (*Id.*) In consultation with the Section 106 consulting parties, OEA developed a Memorandum of Agreement (MOA) that identifies requirements and treatment measures that must be implemented to mitigate adverse effects. (*Id.,* citing Sec. 3.12, *Archaeological and Historic Resources,* and Sec. 5.1.2, *NHPA Section 106 Consultation; see generally* Final EA, App. K1 (MOA), Stipulations II, III, VI, VIII, IX, X, XI, XII, XIII, XIV, XIX, XX, XXI (describing UP-related requirements and responsibilities).) The execution of the MOA on February 23, 2026, completed the Section 106 review

[8] Chapter 5 describes the agency, tribal, and public outreach conducted by OEA leading to the issuance of the Draft EA. (*See* Draft EA 5–1 to 5–7.) That outreach included meetings with the towns of Queen Creek, Ariz., and Mesa to discuss potential traffic impacts of the PIRATE project. During an April 2022 meeting, Queen Creek presented a summary of population growth and traffic concerns and requested that OEA's review include a traffic impact analysis to evaluate potential safety and traffic impacts and the need for grade separations where necessary. Based upon the results of OEA's preliminary analysis, OEA recommended several mitigation measures to address traffic impacts at crossings, (*see* Draft EA 4–3 to 4–4 (describing MM–TS–1 through MM–TS–4)), but determined that traffic impacts did not necessitate grade-separated crossings. (*Id.* at 3–64, 5–1 to 5–2, 5–3.) That analysis was recently updated with data from 2025, and as discussed below, the updated results do not affect OEA's determination that grade-separated crossings are not warranted.

[9] Comment submissions were received from two individuals, five agencies (one of which filed two submissions), one business, and UP. (Final EA, App. M at M–1.)

[10] Because population growth and development in the region have increased since the Draft EA was issued in May 2023, OEA prepared an updated traffic analysis based on 2025 conditions (in lieu of the data and assumptions from 2022 used in the initial Traffic Report). (Final EA 3–2; *see, e.g.,* updated Traffic Report (Final EA, App. B, 2–4 to 2–6, 3–1).) The updated Traffic Report includes a grade separation analysis for the railroad crossings of roads within the study area. (Final EA 3–2.) That analysis concludes that none of the proposed crossings meet the criteria for grade separation. (*Id.* at 3–15 and citations therein.)

[11] OEA evaluated two Action Alternatives for the proposed project: Alternative 1 and Alternative 2. Both alternatives include construction of a new wye (Y-like rail connection) at the Phoenix Subdivision and approximately 6.0 miles of rail line extending from the Phoenix Subdivision to industrial companies at the eastern end of the PAMZ. (Final EA iii; *see id.* at iv–ix (tbl. S–1).) OEA also evaluated the No-Action Alternative, under which UP would not construct and operate the rail line as proposed and rail service would not be available in the PAMZ. (*Id.* at iii.) Based on OEA's analysis and consultation with appropriate agencies, Native American Tribes, and other stakeholders, OEA concluded in the Final EA, that, of the two Action Alternatives, Alternative 1 would result in fewer impacts on the environment and recommends that the Board authorize Alternative 1 if the project is authorized. (*Id.* at xi.)

[12] The Board notes, in particular, that in the Final EA, OEA has recommended additional mitigation requiring UP to comply with commitments imposed during the Arizona Corporation Commission's railroad crossing review process (MM–TS–6), (*see* Final EA 3–14), and has expanded its recommended timing limits for train operations over the Line to minimize the impact to roadways and to address local concerns regarding traffic impacts at grade crossings (MM–TS–1), (*see id.* at 4–4).

process and commits the signatories to meet their responsibilities under the MOA and the HPTP.

While this project satisfies the criteria for exemption, UP's failure to adequately protect the identified National Register-eligible archaeological sites in the APE from disturbance during the pendency of the proceeding was deeply troubling. UP represents that it has instituted several new practices to ensure that, going forward, cultural resources are not disturbed or damaged during the pendency of the NHPA Section 106 process for a construction project. (UP Submission 14–17, Dec. 16, 2024.) UP acknowledges that failures in communications and lack of awareness of the historic review process by various UP personnel are ''unacceptable'' and ''in need of correction.'' (*Id.* at 5–6, 18, 24.) Should a future lapse in awareness or communications by UP personnel (or agents acting on UP's behalf in connection with a construction project) result in impermissible disturbance or damage to cultural property, the Board will closely scrutinize UP's conduct and consider whether significant consequences are appropriate. The Board expects UP to take all necessary steps to ensure that cultural resources are not disturbed or damaged during the Section 106 process in future construction cases.

Conclusion

Construction and operation of the Line will introduce a new freight transportation option in the PAMZ for both current and potential future shippers. It will also facilitate the diversion of traffic from truck to rail, thereby increasing overall energy efficiency. With OEA's final recommended mitigation, there will be no potential for significant environmental impacts from construction and operation of the Line. After carefully considering the transportation merits and environmental issues, the Board, considering the entire record, finds that the petition for exemption to allow UP's construction and operation of the approximately six-mile line of railroad in Maricopa County described as Alternative 1 in the Draft and Final EAs should be granted, subject to compliance with the environmental and historic mitigation measures set forth in the Appendix to this decision.

This action, as conditioned, will not significantly impact the quality of the human environment or the conservation of energy resources.

It is ordered:

1. Under 49 U.S.C. 10502, the Board exempts UP's construction and operation of the above-described rail line from the formal application procedures of 49 U.S.C. 10901.

2. The Board adopts the environmental and historic mitigation measures set forth in the Appendix to this decision and imposes them as conditions to the exemption granted herein.

3. Notice will be published in the **Federal Register**.

4. Petitions for reconsideration must be filed by April 2. 2026.

5. This decision is effective on the date of service.

Decided: March 12, 2026.

By the Board, Board Members Fuchs, Hedlund, and Schultz.

Aretha Laws-Byrum,

Clearance Clerk.

Appendix

Transportation and Safety

VM–TS–1. UP will follow all applicable federal Occupational Safety and Health Administration, Federal Railroad Administration, and operational safety regulations to minimize the potential for accidents and incidents during project-related construction and operation.

VM–TS–2. UP will consult with appropriate federal, state, and local transportation agencies to determine the final design of the at-grade crossing warning devices. Warning devices on public roadways will be subject to review and approval, depending on location, by the Arizona Corporation Commission, City of Mesa, and Town of Queen Creek. UP will follow standard safety designs for each at-grade crossing for proposed warning devices and signs. These designs will follow the Federal Highway Administration's *Manual on Uniform Traffic Control Devices for Streets and Highways* (2023) and the American Railway Engineering and Maintenance-of-Way Association's guidelines for railroad warning devices. UP will also comply with applicable Arizona Corporation Commission, City of Mesa, and Town of Queen Creek requirements.

VM–TS–3. Prior to construction of road crossings, when reasonably practical, UP and its contractor(s) will consult with local transportation officials regarding construction phasing and temporary traffic control. UP's contractor(s) will be responsible for local agency coordination of construction schedules, detours, and temporary traffic control, as well as obtainment of necessary temporary traffic control permits from the City of Mesa and Town of Queen Creek. As appropriate, UP's contractor(s) will maintain egress or traffic routing to allow for passage of emergency and other vehicles.

VM–TS–4. Prior to project-related construction, UP will consult with the Flood Control District of Maricopa County to determine the final details and reasonable signage for private at-grade crossings along access roads.

VM–TS–5. Prior to project-related construction, UP will consult with the Arizona Corporation Commission and City of Mesa regarding roadway safety and user expectations, which includes items such as pavement markings, signing, delineators, and active warning devices for vehicles, pedestrians, and bicyclists at proposed at-grade crossings.

VM–TS–6. Prior to and during project-related construction, in accordance with temporary traffic control permitting requirements, UP's contractor(s) will install temporary traffic control, including pavement markings, signing, and detours, throughout the project limits and applicable work zones.

VM–TS–7. Prior to and during construction and operation of the project, UP will work with the local agencies to facilitate the development of cooperative agreements with other emergency service providers to share services areas and emergency call response.

MM–TS–1. UP shall conduct train operations on or over the PIRATE at-grade crossings outside the a.m. (6:00 a.m. to 9:00 a.m.) and p.m. (3:00 p.m. to 7:00 p.m.) peak periods to the maximum extent practicable.

MM–TS–2. Prior to increasing the frequency of trains on PIRATE beyond two per day (one in each direction) or routinely conducting train operations at at-grade crossings on or over PIRATE during peak periods (6:00 a.m. to 9:00 a.m. or 3:00 p.m. to 7:00 p.m.), UP shall consult with and comply with the reasonable requirements of the Arizona Corporation Commission.

MM–TS–3. UP shall not block at-grade crossings and adjacent signalized intersections on major arterials for more than 10 minutes at a time, when reasonably practicable, unless mechanical failure, an obstruction on the track, or a similar emergency condition prevents a train from being moved clear of the crossing. Major arterials include Pecos Road (south and north), Sossaman Road, Germann Road, Ellsworth Road, Crismon Road, and Signal Butte Road.

MM–TS–4. UP shall conduct the consultations required in mitigation measures VM–TS–3, VM–TS–4, and VM–TS–5 at least 30 days prior to intersection or roadway closures and comply with any reasonable requirements of those agencies, unless it is not reasonably practicable. Additionally, the requirements in mitigation measures VM–TS–3, VM–TS–4, and VM–TS–5, as needed, shall also apply to the Town of Gilbert.

MM–TS–5. If Alternative 2 is authorized by the Board, prior to project-related construction, UP shall coordinate with the City of Mesa regarding any impacts to Willis Road and the remaining part of the Willis Road project.

MM–TS–6. UP shall fulfill all commitments imposed during the Arizona Corporation Commission's railroad crossing review process, as recorded in Arizona Corporation Commission Docket No. RR–03639A–22–0287.

MM–TS–7. At least 30 days prior to any project-related construction on Sossaman Road, UP and UP's contractor shall notify the Mesa Gateway Airport Authority of the construction schedule and estimated timeline for completion. UP's contractor shall also

notify Mesa Gateway Airport Authority when construction on Sossaman Road is complete.

Air Quality

VM–AIR–1. In accordance with Maricopa County dust control permitting requirements, UP's contractor(s) will implement appropriate dust control measures to reduce fugitive dust emissions created during project-related construction. UP will require its construction contractor(s) to regularly operate water trucks on haul roads to reduce dust generation.

VM–AIR–2. UP will work with its contractor(s) to make sure that construction equipment is properly maintained and that mufflers and other required pollution-control devices are in working condition in order to limit construction-related air pollutant emissions.

Noise and Vibration

VM–NV–1. UP will comply with Federal Railroad Administration regulations (49 CFR part 210) establishing decibel limits for train operation.

VM–NV–2. UP will work with its contractor(s) to make sure that project-related construction and maintenance vehicles are maintained in good working order with properly functioning mufflers to control noise.

MM–NV–1. During project-related construction, UP's daily construction schedule shall adhere to time restrictions that limit construction noise prior to 7:00 a.m. or after 5:00 p.m. to the maximum extent practicable, as set forth in Town of Gilbert Municipal Code Section 42–63, City of Mesa Municipal Code Section 6–12–6(G), and Town of Queen Creek Ordinance 282–04.

MM–NV–2. Prior to project-related construction outside of local time restrictions within Mesa city limits, UP shall consult with and comply with the reasonable requirements of the City of Mesa for a special use permit to allow nighttime construction.

MM–NV–3. During project-related construction, UP shall implement the following best management practices: (a) constructing temporary sound barriers around work along the Phoenix Subdivision, (b) routing construction-related truck traffic to minimize use of residential streets, (c) minimizing idling construction equipment and placing as far from receptors (*e.g.,* homes, schools, and other publicly accessible areas that typically have low noise) as possible, (d) operating earthmoving equipment as far from receivers as possible, (e) minimizing simultaneous noise and vibration-generating activities, and (f) avoiding nighttime activities to the extent possible.

Hazardous Materials and Waste Sites

VM–HAZ–1. Prior to initiating any project-related construction, UP's contractor(s) will prepare a hazardous waste management plan detailing the manner in which hazardous wastes will be managed and describing the types and volumes of hazardous wastes anticipated to be managed. The hazardous waste management plan will address both onsite and offsite hazardous waste management and include the following: description of the methods to be used to ensure accurate piece counts or weights of shipments; waste minimization methods; facilities to be used for treatment, storage, and disposal; onsite areas designated where hazardous wastes are to be handled; identify whether transfer facilities are to be used, and if so, how the wastes will be tracked to ultimate disposal. Additionally, UP's contractor(s) will document hazardous waste inspections on a weekly basis.

VM–HAZ–2. In accordance with UP contractor's hazardous waste management plan and emergency management plan, and in the event of a spill over the applicable reportable quantity, UP's contractor(s) will comply with its spill prevention, control, and countermeasures plan and applicable federal, state, and local regulations pertaining to spill containment, appropriate clean-up, and notifications.

VM–HAZ–3. UP will require its construction contractor(s) to implement measures to protect workers' health and safety and the environment in the event that undocumented hazardous materials are encountered during construction. UP will document all activities associated with hazardous material spill sites and hazardous waste sites and will notify the appropriate state and local agencies according to applicable regulations. The goal of the measures is to ensure the proper handling and disposal of contaminated materials, including contaminated soil, groundwater, and stormwater, if such materials are encountered. UP will use disposal methods that comply with applicable solid and hazardous water regulations.

VM–HAZ–4. UP's contractor(s) will responsibly handle and store gasoline, diesel fuel, oil, lubricants, and other petroleum products to reduce the risk of spills contaminating soils or surface waters. If a petroleum spill occurs in the project limits as a result of project-related construction, operation, or maintenance and exceeds specific quantities or enters a waterbody, UP's contractor(s) will be responsible for promptly cleaning up the spill and notifying responsible agencies in accordance with federal and state regulations.

VM–HAZ–5. UP will prepare a hazardous materials emergency response to address potential derailments or spills. This plan will address the requirements of the Pipeline and Hazardous Materials Safety Administration and Federal Railroad Administration requirements for comprehensive oil spill response plans. UP will distribute the plan to federal, state, and local emergency response agencies. This plan shall include a roster of agencies and people to be contacted for specific types of emergencies during project-related construction, operation and maintenance activities, procedures to be followed by particular rail employees, emergency routes for vehicles, and the location of emergency equipment.

VM–HAZ–6. In the event of a reportable hazardous materials release, UP will notify appropriate federal and state environmental agencies as required under federal and state law.

VM–HAZ–7. UP will comply with applicable Federal Railroad Administration, Pipeline and Hazardous Materials Safety Administration, and Transportation Security Administration regulations for the safe and secure transportation of hazardous materials.

MM–HAZ–1. Prior to project-related construction, UP shall complete an ASTM International E1527–21 Phase I Environmental Site Assessment for any commercial real estate to be acquired with respect to the range of contaminants within the scope of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. 9601) and petroleum products.

MM–HAZ–2. During project-related construction, UP shall coordinate with Kinder Morgan to ensure that appropriate U.S. Department of Transportation Pipeline and Hazardous Materials Safety Administration guidelines (n.d.) and other applicable regulations (49 CFR parts 40 and 190–199; National Fire Protection Association 58 and 59) are followed regarding protecting closed and active pipelines in close proximity to the project limits.

MM–HAZ–3. During the final design phase of the project, UP shall coordinate with the owner/operator of any active exploration, monitoring, remediation, or production monitoring wells within the project limits to either protect the well, modify the top of casing to be above the new grade, or relocate the well outside of the project limits.

Biological Resources

VM–BIO–1. UP will comply with any conditions and mitigation commitments contained in this Environmental Assessment, recommended by the Arizona Game and Fish Department and/or the U.S. Fish and Wildlife Service, for sensitive species, including plants, that could potentially be impacted by the project.

VM–BIO–2. UP will require its contractor(s) to comply with the requirements of the Migratory Bird Treaty Act as applicable. The following measures will be taken by UP and/or its contractor(s):

a. Where practical, any ground-disturbing, ground-clearing activities or vegetation treatments will be performed before migratory birds begin nesting or after all young have fledged.

b. If such activities must be scheduled to start during the migratory bird breeding season, UP will not take steps to prevent migratory birds from establishing nests in the potential impact area. UP or its agents will not haze or exclude nest access for migratory birds and other sensitive avian species.

c. If such activities must be scheduled during the migratory bird breeding season, a qualified biologist will perform a site-specific survey for nesting birds starting no more than 7 days prior to ground-disturbing activities or vegetation treatments. Birds with eggs or young will not be hazed, and nests with eggs or young will not be moved until the young are no longer dependent on the nest.

d. If nesting birds are found during the survey, UP will establish appropriate seasonal or spatial buffers around nests. Vegetation treatments or ground-disturbing activities within the buffer areas will be postponed, where feasible, until the birds have left the nest. A qualified biologist will confirm that all young have fledged.

VM–BIO–3. Within 30 days prior to project-related construction, qualified biologists will survey for the federal- and state-protected burrowing owl (*Athene cunicularia*) following guidelines provided by the Arizona Game and Fish Department (AGFD). Survey results will be provided to AGFD.

VM–BIO–4. If burrowing owls are observed at burrows in the project limits, a 100-foot buffer of no activity will be established around the burrow for the duration of the project.

VM–BIO–5. If an active burrowing owl burrow is in an area that requires impact, a local, qualified biologist will be contacted to remove the owls from the project limits with the appropriate state and federal permits. The burrows will be collapsed by the biologist to prevent further nesting activities.

MM–BIO–1. UP shall provide the results of the survey described in VM–BIO–3 to the Arizona Game and Fish Department (AGFD) within 30 days of survey completion, in accordance with the AGFD *Burrowing Owl Project Clearance Guidance for Landowners* (Arizona Burrowing Owl Working Group 2009).

MM–BIO–2. UP shall review updated U.S. Fish and Wildlife Service and Arizona Game and Fish Department species lists within 3 months of the start of project-related construction to see if any special status species were added after issuance of the Final EA. If new species are identified, UP shall notify OEA so that appropriate action can be taken if warranted.

MM–BIO–3. During implementation of mitigation measure VM–BIO–2, UP shall not remove any trees or large tree limbs or conduct vegetation removal activities, such as grubbing or shrub clearing, between February 1 and September 30 until a biologist has conducted a bird nest search of grasses, shrubs, trees, and tree limbs and has determined that no active bird nests are present. Vegetation may be mowed or removed if it has been surveyed within 7 calendar days prior to removal as long as only inactive bird nests, if any, are present. Between October 1 and January 31, grubbing, shrub clearing, and tree/limb removal activities are not subject to these restrictions.

MM–BIO–4. Prior to project-related construction, UP shall conduct a native plant inventory throughout the project limits to determine if protected native plants will be affected by project-related construction and consult with the Arizona Department of Agriculture (AZDA) to determine if a permit is required. If protected native plants will be affected and an AZDA native plant permit is required, UP shall comply with the reasonable requirements of AZDA prior to project-related construction.

MM–BIO–5. UP shall ensure that all disturbed soils are landscaped, seeded with a native seed mix, or otherwise permanently stabilized following project-related construction.

MM–BIO–6. Prior to any project-related construction, UP shall develop and implement a mitigation plan to address the spread and control of non-native invasive plants during the construction. This plan shall address the following: (a) planned seed mixes, (b) weed prevention and eradication procedures, (c) equipment cleaning protocols, (d) revegetation methods, and (e) protocols for monitoring revegetation. For any project-related construction on lands managed by the Arizona State Land Department (ASLD), UP shall seek input on the plan and approval from ASLD prior to construction.

MM–BIO–7. During any project-related construction, UP shall use only the minimum amount of light needed for safety. To the maximum extent possible and in accordance with Mesa Gateway Airport's lighting requirements, UP shall use narrow spectrum lighting. UP shall shield, tilt, or cut lighting to minimize the amount of upward shining light.

Water Resources

VM–W–1. UP's contractor(s) will submit a Notice of Intent to request permit coverage under Arizona Pollutant Discharge Elimination System Construction Activity General Permit (CGP) AZG2020–001 CGP for construction stormwater management.

VM–W–2. UP's contractor(s) will submit an application for coverage under the National Pollutant Discharge Elimination System stormwater construction permits pursuant to Section 402 of the Clean Water Act for construction stormwater management.

VM–W–3. UP's contractor(s) will develop a stormwater pollution prevention plan, which will include construction best management practices to control erosion and reduce the amount of sediment and pollutants entering surface waters, groundwater, and waters of the United States. UP will require its construction contractor(s) to follow all water quality control conditions identified in all permits, including the Section 404 permit from the U.S. Army Corps of Engineers and the Section 401 Water Quality Certification from the Arizona Department of Environmental Quality.

VM–W–4. UP will obtain a permit from the U.S. Army Corps of Engineers under Section 404 of the Clean Water Act before initiating project-related construction in wetlands and other jurisdictional waters of the United States. UP will comply with all conditions of the Section 404 permit.

VM–W–5. UP will obtain a Section 401 Water Quality Certification from the Arizona Department of Environmental Quality. UP will incorporate the conditions of the Section 401 Water Quality Certification into its construction contract specifications and will monitor the project for compliance.

VM–W–6. UP will minimize impacts to wetlands to the extent practicable in the final design. After all practicable steps have been taken to minimize impacts to wetlands, UP agrees to prepare a mitigation plan for any remaining wetland impacts in consultation with the U.S. Army Corps of Engineers, where applicable.

VM–W–7. UP's contractor(s) will construct stream crossings during low-flow periods, when practical.

VM–W–8. When practical and in consultation with the Flood Control District of Maricopa County and the U.S. Army Corps of Engineers (Corps), UP's contractor(s) will minimize impacts to streams where impacts are unavoidable, where applicable. After all practicable steps have been taken to minimize impacts to streams, UP agrees to prepare a mitigation plan for any remaining stream impacts in consultation with the Corps, where applicable.

VM–W–9. For streams and rivers within a floodplain regulated by the Flood Control District of Maricopa County, UP will design the stream crossing with the goal of not impeding floodwaters and not raising water surface elevations to levels that would change the regulated floodplain boundary. If flood elevations change, UP will coordinate with the Federal Emergency Management Agency and/or local floodplain managers to obtain a Letter of Map Revision where construction of bridges, culverts or embankments results in an unavoidable increase greater than 1 foot to the 100-year water surface elevations.

MM–W–1. Prior to project-related construction, to minimize impacts to waters of the United States, UP shall (a) mark the boundaries of the wetlands within Rittenhouse Channel to ensure avoidance during project-related construction, (b) mark the construction limits authorized in the Section 404 permit to ensure impacts within waters of the United States do not extend outside the permitted limits, (c) ensure that all vehicles and heavy equipment used during construction use spill containment equipment, (d) not stage or stockpile within waters of the United States, and (e) not dispose of any material within waters of the United States or place materials in a location where they may reenter waters of the United States through drainage or erosion.

MM–W–2. Prior to project-related construction, UP shall provide Flood Control District of Maricopa County an opportunity to review and comment on final design plans, including proposed culverts, associated end treatments, and other work in the Rittenhouse Channel.

MM–W–3. UP shall provide a new, permanent City of Mesa access point into the Ellsworth Channel to replace the access ramp that would be displaced by construction of the PIRATE channel crossing.

MM–W–4. If UP cannot use existing ramps for construction access to Rittenhouse Channel, UP shall construct temporary or permanent access points per Flood Control District of Maricopa County standards.

MM–W–5. During any project-related construction in a floodplain regulated by the Federal Emergency Management Agency, UP shall comply with the reasonable conditions in its August 2025 floodplain permit from the Flood Control District of Maricopa County.

Geology and Soils

VM–GS–1. UP's contractors(s) will limit ground disturbance to only the areas necessary for project-related construction.

VM–GS–2. During project-related earth-moving activities, UP's contractors(s) will remove topsoil and excess earthen material for safe and legal disposal to an offsite location.

VM–GS–3. UP's contractor(s) will stockpile excavated soil in areas away from environmentally or culturally sensitive areas and will use appropriate erosion control measures to prevent or contain erosion.

VM–GS–4. UP's contractors(s) will perform finish grading and surface disturbed areas with appropriate best management practices, where practical and in consultation with the City of Mesa and Town of Queen Creek, when construction is completed.

MM–GS–1. UP shall comply with relevant Federal Railroad Administration inspection and maintenance requirements to identify and mitigate any threats to the safe operation of the project, including those resulting from corrosive soils, where present.

Land Use and Farmland

VM–LU–1. Prior to project-related construction, UP will secure agreements with utility owners to establish responsibility for protecting or relocating existing utilities, if impacted by construction.

VM–LU–2. Prior to project-related construction, UP will coordinate with Arizona State Land Department to develop irrigation infrastructure protection or relocation plans.

MM–LU–1. UP shall consult with the National Geodetic Survey at least 90 days prior to beginning project-related construction that would disturb or destroy geodetic marks E68, F517, DU2011, DU0687, and any other geodetic marks identified in or adjacent to the project limits.

MM–LU–2. UP shall coordinate with the Flood Control District of Maricopa County and the City of Mesa and comply with their respective reasonable requirements prior to beginning project-related construction within the Rittenhouse Channel or the Ellsworth Channel.

MM–LU–3. At least 45 days prior to project-related construction, UP shall coordinate with the Mesa Gateway Airport to address potential impacts to the preliminary road alignment between SkyBridge and Pecos Road (south); confirm the need for Form FAA 7460–1 (Notice of Proposed Construction or Alteration); and review compatibility with airspace, navigation facilities, height restrictions, and lighting requirements associated with the airport overflight areas.

MM–LU–4. Prior to beginning project-related construction, UP shall coordinate with utility providers to verify the adequacy of existing utility infrastructure to accommodate increased demand, ensure that industry standards are met, and minimize disruptions.

MM–LU–5. If Alternative 2 is authorized by the Board, UP shall coordinate with the owner of The Cubes at Mesa Gateway to resolve conflicts with ongoing or future development prior to project-related construction.

Socioeconomics

VM–SOC–1. UP will appoint a liaison to consult with communities, businesses, agencies, tribal governments, educational institutions, and nonprofit organizations to provide general project information, progress on construction, information on rail operations and safety as needed and will seek to develop cooperative solutions to local concerns regarding project-related construction.

VM–SOC–2. UP and its contractor(s) will consult with appropriate adjacent landowners for coordination of construction schedules and temporary access during project-related construction.

MM–SOC–1. At least 2 weeks prior to each temporary road closure, UP shall alert the following of the road closure and the use of detours: (1) schools and emergency service providers within 3 miles of the detour and (2) landowners adjacent to any part of that proposed detour.

MM–SOC–2. At least 90 days prior to project-related construction, UP shall make the name and contact information for the community liaison identified in VM–SOC–1 available to the public. UP shall also promptly notify OEA once the community liaison is identified.

Visual Quality

MM–VQ–1. UP shall design and utilize lighting during project-related construction and operation in compliance with applicable regulations to preserve visibility around airports, including Federal Aviation Administration requirements at 14 CFR part 77 (Safe, efficient use, and preservation of the navigable airspace), Arizona Revised Statutes § 28–8462 (Airport hazard; public nuisance; prevention and elimination), and Arizona Revised Statutes § 49–1102 (Shielding of outdoor light fixtures; exemptions).

MM–VQ–2. UP shall ensure project lighting complies with the zoning provisions of Mesa's Airfield Overlay District, which prohibit land uses that ''impair visibility in the vicinity'' of Mesa Gateway Airport.

MM–VQ–3. Prior to project-related construction, UP shall provide Mesa Gateway Airport an opportunity to review and approve the final project lighting design plans.

Archaeological and Historic Resources

VM–AHR–1. UP and UP's contractor(s) will comply with the requirements of the Memorandum of Agreement and the historic properties treatment plan developed by OEA, Arizona State Historic Preservation Office, Native American tribal representatives, and other federal and state agencies in consultation with other consulting parties.

[FR Doc. 2026–05179 Filed 3–16–26; 8:45 am]

BILLING CODE 4915–01–P

TENNESSEE VALLEY AUTHORITY

Agency Information Collection Activities: Proposed Collection; Comment Request

AGENCY: Tennessee Valley Authority (TVA).

ACTION: 60-Day notice of submission of information collection for approval and request for comments.

SUMMARY: Pursuant to the Paperwork Reduction Act of 1995, the Tennessee Valley Authority (TVA) will be requesting from the Office of Management and Budget (OMB) review of TVA's Generic Clearance for the collection of qualitative feedback on agency service delivery, community engagement, and usability testing. This Generic Clearance will fast-track the process for TVA to seek feedback and input from the public, through surveys and other instruments, regarding TVA services and programs as well as community needs and concerns. The clearance will also allow the collection of registration information for public forums, events, and other opportunities for public engagement.

DATES: Comments should be sent to the Public Information Collection Clearance Officer no later than May 18, 2026.

ADDRESSES: Requests for information, including copies of the information collection proposed and supporting documentation, should be directed to the Public Information Collection Clearance Officer: Jennifer A. Wilds, Program Manager—Federal Regulations, and Information Collection Clearance Officer, Tennessee Valley Authority, 400 W Summit Hill Drive, CLK–320, Knoxville, Tennessee 37902–1401; telephone (865) 632–6580 or by email at *pra@tva.gov.*

SUPPLEMENTARY INFORMATION:

Type of Request: New Collection.

Title of Information Collection: TVA's Generic Clearance for the collection of qualitative feedback on agency service delivery, community engagement, and usability testing.

Type of Affected Public: Individuals and Households, Businesses and Organizations, State, Local and Tribal Governments.

Frequency of Collection: On occasion.

Small Businesses or Organizations Affected: Yes.

Federal Budget Functional Category Code: 455.

Estimated Number of Annual Responses: 50,000.

Estimated Total Annual Burden Hours: 12,500.

Estimated Average Burden Hours per Response: 0.50.

Need For and Use of Information:

Abstract: This information collection will enable TVA to obtain qualitative customer and stakeholder feedback on services and programs, as well as community needs and concerns, in an efficient, timely manner, in accordance with the Administration's commitment to improving service delivery and enhancing public engagement. It will also enable the public to register for public forums, events, and other opportunities, and participate in usability testing of forms, software, and websites designed for customer and stakeholder connections. The qualitative feedback requested provides useful insights on perceptions and opinions,

but not statistical surveys that yield quantitative results that can be generalized to the population of study. The feedback and input will provide TVA with insights into customer or stakeholder perceptions, experiences, and expectations; help TVA quickly identify actual or potential problems with how the agency provides services to the public; focus attention on areas where communication, training, or changes in operations might improve TVA's delivery of its products or services; and engage the public on community needs and concerns to guide the direction of new products and services. These collections will allow for ongoing, collaborative, and actionable communication between TVA and its customers and stakeholders. It will also allow feedback and input to contribute directly to the improvement of program management. TVA will solicit feedback and input in areas such as timeliness, appropriateness, accuracy of information, courtesy, efficiency of service delivery, resolution of issues with service delivery, impacts of events, community needs and concerns, and interest in new programs and services. TVA will use the responses to plan and inform its efforts to improve or maintain the quality of service and programs offered to the public and chart the direction of new programs and offerings. TVA will use the registration information for logistical planning for public events, required access control to government property, and connection to service and program offerings; and the usability testing to ensure forms, software, and websites provide simple instructions and easy to navigate directions. If this information is not collected, TVA will not have access to vital feedback and input from customers and stakeholders about the agency's services and programs and the public will not have access to TVA-sponsored events, programs, or services.

TVA will only submit an information collection for approval under this Generic Clearance if it meets the following conditions:

- the collections are voluntary
- the collections are low burden for respondents (based on considerations of total burden hours, total number of respondents, or burden hours per respondent) and are low-cost for both the respondents and the Federal Government
- the collections are non-controversial and do not raise issues of concern to other Federal agencies
- the collections are targeted for solicitation of feedback and input from respondents who have experience with the program or who may have future experience with the program.
- personally identifiable information (PII) is collected only to the extent necessary and will not be retained beyond immediate need
- information gathered is intended to be used only internally for general service improvement and program management purposes and is not intended for release outside of the agency (if released, TVA will indicate the qualitative nature of the information)
- information gathered will not be used for the purpose of substantially informing influential policy decisions
- information gathered will yield qualitative useful information and the collections will not be designed or expected to yield statistically reliable results or used as though the results are generalizable to the population of study
- information collections will not result in any new system of records containing privacy information and will not ask questions of a sensitive nature

Rebecca L. Coffey,

Agency Records Officer.

[FR Doc. 2026–05123 Filed 3–16–26; 8:45 am]

BILLING CODE 8120–08–P

OFFICE OF THE UNITED STATES TRADE REPRESENTATIVE

Initiation of Section 301 Investigations of Acts, Policies, and Practices of Various Economies Related to the Failure To Impose and Effectively Enforce a Prohibition on the Importation of Goods Produced With Forced Labor

AGENCY: Office of the United States Trade Representative (USTR).

ACTION: Notice of initiation, request for comments and notice of public hearings.

SUMMARY: The U.S. Trade Representative (Trade Representative) is initiating investigations with respect to acts, policies, and practices of the economies listed in Annex A of this notice related to the failure to impose and effectively enforce a prohibition on the importation of goods produced with forced labor. USTR is seeking public comments in connection with these investigations and will hold public hearings.

DATES:

March 12, 2026: The Trade Representative initiated the investigation.

April 15, 2026: To be assured of consideration, submit written comments and any requests to appear at the hearing, along with a summary of the testimony, by this date.

April 28: The Section 301 Committee will convene public hearings in the main hearing room of the U.S. International Trade Commission, 500 E Street SW, Washington, DC 20436, beginning at 10:00 a.m., continuing, as necessary, until May 1.

Seven days after the last day of the public hearings: Submit post-hearing rebuttal comments.

ADDRESSES: Submit documents in response to this notice, including written comments, rebuttal comments, and requests to appear through USTR's electronic portal: *https://comments.ustr.gov/s/.* The docket number for written comments and rebuttal comments is USTR–2026–0133. The docket number for requests to appear is USTR–2026–0134.

FOR FURTHER INFORMATION CONTACT: For procedural questions concerning comments or participating in the public hearing, contact the USTR Section 301 support line at (202) 395–5725. For all other questions regarding this notice, please contact Megan Grimball, Co-Chair of the Section 301 Committee, or Associate General Counsel Benjamin Allen.

SUPPLEMENTARY INFORMATION:

I. Background

For almost 100 years, U.S. law has prohibited the importation of goods mined, produced, or manufactured in whole or in part with forced labor. This prohibition recognizes not only the humanitarian concerns associated with allowing parties to profit from the suffering of others but also foreign policy and national security concerns arising from the exploitation of workers. Such exploitation threatens domestic producers who must compete with foreign goods produced with an artificial cost advantage and may harm U.S. workers and citizens through distorting competition and the purchase of goods produced under exploitative conditions. Ending forced labor is a key priority and an economic and national security imperative for the United States.

Forced labor may be understood as work or service extracted from a person under the menace of any penalty for its nonperformance and for which the worker does not offer himself voluntarily. In addition to U.S.

constitutional and statutory prohibitions against forced labor, it is universally recognized under international law that forced labor is a practice that should not be tolerated. For instance, the United Nations *Universal Declaration of Human Rights* (1948) holds that ''[n]o one shall be held in slavery or servitude; slavery and the slave trade shall be prohibited in all their forms.'' Further, the International Labour Organization (ILO) *Abolition of Forced Labour Convention,* 1957 (No. 105) has achieved near universal ratification. Similarly, the nearly universally ratified *International Covenant on Civil and Political Rights* (1976) provides that ''[n]o one shall be required to perform forced or compulsory labour.'' Finally, the ILO *Declaration on Fundamental Principles and Rights at Work and its Follow-up* (1998), as amended in 2022, includes the ''elimination of all forms of forced or compulsory labour'' among its fundamental rights.

However, despite this clear and longstanding consensus, the use of forced labor across the world continues to persist and has even increased in recent years. The ILO estimates that as of 2021, 3.5 out of every 1,000 people, or 28 million people, globally are in forced labor. Moreover, it estimates that between 2016 and 2021, the number of people in forced labor increased by 2.7 million. According to the ILO, this increase was driven entirely by forced labor in the private economy.

Firms using forced labor incur artificially lower labor costs, and, as a result, are able to sell their goods at a lower price than they would otherwise. The ILO estimates that in 2024 the profits from forced labor in the global private economy amounted to roughly $63.9 billion annually, with annual profits per victim of $2,113 in the agriculture sector and $4,994 in the industry sector, the highest among sectors in the private economy.

Forced labor taints the entire supply chain in which it exists. For example, the U.S. Department of Labor's 2024 *List of Goods Produced by Child Labor or Forced Labor (TVPRA List)* includes 134 products produced with forced labor in particular countries. The *TVPRA List* includes 34 downstream goods in particular countries that are produced with inputs that are produced with forced labor. These inputs made with forced labor include cotton used to produce garments, textiles, thread and yarn; critical minerals used to produce solar products or auto-parts; fish used to produce fish oil and fish meal; and palm fruit used to produce kernel or palm oil used in various cooking oils and biofuels.

The United States has led the way to prevent trade in goods produced using forced labor, which are readily available in global supply chains. For example, at present, U.S. Customs and Border Protection has issued 54 withhold release orders and eight findings with respect to various goods whose entry into the United States is prohibited under the U.S. forced labor import prohibition. This data likely understates the number of goods produced using forced labor globally, as research on forced labor can be particularly challenging.

The United States has consistently engaged with trading partners to prevent trade in goods produced with forced labor. In response to this engagement, Canada, Mexico, and the European Union have adopted measures intended to stop the importation or sale of products produced using forced labor. More recently, in the context of ongoing U.S. reciprocal trade agreement negotiations, several countries have committed to adopt such measures. However, none of these countries has adopted and effectively enforced a forced labor import prohibition to date. Although a majority of countries prohibit forced labor as a matter of law within their jurisdiction, such prohibitions are insufficient to prevent firms from profiting from forced labor. In the absence of a forced labor import prohibition that is effectively enforced, firms can continue to source, use, and profit from imported products produced with forced labor, even if the use of forced labor is prohibited domestically.

The failure to prevent trade in products produced with forced labor may negatively affect U.S. commerce. In markets without forced labor import prohibitions, U.S. exports are required to compete with products produced wholly or in part with forced labor, including products that have been denied entry to the U.S. market and subsequently re-exported. The conditions of competition may skew to favor artificially low-cost imports produced by forced labor or incorporating forced labor inputs. Companies that do not use or rely on imports produced with forced labor may lose sales or revenues or even be pushed out of the marketplace.

II. Initiation of Section 301 Investigation

Section 302(b)(1)(A) of the Trade Act of 1974, as amended (Trade Act), authorizes the Trade Representative to initiate an investigation to determine whether an act, policy, or practice of a foreign country is actionable under Section 301 of the Trade Act. Actionable matters under Section 301 include acts, policies, and practices of a foreign country that are unreasonable or discriminatory and burden or restrict U.S. commerce. An act, policy, or practice is unreasonable if it, while not necessarily in violation of, or inconsistent with, the international legal rights of the United States, is otherwise unfair and inequitable. In addition, Section 301(d)(3)(B)(iii)(III) specifies that an act, policy, or practice is unreasonable if it constitutes a persistent pattern of conduct that permits any form of forced or compulsory labor.

On March 12, 2026, the Trade Representative initiated Section 301 investigations to examine whether the failure of the various economies listed in Annex A to prohibit the importation of goods produced wholly or in part with forced labor is unreasonable or discriminatory and burdens or restricts U.S. commerce. Pursuant to Section 302(b)(1)(B) of the Trade Act, USTR has consulted with appropriate advisory committees and the inter-agency Section 301 Committee. Pursuant to Section 303(a) of the Trade Act, USTR is requesting consultations with the governments of the economies under investigation. Pursuant to Section 304 of the Trade Act, USTR will determine whether the acts, policies, or practices under investigation are actionable under Section 301. If any determination is affirmative, the Trade Representative must determine whether action is appropriate, and if so, what action to take.

III. Request for Public Comments

You may submit written comments on any issue covered by these investigations. In particular, USTR invites comments regarding:

- Whether any economy subject to these investigations maintains or is in the process of establishing a forced labor import prohibition, and whether any such import prohibition is being effectively enforced.
- The extent to which the failure of any economy to establish and effectively enforce a forced labor import prohibition is unreasonable, discriminates against U.S. goods, or constitutes a persistent pattern of conduct that permits any form of forced or compulsory labor.
- The extent to which the failure of any economy to establish and effectively enforce a forced labor import prohibition has negatively affected U.S. commerce, such as through lost U.S. exports or economic output, lower prices for U.S. goods, or lower wages for U.S. workers.

- What action, if any, should be taken to address these issues, including:
  - The level and scope, if any, of duties on products of any economy subject to these investigations.
  - The level and scope, if any, of import restrictions on products of any economy subject to these investigations.
- The appropriate aggregate level of trade to be covered by any additional duties on products of any economy subject to these investigations.

IV. Hearing Participation

The Section 301 Committee will convene public hearings on April 28, 2026, in the main hearing room of the U.S. International Trade Commission, 500 E Street SW, Washington, DC 20436, beginning at 10:00 a.m. The hearings may continue, as necessary, until May 1. To testify at the hearings, you must submit a request to appear using the electronic portal at *https://comments.ustr.gov/s/,* following the instructions in Part V below. Requests to appear must include a summary of testimony, and may be accompanied by a prehearing submission. Remarks at the hearings are limited to five minutes to allow for possible questions from the Section 301 Committee. All submissions must be in English. To be assured of consideration, USTR must receive your request to appear and summary of the testimony by April 15, 2026.

V. Submissions Instructions

Interested persons must submit written comments, requests to appear at the hearing, summaries of testimony, and post-hearing rebuttal comments using the appropriate docket on the portal at *https://comments.ustr.gov/s/.* To make a submission, use the docket on the portal entitled 'Request for Comments on the Section 301 Investigation of Acts, Policies, and Practices of Various Economies Related to the Failure to Impose and Effectively Enforce a Prohibition on the Importation of Goods Produced with Forced Labor,' docket number USTR–2026–0133.

Interested persons wishing to provide testimony at the hearing must submit a notification of intent and summary of testimony using the docket entitled 'Request to Appear at the Hearing on the Section 301 Investigations of Acts, Policies, and Practices of Various Economies Related to the Failure to Impose and Effectively Enforce a Prohibition on the Importation of Goods Produced with Forced Labor,' docket number USTR–2026–0134.

You do not need to establish an account to submit comments or a notification of intent to testify. The first screen allows you to enter identification and contact information. Third party organizations such as law firms, trade associations, or customs brokers should identify the full legal name of the organization they represent and identify the primary point of contact for the submission. Information fields are optional. However, USTR may not consider your comment or request if insufficient information is provided.

Fields with a gray Business Confidential Information (BCI) notation are for BCI information that will not be made publicly available. Fields with a green (Public) notation will be viewable by the public.

After entering the identification and contact information, you can complete the remainder of the comment, or any portion of it, by clicking 'Next.' You may upload documents at the end of the form and indicate whether USTR should treat the documents as business confidential or public information. Any page containing BCI must be clearly marked 'BUSINESS CONFIDENTIAL' on the top of that page and the submission should clearly indicate, via brackets, highlighting, or other means, the specific information that is BCI. If you request business confidential treatment, you must certify in writing that the information would not customarily be released to the public. Parties uploading attachments containing BCI also must submit a public version of their comments. If these procedures are not sufficient to protect BCI or otherwise protect business interests, please contact the USTR Section 301 support line at 202.395.5725 to discuss whether alternative arrangements are possible.

USTR will post attachments uploaded to the docket for public inspection, except for properly designated BCI. You can view submissions on USTR's electronic portal at *https://comments.ustr.gov/s/.*

Jennifer Thornton,

General Counsel, Office of the United States Trade Representative.

Annex A

Economies subject to these investigations:

1. Algeria
2. Angola
3. Argentina
4. Australia
5. The Bahamas
6. Bahrain
7. Bangladesh
8. Brazil
9. Cambodia
10. Canada
11. Chile
12. China, People's Republic of
13. Colombia
14. Costa Rica
15. Dominican Republic
16. Ecuador
17. Egypt
18. El Salvador
19. European Union
20. Guatemala
21. Guyana
22. Honduras
23. Hong Kong, China
24. India
25. Indonesia
26. Iraq
27. Israel
28. Japan
29. Jordan
30. Kazakhstan
31. Kuwait
32. Libya
33. Malaysia
34. Mexico
35. Morocco
36. New Zealand
37. Nicaragua
38. Nigeria
39. Norway
40. Oman
41. Pakistan
42. Peru
43. Philippines
44. Qatar
45. Russia
46. Saudi Arabia
47. Singapore
48. South Africa
49. South Korea
50. Sri Lanka
51. Switzerland
52. Taiwan
53. Thailand
54. Trinidad and Tobago
55. Türkiye
56. United Arab Emirates
57. United Kingdom
58. Uruguay
59. Venezuela
60. Vietnam

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OFFICE OF THE UNITED STATES TRADE REPRESENTATIVE

[Docket No. USTR–2026–0067 and USTR–2026–0068]

Initiation of Section 301 Investigations: Acts, Policies, and Practices of Certain Economies Relating to Structural Excess Capacity and Production in Manufacturing Sectors

AGENCY: Office of the United States Trade Representative (USTR).

ACTION: Notice of initiation of investigations and hearings, and a request for comments.

SUMMARY: The United States Trade Representative (Trade Representative)

has initiated investigations under Section 301 of the Trade Act of 1974 regarding the acts, policies, and practices of certain economies relating to structural excess capacity and production in certain manufacturing sectors. Key trading partners have developed production capacity untethered from the incentives of domestic and global demand. This excess capacity leads to, among others, overproduction and large or persistent trade surpluses, as well as underutilized and unused capacity, in manufacturing sectors. These investigations will focus on economies that appear to exhibit structural excess capacity and production in various manufacturing sectors, such as through large or persistent trade surpluses or underutilized or unused capacity: China, the European Union (EU), Singapore, Switzerland, Norway, Indonesia, Malaysia, Cambodia, Thailand, Korea, Vietnam, Taiwan, Bangladesh, Mexico, Japan, and India. The inter-agency Section 301 Committee is holding public hearings and seeking public comments in connection with these investigations. USTR will open dockets for submission of written comments and requests to appear at the hearings.

DATES:

March 11, 2026: The U.S. Trade Representative initiated the investigations.

March 17, 2026: USTR will open dockets for submission of written comments and requests to appear at the hearings.

April 15, 2026, at 11:59 p.m. EST: To be assured of consideration, submit written comments and any requests to appear at the hearings, along with a summary of the testimony, by this date.

May 5, 2026: The Section 301 Committee will convene public hearings in the main hearing room of the U.S. International Trade Commission, 500 E Street SW, Washington, DC 20436, beginning at 10:00 a.m., continuing, as necessary, until May 8.

Seven calendar days after the last day of the public hearing: Due date for submission of post-hearing rebuttal comments.

ADDRESSES: Submit documents in response to this notice, including written comments, hearing appearance requests, summaries of testimony, and post-hearing rebuttal comments through the online USTR portal: *https://comments.ustr.gov/s/*.

FOR FURTHER INFORMATION CONTACT: For procedural questions concerning comments or participating in the public hearing, contact the USTR Section 301 support line at (202) 395–5725. Direct all other questions regarding this notice to Philip Butler, Chair of the Section 301 Committee, or Nanda Srikantaiah, Assistant General Counsel, at (202) 395–5725.

SUPPLEMENTARY INFORMATION:

I. Background

Structural excess capacity and production in manufacturing sectors presents a serious challenge to U.S. efforts to re-shore supply chains and provide good-paying jobs for American workers. Key trading partners have developed production capacity untethered from the incentives of domestic and global demand. This excess capacity leads to, among others, overproduction and large or persistent trade surpluses, as well as underutilized and unused capacity, in manufacturing sectors. Structural excess capacity has been characterized generally as underutilized industrial production capacity that is sustained through governmental interventions or policies incentivizing companies to maintain or grow their unused capacity inefficiently.[1]

In 2024, global manufacturing generated $16.6 trillion dollars in economic output, up from $16.4 trillion in 2023, according to World Bank data. Nonetheless, according to U.S. government estimates, global manufacturing capacity utilization remains between 75.0 and 75.9 percent, below healthy utilization rates for many sectors of approximately 80 percent.[2] This is an indication that, for manufactured goods, although global production is expanding, underlying global supply exceeds underlying global demand. Further, unused foreign capacity can chill production and new investments in the United States. Indeed, many countries with excess capacity problems also have large trade surpluses with the world, or at least with the United States—the world's consumer market of last resort.

When global manufacturing investment outstrips global demand for manufactured goods, and production surpluses are concentrated within certain countries, production surpluses in those markets undermine industrial ecosystems in other countries. Across numerous sectors, many U.S. trading partners are disregarding market-based policies and producing more goods than they can consume or productively invest domestically. The result of this overproduction is large or persistent goods trade surpluses, including the expansion of exports to the United States or to third countries that, in turn, export to the United States. This displaces existing U.S. domestic production or prevents investment and expansion in U.S. manufacturing production that otherwise would have been brought online. These dynamics are reflected in U.S. global and bilateral goods trade deficits and the reduced contribution of manufacturing to U.S. gross domestic product. In the past fifteen years, U.S. capacity utilization peaked at 79.9 percent during President Trump's first term, declining to a low of 75.2 percent in November 2024 near the end of President Biden's term, further evidence that U.S. industry is not operating at its full competitive potential.

U.S. policy makers for years have expressed concern over large or persistent goods trade imbalances. For example, in the Omnibus Trade and Competitiveness Act of 1988, the U.S. Congress instructed: ''The principal negotiating objective of the United States regarding current account surpluses is to develop rules to address large and persistent global current account imbalances of countries, including imbalances which threaten the stability of the international trading system, by imposing greater responsibility on such countries to undertake policy changes aimed at restoring current account equilibrium, including expedited implementation of trade agreements where feasible and appropriate.'' [3] It is no coincidence that the same 1988 Act was passed in response to concerns about the decline of U.S. manufacturing competitiveness.

Low capacity utilization rates in the manufacturing sectors of some economies can be evidence of structural excess capacity in those sectors. For example, the Global Forum on Steel Excess Capacity (GFSEC) estimates that global steel excess capacity is expected to increase to 721 million metric tons by 2027. The worsening global steel excess capacity trend is being driven by a wide range of non-market practices that fuel new capacity growth that exceeds underlying market demand in some economies, in turn putting jobs, investments, and supply chains in other economies at risk.

Another example can be seen in the automotive sector where the United

[1] *See, e.g.,* Rhodium Group, ''Overcapacity at the Gate'' (Mar. 26, 2024), *https://rhg.com/research/overcapacity-at-the-gate/*.

[2] *See, e.g.,* Executive Office of the President, ''Proclamation 10896: Adjusting Imports of Steel into the United States,'' 90 FR 9,817 (Feb. 10, 2025) (identifying 80% as the target rate for steel capacity utilization).

[3] 19 U.S.C. 2901(b)(5), Public Law 100–418, title I, § 1101(b)(5), Aug. 23, 1988, 102 Stat. 1121.

States is one key destination for other economies' automotive exports, logging $157 billion and $128 billion deficits in the sector in 2024 and 2025, respectively. Structural excess capacity and production may also be evidenced by a large number of firms that are unprofitable, or cannot meet interest expenses through their operations. There is evidence of a growing number of such firms in China, as well as Japan. In addition, some countries export their excess capacity and production by establishing distribution and production networks in other countries. For example, as industrial production of electric vehicles in China exhausts national demand, there is evidence that China's national champion BYD is aggressively expanding its overseas distribution and production network, with factories in Uzbekistan, Thailand, Brazil, Hungary and Turkey. Further, analysts project that Chinese automakers will likely build additional capacity in Europe, a strategy invited and courted by current European political and business leaders, notwithstanding the fact that there is evidence that European automotive factories are operating at only 55 percent capacity utilization.

An illustrative list of sectors plagued by excess capacity and production includes aluminum, automobiles, batteries, cement, chemicals, electronics, energy goods, glass, machine tools, machinery, non-ferrous metals, paper, plastics, processed food and beverages, robotics, satellites, semiconductors, ships, solar modules, steel, and transportation equipment. In many of these sectors, the United States has lost substantial domestic production capacity or has fallen worryingly behind foreign competitors.

The creation or maintenance of structural excess capacity and production may result from policy interventions by trading partners that increase their domestic capacity and production while suppressing their domestic demand. Such interventions maintain capacity and production well above what would be expected under more market-oriented conditions. This may include: (1) promoting production and export untethered from market drivers of supply, demand, and investment, including through subsidies; (2) suppressing domestic wages; (3) non-commercial activities of state-owned or -controlled enterprises; (4) sustained market access barriers; (5) lax or inadequate environmental or labor protection or social safety net; (6) subsidized lending; (7) financial repression and currency practices; and others.

Among others, structural excess capacity in manufacturing sectors can be evidenced by the existence of large or persistent trade goods surpluses in certain sectors, including the nature and quality of an economy's trade balance with the United States; as well as by underutilized or unused production capacity or unprofitable firms in a given economy or sector.

The delta between manufacturing capacity and demand is often particularly acute in economies that have large and persistent trade surpluses. Economists have noted that a large manufacturing surplus requires an offsetting deficit in manufacturing elsewhere in the global economy. Trade surpluses are often rooted in domestic saving-investment imbalances shaped by government policies that tend to weaken domestic demand and promote overproduction and capacity in surplus countries. Instead of gains from trade flowing to workers and shareholders, these governments encourage firms to use these gains to fund or stimulate additional production capacity, regardless of demand. The resulting weak or depressed domestic consumption compels these economies to export their overproduction to underwrite their excess capacity, generating trade surpluses. In turn, the trading partners of these economies must run trade deficits, meaning they will have smaller tradeable goods sectors than would otherwise prevail.

The United Nations Industrial Development Organization's (UNIDO) recent quarterly report on Manufacturing Production and Trade indicates that China, Asia and Oceania (excluding China), and Europe have experienced trade surpluses in all manufactured goods, and in higher-tech manufactured goods, consistently for years.[4] In contrast, UNIDO reports that North America and Latin America have shown growing trade deficits in such goods during the same time period. The Report characterizes the manufacturing trade surplus countries as ''export-driven'' economies.[5] Moreover, North America—driven largely by the U.S. economy—accounts for less of world manufacturing output than it did in 2015. Not only does U.S. manufacturing account for less global manufacturing output, it also increasingly makes up a smaller share of the U.S. economy. According to U.S. Department of Commerce data, ''U.S. manufacturing value added was 10.5% of national GDP in 2023'' while ''Germany's manufacturing industry was 22.7%, China was 28.1%, and Japan was 21.7% with the world average being 17.2%.''

The nature and quality of an economy's trade balance with the United States is also an indicator of excess capacity. The United States is the global consumer market of last resort, and economies with productive capacity that outstrip their domestic demand tend to send overproduction to the United States, directly or indirectly through third countries. Excess capacity can be focused in certain tradeable sectors, leading to a large and persistent goods surplus with the United States. This can be the case even if a given economy might experience balanced trade or have an overall goods trade deficit with the United States or with the world.

II. Investigated Economies

These investigations will focus on the following economies that appear to exhibit structural excess capacity in various manufacturing sectors, such as through large or persistent trade surpluses or underutilized or unused capacity: China, the European Union, Singapore, Switzerland, Norway, Indonesia, Malaysia, Cambodia, Thailand, Korea, Vietnam, Taiwan, Bangladesh, Mexico, Japan, and India.[6]

Evidence of structural excess capacity and production exists for China. China's global goods trade surplus exceeded $1.2 trillion in 2025, a record high, and accounted for nearly 70 percent of global goods trade surpluses. In 2024, China's global goods trade surplus was $993 billion. By volume, China's trade surplus meaningfully expanded—with net export volumes increasing to the highest recorded levels amid a decline in China's export prices. China's bilateral goods trade surplus with the United States was the largest of any U.S. trading partner in 2024, at $361 billion in 2024. Additionally, China's data transparency is limited, and available data contains statistical anomalies that may suggest an even higher surplus. Overall, China's capacity utilization rate is 74.4 percent in 2025, which is down from 75 percent in 2024.

China maintains a global goods trade surplus across its economy, led by exports in sectors such as electronic equipment, machinery, automobiles and auto parts, plastics, furniture, articles of iron or steel, apparel, organic chemicals,

[4] United Nations Industrial Development Organization, Quarterly Report, Q3 2025, Manufacturing Production and Trade, *https://stat.unido.org/portal/storage/file/publications/qiip/World_Manufacturing_Production_2025_Q3.pdf.*

[5] *Id.*

[6] *See generally* U.S. Department of Treasury, Macroeconomic and Foreign Exchange Policies of Major Trading Partners of the United States (2020–2026) (''Report on Macroeconomic and Foreign Exchange Policies'').

toys and sporting goods, optical, photo, technical, and medical apparatus, iron and steel, footwear, ships and vessels, aluminum, and many others. Evidence suggests that China's goods trade surplus is driven by increasing excess manufacturing capacity and production in numerous sectors. In some of these sectors, Chinese excess capacity has driven global overcapacity. For example, the GFSEC has found that China's share of global excess capacity in steel production has ''risen significantly'' during the course of 2025, to 54 percent of the world gap between capacity and demand in Q3 2025, from 47 percent in Q3 2024. Similarly, China's production of lithium-ion batteries reached 1.9 times the volume of domestically installed batteries in 2022. With respect to polyethylene terephthalate (PET), evidence suggests that as China continues to purchase low-cost Russian oil, Chinese chemical companies are creating overcapacity in PET production.

Evidence of structural excess capacity and production exists for the European Union. Measured as a share of GDP, in 2024, the Euro area maintained a surplus on trade in goods of $451 billion and 2.3 percent of GDP. The European Union maintained a bilateral surplus of trade in goods with the United States of $237 billion in 2024. The European Union maintains a global goods trade surplus, led by exports in sectors such as chemicals and related products and machineries and vehicles. The European Union maintains this surplus despite very high energy prices and regulatory obstacles that inhibit economic growth.

Among EU Member States, for example, Germany has run a large trade surplus for well over a decade as production levels are consistently above domestic absorption. The goods trade surplus reached 5.6 percent of GDP in 2024. At the same time, Germany's bilateral goods trade surplus with the United States reached $102 billion in 2024. Germany maintains a large and persistent goods trade surplus, led by exports in sectors such as automobiles and auto parts, machinery, electronic equipment, pharmaceutical products, chemicals, and others. At the same time, capacity utilization rates in these sectors as of January 2026, such as chemicals (72.7 percent), have reached low levels.

Similarly, Ireland has run a significant goods trade surplus, amounting to $97 billion, or 15.9 percent of GDP in 2024. In 2023, its goods trade surplus with the rest of the world was $57 billion. In 2024, its bilateral goods trade surplus with the United States was $55 billion, driven by exports of the pharmaceutical sector. At only 72.7 percent in Q1 2026, Ireland's level of capacity utilization is low.

Evidence of structural excess capacity and production for Singapore includes large or persistent trade surpluses. Singapore maintains a global goods trade surplus, led by exports in sectors such as semiconductors, electronic equipment, petrochemicals, and pharmaceuticals. In 2024, the goods trade surplus was $47 billion, or 8.6 percent of GDP. Furthermore, evidence suggests Singapore's trade surplus in the semiconductor supply chain will grow. Similarly, evidence suggests that Singapore's state-owned industrial landlord continues to expand manufacturing capacity notwithstanding a recent drop in its industrial occupancy rate.

Evidence of structural excess capacity and production for Switzerland includes large or persistent goods trade surpluses. Switzerland's trade surplus reached 8.0 percent of GDP or $75 billion in 2024, and similarly was $54 billion in 2023. Switzerland had a bilateral surplus of trade in goods with the United States of $44 billion in 2024. Switzerland maintains a global goods trade surplus, led by exports in sectors such as refined gold, pharmaceutical products, organic chemicals, and machinery. Switzerland does not report official statistics on capacity utilization, but it has pursued policies in the past, such as currency intervention and sterilization of foreign exchange inflows, that contribute to structural excess capacity.

Evidence of structural excess capacity and production exists for Norway. Norway maintains a global goods trade surplus, led by exports in sectors such as mineral fuels and oils, certain electronic equipment, and machinery. In 2024, Norway's goods trade surplus was 13.8 percent of GDP, or $67 billion, down from a goods trade surplus of $79 billion in 2023. Norway's seafood exports hit a record high in 2025, with Norwegian companies exporting 2.8 million metric tons of seafood worth $18 billion, representing a 4 percent increase from 2024. At 77.7 percent in Q4 2025, Norway's rate of capacity utilization was more than a full percentage point below what it was a year ago, and over two percentage points less than it was three years ago. In addition, Norway engages in policies and practices that have the effect of undervaluing its domestic currency, including the use of state-owned or -controlled enterprises to recycle oil revenues into non-domestic currencies, like the U.S. dollar, rather than its domestic currency.

Evidence of structural excess capacity and production exists for Indonesia through large or persistent goods trade surpluses. In 2024, Indonesia had a $31 billion global goods trade surplus, led by exports in metals, agricultural products, fuels, textiles, and construction goods. Indonesia's bilateral goods trade surplus with the United States reached $18 billion in 2025. Indonesia's cement industry faces a persistent oversupply due to a significant imbalance between production and domestic demand.

Evidence of structural excess capacity and production exists for Malaysia through its large or persistent goods trade surpluses. Malaysia maintains a global goods trade surplus, led by exports in sectors such as electronic equipment, mineral fuels and oils, machinery, animal and vegetable fats and oils, and optical, photo, technical, and medical apparatuses. In 2024, Malaysia's trade surplus was 7.3 percent of its GDP, or $31 billion, down from $47 billion in 2023. In 2025, Malaysia maintained a bilateral goods trade surplus with the United States of $24 billion. Most of this surplus is focused on goods trade, driven by sectors such as electronics or machinery. Evidence suggests that Malaysia has significant excess capacity in its steel sector, which recorded capacity growth of 22 percent between 2018 and 2022, despite a 25 percent decline in steel demand during that timeframe.

Evidence of structural excess capacity and production exists for Cambodia. Cambodia maintains a bilateral trade surplus with the United States, which in 2025 was approximately $12 billion. Evidence indicates its garment, footwear, and travel goods (GFT) sector exported $11.8 billion in the first nine months of 2025, a 16 percent increase from the same period in 2024. When Cambodia's GFT industry was facing uncertainty with U.S. tariffs, Cambodia's Deputy Secretary-General stated that enhancing capacity along the product chains was an option to further boost the manufacturing sector and create lucrative opportunities.

Evidence of structural excess capacity and production exists for Thailand. It maintains a global goods trade surplus in sectors such as autos and auto parts, machinery, and rubber. Thailand's bilateral goods trade surplus with the United States totaled $51 billion in 2025, up from $35 billion in 2024. Evidence suggests Thailand's manufacturing sector has significant excess capacity, as it is operating at below 60% capacity for two consecutive years, with only one-third of industries recovering to pre-pandemic levels.

Evidence of structural excess capacity and production exists for Korea through large or persistent trade surpluses. Korea maintains a global goods trade surplus, led by exports in sectors such as electronic equipment, automobiles and auto parts, machinery, steel, and ships and marine vessels. Korea's global goods trade surplus expanded considerably in 2024, reaching $52 billion, up from a global goods trade deficit of $10 billion in 2023. Korea's bilateral goods trade surplus with the United States increased to $56 billion over the course of 2024, and remained around $49 billion through 2025. The Korean Government has acknowledged the need to cut capacity in the petrochemicals sector.

Evidence of structural excess capacity and production exists for Vietnam through large or persistent trade surpluses. Vietnam maintains a global goods trade surplus, led by exports in sectors such as electronic equipment, machinery, footwear, apparel, furniture, and steel. In 2025, Vietnam's trade surplus was $196 billion and $127 billion in 2024. Vietnam's bilateral goods trade surplus with the United States has expanded dramatically over the past six years, primarily driven by growth in goods trade, led by electronics and machinery. Vietnam's bilateral goods trade surplus with the United States stood at $178 billion in 2025. Vietnam also functions as a hub for the final assembly of goods before export, which contributes to its trade surplus. Evidence suggests Vietnam has excess capacity in its cement sector, including continued cement overcapacity of nearly 100 percent of domestic demand. Furthermore, Vietnam's intervention in foreign exchange markets and undervaluation of its currency were found to be unreasonable in a Section 301 investigation conducted by the U.S. Trade Representative in 2021.[7]

Evidence of structural excess capacity and production exists for Taiwan through large or persistent trade surpluses. Taiwan maintains a global goods trade surplus, led by exports in sectors such as semiconductors, electronic products, information technology products, and machinery. Taiwan's trade surplus in goods was $73.3 billion in 2024, similar to its goods trade surplus of $73.4 billion in 2023. Taiwan's bilateral goods trade surplus with the United States grew to a record $65 billion in 2024.

[7] Office of the United States Representative, ''Section 301 Investigation: Report on Vietnam's Acts, Policies, and Practices Related to Currency Valuation,'' (Jan. 15, 2021).

Evidence of structural excess capacity and production exists for Bangladesh, which has a bilateral goods trade surplus of $6.15 billion with the United States. This bilateral surplus is led by exports in the textiles sector. The government provides cash incentives for exports across forty-three sectors, including domestic textiles and leather products. Furthermore, Bangladesh's cement industry is wrestling with significant excess capacity in the midst of the industry's worst downturn in years, with Bangladesh's national consumption of cement dropping to 38MT in 2024—less than 40% of total capacity—and declining further in 2025.

Evidence of structural excess capacity and production exists for Mexico. Mexico's bilateral goods trade surplus with the United States was $197 billion in 2025, led by the automotive sector, as well as construction, rail and ship transportation, and health. Mexico's automotive industry is ranked fifth-largest globally in light vehicle and heavy-duty manufacturing, with global exports amounting to $104.8 billion in 2024. The United States accounts for 79.7 percent of Mexico's exports in the automotive sector. Furthermore, evidence suggests its steel industry achieved rapid capacity growth between 2000 and 2019. Specifically, Mexico's steel sector experienced a capacity increase of 9 MMT, representing a 46 percent increase, during that timeframe. There is also evidence of structural excess production in numerous other sectors of the Mexican economy, including process manufacturing in food and beverages.

Evidence of structural excess capacity and production exists for Japan. In 2024, Japan had a global goods trade deficit of about $36 billion, but with the United States, Japan had a bilateral goods trade surplus of $57 billion in 2024. Japan maintains a global goods trade surplus in sectors such as automobiles and auto parts, and optical, photo, technical, and medical apparatuses. Japan's trade surplus with the United States is heavily focused on the automotive sector, which accounts for more than one-third of its exports to the United States. Today, Japan is one of the world's largest global vehicle exporters, exporting 4.2 million units in 2024. The share of Japanese firms that fail to make a profit, yet nonetheless continue to operate, is an indication of excess capacity in Japan's economy.

Evidence of structural excess capacity and production exists for India. In 2025, India had a bilateral trade surplus with the United States of $42 billion. India's global goods trade surplus sectors include textiles, health, construction goods, and automotive goods. For example, evidence suggests the solar module sector is plagued by excess capacity, including that India's current module manufacturing is nearly triple annual domestic demand. India also has created significant excess capacity in petrochemicals, steel, and other industries.

III. Initiation of Section 301 Investigation

Section 302(b)(1)(A) of the Trade Act of 1974, as amended (Trade Act), authorizes the U.S. Trade Representative to initiate an investigation to determine whether an act, policy, or practice of a foreign country is actionable under section 301 of the Trade Act. Actionable matters under section 301 include acts, policies, and practices of a foreign country that are unreasonable or discriminatory and burden or restrict U.S. commerce. An act, policy, or practice is unreasonable if, while not necessarily in violation of, or inconsistent with, the international legal rights of the United States, it is otherwise unfair and inequitable.

On March 11, 2026, the U.S. Trade Representative initiated section 301 investigations of the acts, policies, and practices of certain economies relating to structural excess capacity or production in certain manufacturing sectors. Pursuant to section 302(b)(1)(B) of the Trade Act, USTR has consulted with appropriate advisory committees and the inter-agency Section 301 Committee. Pursuant to section 303(a) of the Trade Act, USTR is requesting consultations with the respective governments of each investigated economy.

Pursuant to section 304 of the Trade Act, USTR must determine whether the act, policy, or practice under investigation is actionable under section 301. If that determination is affirmative, the U.S. Trade Representative must determine whether action is appropriate, and if so, what action to take.

IV. Request for Public Comments

You may submit written comments on any issue covered by the investigation. In particular, USTR invites comments regarding:

- The acts, policies, and practices of each investigated economy creating or maintaining structural excess capacity or production in specific sectors.
- Whether the acts, policies, and practices are unreasonable or discriminatory.
- Whether the acts, policies, and practices burden or restrict U.S. commerce, and if so, the nature and

level of the burden or restriction. This would include economic assessments of the burden or restriction.

- Whether the acts, policies, and practices are actionable under section 301(b) of the Trade Act, and what action, if any, should be taken, including tariff and non-tariff actions.
- Whether there are additional considerations for assessing acts, policies, and practices that contribute to structural excess capacity or production in manufacturing sectors.

To be assured of consideration, USTR must receive written comments by 11:59 p.m. EST on April 15, 2026. Additional instructions on how to submit written comments are provided below in Part VI.

V. Hearing Participation

The Section 301 Committee will convene a public hearing covering each investigated economy beginning on May 5, 2026. To testify at the hearing, you must submit a request to appear using the electronic portal at *https://comments.ustr.gov/s/,* following the instructions in Part VI below. Requests to appear must indicate each investigation to which it applies, include a summary of testimony, and may be accompanied by a prehearing submission. Remarks at the hearing are limited to five minutes to allow for possible questions from the Section 301 Committee. All submissions must be in English. To be assured of consideration, USTR must receive your request to appear and summary of the testimony by April 15, 2026.

Post-hearing rebuttal comments, which should be limited to rebutting or supplementing testimony presented at the hearing, may be submitted within seven calendar days after the last day of the public hearing. Rebuttal comments must be submitted using the electronic portal at *https://comments.ustr.gov/s/,* following the instructions in Part VI below.

VI. Submission Instructions

Interested persons must submit written comments, requests to appear at the hearing, summaries of testimony, and post-hearing rebuttal comments using the appropriate docket on the portal at *https://comments.ustr.gov/s/.* To make a submission, use the docket on the portal entitled 'Request for Comments on the Section 301 Investigations of Acts, Policies, and Practices of Certain Economies Relating to Structural Excess Capacity and Production in Manufacturing Sectors,' docket number USTR–2026–0067. Interested persons wishing to provide testimony at the hearing must submit a notification of intent and summary of testimony using the docket entitled 'Request to Appear at the Hearing on the Section 301 Investigations of Acts, Policies, and Practices of Certain Economies Relating to Structural Excess Capacity and Production in Manufacturing Sectors,' docket number USTR–2026–0068.

You do not need to establish an account to submit comments or a notification of intent to testify. The first screen allows you to enter identification and contact information. Third party organizations such as law firms, trade associations, or customs brokers should identify the full legal name of the organization they represent and identify the primary point of contact for the submission. Information fields are optional. However, USTR may not consider your comment or request if insufficient information is provided. Fields with a gray Business Confidential Information (BCI) notation are for BCI information that will not be made publicly available. Fields with a green (Public) notation will be viewable by the public. After entering the identification and contact information, you can complete the remainder of the comment, or any portion of it, by clicking 'Next.' You may upload documents at the end of the form and indicate whether USTR should treat the documents as business confidential or public information. Any page containing BCI must be clearly marked 'BUSINESS CONFIDENTIAL' on the top of that page and the submission should clearly indicate, via brackets, highlighting, or other means, the specific information that is BCI. If you request business confidential treatment, you must certify in writing that the information would not customarily be released to the public.

Parties uploading attachments containing BCI also must submit a public version of their comments. If these procedures are not sufficient to protect BCI or otherwise protect business interests, please contact the USTR section 301 support line at (202) 395–5725 to discuss whether alternative arrangements are possible. USTR will post attachments uploaded to the docket for public inspection, except for properly designated BCI. You can view submissions on USTR's electronic portal at *https://comments.ustr.gov/s/.*

Jennifer Thornton,

General Counsel, Office of the United States Trade Representative.

[FR Doc. 2026–05214 Filed 3–16–26; 8:45 am]

BILLING CODE 3390–F4–P

DEPARTMENT OF TRANSPORTATION

Federal Highway Administration

Notice of Final Federal Agency Actions on Proposed Highway Projects in Texas

AGENCY: Federal Highway Administration (FHWA), DOT.

ACTION: Notice of limitation on claims for judicial review.

SUMMARY: The FHWA, on behalf of the Texas Department of Transportation (TxDOT), is issuing this notice to announce actions taken by TxDOT and other Federal agencies that are final agency actions. The actions relate to various proposed highway projects in the State of Texas. These actions grant licenses, permits, and approvals for the projects.

DATES: By this notice, the FHWA, on behalf of TxDOT, is advising the public of final agency actions subject to 23 U.S.C. 139(l)(1). A claim seeking judicial review of the Federal Agency actions on the highway projects listed below will be barred unless the claim is filed on or before August 14, 2026. If the Federal law that authorizes judicial review of a claim provides a time period of less than 150 days for filing such a claim, then that shorter time period still applies.

FOR FURTHER INFORMATION CONTACT: Patrick Lee, Environmental Affairs Division, Texas Department of Transportation, 125 East 11th Street, Austin, Texas 78701; telephone: (512) 419–8604; email: *Patrick.Lee@txdot.gov.* TxDOT's normal business hours are 8 a.m. to 5 p.m. (Central Standard Time), Monday through Friday, except State holidays.

SUPPLEMENTARY INFORMATION: The environmental review, consultation, and other actions required by applicable Federal environmental laws for these projects are being, or have been, carried out by TxDOT pursuant to 23 U.S.C. 327 and a Memorandum of Understanding dated July 17, 2025, and executed by the FHWA and TxDOT.

Notice is hereby given that TxDOT and Federal agencies have taken final agency actions by issuing licenses, permits, and approvals for the highway projects in the State of Texas that are listed below.

The actions by TxDOT and Federal agencies and the laws under which such actions were taken are described in the Categorical Exclusion (CE), Environmental Assessment (EA), or Environmental Impact Statement (EIS) issued in connection with the projects and in other key project documents. The

CE, EA, or EIS and other key documents for the listed projects are available by contacting the local TxDOT office at the address or telephone number provided for each project below.

This notice applies to all TxDOT and Federal agency decisions as of the issuance date of this notice and all laws under which such actions were taken, including but not limited to:

1. *General:* National Environmental Policy Act (NEPA) [42 U.S.C. 4321 *et seq.*]; Federal-Aid Highway Act [23 U.S.C. 109 and 23 U.S.C. 128]; 23 CFR part 771.

2. *Air:* Clean Air Act [42 U.S.C. 7401–7671(q)].

3. *Noise:* Noise Control Act of 1972 [42 U.S.C. 4901–4918]; 23 CFR part 772.

4. *Land:* Section 4(f) of the Department of Transportation Act of 1966 [23 U.S.C. 138 and 49 U.S.C. 303]; 23 CFR part 774; Land and Water Conservation Fund (LWCF) [54 U.S.C. 200302–200310]; Landscaping and Scenic Enhancement (Wildflowers) [23 U.S.C. 319].

5. *Wildlife:* Endangered Species Act [16 U.S.C. 1531–1544 and 1536], Marine Mammal Protection Act [16 U.S.C. 1361–1423h]; Anadromous Fish Conservation Act [16 U.S.C. 757(a)–757(f)]; Fish and Wildlife Coordination Act [16 U.S.C. 661–667(d)]; Migratory Bird Treaty Act [16 U.S.C. 703–712]; Magnuson-Stevenson Fishery Conservation and Management Act of 1976, as amended [16 U.S.C. 1801–1891d], with Essential Fish Habitat requirements [16 U.S.C. 1855(b)(2)].

6. *Historic and Cultural Resources:* Section 106 of the National Historic Preservation Act of 1966, as amended [54 U.S.C. 300101 *et seq.*]; Archaeological Resources Protection Act of 1979 (ARPA) [16 U.S.C. 470(aa)–470(II)]; Preservation of Historical and Archaeological Data [54 U.S.C. 312501–312508]; Native American Grave Protection and Repatriation Act (NAGPRA) [25 U.S.C. 3001–3013; 18 U.S.C. 1170].

7. *Social and Economic:* Civil Rights Act of 1964 [42 U.S.C. 2000(d)–2000(d)(1)]; American Indian Religious Freedom Act [42 U.S.C. 1996]; Farmland Protection Policy Act (FPPA) [7 U.S.C. 4201–4209].

8. *Wetlands and Water Resources:* Clean Water Act [33 U.S.C. 1251–1377] (Section 404, Section 401, Section 319); Coastal Barriers Resources Act (CBRA) [16 U.S.C. 3501–3510]; Coastal Zone Management Act (CZMA) [16 U.S.C. 1451–1466];; Safe Drinking Water Act (SDWA) [42 U.S.C. 300f–300j—26]; Rivers and Harbors Act of 1899 [33 U.S.C. 401–406]; Wild and Scenic Rivers Act [16 U.S.C. 1271–1287]; Emergency Wetlands Resources Act [16 U.S.C. 3921, 3931]; Wetlands Mitigation, [23 U.S.C. 119(g) and 133(b)(3)]; Flood Disaster Protection Act [42 U.S.C. 4001–4130].

9. *Hazardous Materials:* Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) [42 U.S.C. 9601–9675]; Superfund Amendments and Reauthorization Act of 1986 (SARA); Resource Conservation and Recovery Act (RCRA) [42 U.S.C. 6901–6992(k)].

10. *Executive Orders:* E.O. 11990 Protection of Wetlands; E.O. 11988 Floodplain Management; E.O. 11593 Protection and Enhancement of Cultural Resources; E.O. 13007 Indian Sacred Sites; E.O. 13287 Preserve America; E.O. 13175 Consultation and Coordination with Indian Tribal Governments; E.O. 13112 Invasive Species.

The projects subject to this notice are:

1. RM 2243 from SW Bypass to I–35, Williamson County, Texas. The project will widen RM 2243 from a 2-lane to a 4-lane roadway with a raised median and dedicated turn lanes from SW Bypass to Norwood Drive and will add bicycle and pedestrian improvements from SW Bypass to I–35. The project is approximately 1.8 miles in length. The actions by TxDOT and Federal agencies and the laws under which such actions were taken are described in the Categorical Exclusion Determination issued on December 9, 2025, and other documents in the TxDOT project file. The Categorical Exclusion Determination and other documents in the TxDOT project file are available by contacting the TxDOT Austin District Office at 7901 North I–35, Austin, TX 78753; telephone: (512) 832–7000.

2. FM 1570, from SH 66 to SH 34, Hunt County, Texas. The project includes roadway and drainage improvements for approximately 5.8 miles along FM 1570 in Greenville, Texas. The project will reconstruct the existing two-lane rural roadway to a four-lane roadway with curb and gutter and a two-way left turn lane. A continuous 8-foot-wide shared-use path will be constructed on both sides of the roadway. The actions by TxDOT and Federal agencies and the laws under which such actions were taken are described in the Categorical Exclusion Determination issued on December 17, 2025, and other documents in the TxDOT project file. The Categorical Exclusion Determination and other documents in the TxDOT project file are available by contacting the TxDOT Paris District Office at 3500 SW Loop 286 Paris, TX 75460; telephone: (903) 737–9300.

3. US 87, from 2 miles north of the Glasscock County line to 0.45 mile south of the Howard County line, Howard and Glasscock Counties, Texas. The project will construct a four-lane divided roadway with frontage roads and diamond interchanges with turnarounds at FM 821, FM 461 W and FM 461 E. The mainlanes will be 12 feet wide with 10-foot-wide inside and outside shoulders. One-way two-lane frontage roads will be constructed on each side of the roadway separated by a clear zone width of approximately 72 feet. Frontage road lanes will be 12 feet wide with 4-foot-wide inside and 10-foot-wide outside shoulders. Frontage roads will be built first and the remaining elements completed later. The length of the project is approximately 2.45 miles. The actions by TxDOT and Federal agencies and the laws under which such actions were taken are described in the Categorical Exclusion Determination issued on December 17, 2025, and other documents in the TxDOT project file. The Categorical Exclusion Determination and other documents in the TxDOT project file are available by contacting the TxDOT Abilene District Office at 4250 N. Clack, Abilene, TX 79601; telephone: (325) 676–6800.

4. US 59 from 0.75 mile south of FM 1686 to 1.32 mile north of FM 1686, Victoria County, Texas. The project will replace the parallel bridge structures and approaches on US 59 over Skytop Rd., BU 59, and the Kansas City Southern railway in Telferner, just east of Victora. Both the northbound and southbound bridges will carry four 12-foot travel lanes with 12-foot outside and inside shoulders. Northbound and southbound main lanes will consist of three 12-foot travel lanes with 12-foot shoulders on each side. Northbound and southbound frontage roads will consist of two 12-foot travel lanes with a 10-foot outside shoulder and four-foot inside shoulder. The project will also involve realignment of US 59 in some places and adjustments to turnarounds. The total project length is approximately 2.38 miles. The actions by TxDOT and Federal agencies and the laws under which such actions were taken are described in the Categorical Exclusion Determination issued on December 17, 2025, and other documents in the TxDOT project file. The Categorical Exclusion Determination and other documents in the TxDOT project file are available by contacting the TxDOT Yoakum District Office at 403 Huck St., Yoakum, TX 77995; telephone: (361) 293–4300.

5. Bentson Road, from FM 676 to FM 1924, Hidalgo County, Texas. The

project will widen the existing two-lane rural Bentsen Roadway. The project will include the addition of two northbound lanes, two southbound lanes, and a continuous left turn lane with curb, gutter, and an underground drainage system to improve the drainage of Bentsen Road. The length of the project is approximately two miles. The actions by TxDOT and Federal agencies and the laws under which such actions were taken are described in the Categorical Exclusion Determination issued on January 6, 2026, and other documents in the TxDOT project file. The Categorical Exclusion Determination and other documents in the TxDOT project file are available by contacting the TxDOT Pharr District Office at 600 West I–2, Pharr, TX 78577; telephone: (956) 702–6101.

6. FM 1015, from SH 107 to Mile 12 Road, Hidalgo County, Texas. The project will widen FM 1015 to a four-lane roadway. The roadway will consist of four 12-foot travel lanes (two in each direction), a 14-foot center left-turn lane, and 10-foot outside shoulders. In addition there will be a 10-foot shared use path on the east side of FM 1015, a six-foot sidewalk on the west side of FM 1015, and flashing beacons and pedestrian crosswalks at key intersections. The actions by TxDOT and Federal agencies and the laws under which such actions were taken are described in the Categorial Exclusion Determination issued on February 2, 2026, and other documents in the TxDOT project file. The Categorical Exclusion Determination and other documents in the TxDOT project file are available by contacting the TxDOT Pharr District Office at 600 W. Interstate 2, Pharr, TX 78577; telephone: (956) 702–6101.

7. Old Alice Road, from 0.2 mile south of Sports Park Boulevard to SH 100, Cameron County, Texas. The project will reconstruct and widen the existing two lane rural Old Alice Road to a four-lane divided urban roadway with shoulders and sidewalks. In addition, the project will replace the existing bridge that spans a drainage ditch and replace several culverts within the project limits. The project length is approximately 4.9 miles. The actions by TxDOT and Federal agencies and the laws under which such actions were taken are described in the Categorical Exclusion Determination issued on February 17, 2026, and other documents in the TxDOT project file. The Categorical Exclusion Determination and other documents in the TxDOT project file are available by contacting the TxDOT Pharr District Office at 600 W Interstate 2, Pharr, Texas 78577; telephone: (956) 702–6101.

8. Nuevo Hueco Tanks Road, from FM 76 to SH 20, El Paso County, Texas. The project will extend Nuevo Hueco Tanks Road from FM 76 to SH 20 in the City of Socorro. From FM 76 to Ysla Lateral Crossing, the project will construct a new roadway consisting of four 12-foot travel lanes, a 16-foot-wide raised median, and a 10-foot-wide shared use path on each side of the roadway. From the Ysla Lateral Crossing to SH 20, Nuevo Hueco Tanks Road will continue along the existing Nevarez Road alignment and will consist of four 11-foot travel lanes, a 16-foot raised median, and a 10-foot shared use path on each side of the roadway. The actions by TxDOT and Federal agencies and the laws under which such actions were taken are described in the Categorical Exclusion Determination issued on February 23, 2026, and other documents in the TxDOT project file. The Categorical Exclusion Determination and other documents in the TxDOT project file are available by contacting the TxDOT El Paso District Office at 13301 Gateway West, El Paso, Texas 79928; telephone: (915) 790–4341.

9. RM 620 from south of Foundation Road to Little Elm Trail, Travis and Williamson Counties, Texas. The project will construct an overpass that will function as a bypass lane in each direction through the Anderson Mill Road and El Salido Parkway intersections. The project is approximately 1.2 miles in length. The actions by TxDOT and Federal agencies and the laws under which such actions were taken are described in the Final EA, the Finding of No Significant Impact (FONSI) issued on February 10, 2026, and other documents in the TxDOT project file. The EA, FONSI and other documents in the TxDOT project file are available by contacting the TxDOT Austin District Office at 7901 North I–35, Austin, TX 78753; telephone: 512–832–7000.

(Catalog of Federal Domestic Assistance Program Number 20.205, Highway Planning and Construction. The regulations implementing Executive Order 12372 regarding intergovernmental consultation on Federal programs and activities apply to this program.)

(Authority: 23 U.S.C. 139(l)(1)).

Issued on: March 12, 2026.

Ed Burgos-Gomez,

Acting Director Program Development, Federal Highway Administration.

[FR Doc. 2026–05154 Filed 3–16–26; 8:45 am]

BILLING CODE 4910–RY–P

DEPARTMENT OF TRANSPORTATION

Federal Motor Carrier Safety Administration

[Docket No. FMCSA–2026–0036]

Qualification of Drivers; Exemption Applications; Epilepsy and Seizure Disorders

AGENCY: Federal Motor Carrier Safety Administration (FMCSA), Department of Transportation (DOT).

ACTION: Notice of applications for exemption; request for comments.

SUMMARY: FMCSA announces receipt of applications from 17 individuals for an exemption from the prohibition in the Federal Motor Carrier Safety Regulations (FMCSRs) against persons with a clinical diagnosis of epilepsy or any other condition that is likely to cause a loss of consciousness or any loss of ability to control a commercial motor vehicle (CMV) to drive in interstate commerce. If granted, the exemptions would enable these individuals who have had one or more seizures and are taking anti-seizure medication to operate CMVs in interstate commerce.

DATES: Comments must be received on or before April 16, 2026.

ADDRESSES: You may submit comments identified by Docket No. FMCSA–2026–0036 using any of the following methods:

- *Federal eRulemaking Portal:* Go to *www.regulations.gov,* insert the docket number (FMCSA–2026–0036) in the keyword box and click ''Search.'' Next, choose the only notice listed, and click on the ''Comment'' button. Follow the online instructions for submitting comments.
- *Mail:* Dockets Operations; U.S. Department of Transportation, 1200 New Jersey Avenue SE, W58–213, Washington, DC 20590–0001.
- *Hand Delivery or Courier:* Dockets Operations, U.S. Department of Transportation, 1200 New Jersey Avenue SE, W58–213, Washington, DC 20590–0001, between 9 a.m. and 5 p.m., 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.
- *Fax:* (202) 493–2251.

To avoid duplication, please use only one of these four methods. See the ''Public Participation'' portion of the **SUPPLEMENTARY INFORMATION** section for instructions on submitting comments.

FOR FURTHER INFORMATION CONTACT: Ms. Christine A. Hydock, Chief, Medical Programs Division, FMCSA, DOT, 1200

New Jersey Avenue SE, Washington, DC 20590–0001, (202) 366–4001, *fmcsamedical@dot.gov.* Office hours are 8:30 a.m. to 5 p.m. ET Monday through Friday, except Federal holidays. If you have questions regarding viewing or submitting material to the docket, contact Dockets Operations, (202) 366–9826.

SUPPLEMENTARY INFORMATION:

I. Public Participation

A. Submitting Comments

If you submit a comment, please include the docket number for this notice (FMCSA–2026–0036), indicate the specific section of this document to which each comment applies, and provide a reason for each suggestion or recommendation. 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 that FMCSA can contact you if there are questions regarding your submission.

To submit your comment online, go to *https://www.regulations.gov/docket/FMCSA-2026-0036.* Next, choose the only notice listed, click the ''Comment'' button, and type your comment into the text box on the following screen. Choose whether you are submitting your comment as an individual or on behalf of a third party and then submit.

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.

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.* 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

To view comments, go to *www.regulations.gov,* insert the docket number (FMCSA–2026–0036) in the keyword box and click ''Search.'' Next, choose the only notice listed, and click ''Browse Comments.'' If you do not have access to the internet, you may view the docket online by visiting Dockets Operations in room W58–213 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.

D. Privacy Act

In accordance with 49 U.S.C. 31315(b)(6), DOT solicits comments from the public on the exemption request. DOT posts these comments, including any personal information the commenter provides, to *www.regulations.gov,* as described in the system of records notice DOT/ALL–14 FDMS (Federal Docket Management System), which can be reviewed under the ''Department Wide System of Records Notices'' link 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.

II. Legal Basis

FMCSA has authority under 49 U.S.C. 31136(e) and 31315(b) to grant exemptions from the 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 absent such exemption, pursuant to the standard set forth 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)). FMCSA grants medical exemptions from the FMCSRs for a 2-year period to align with the maximum duration of a driver's medical certification.

III. Background

The physical qualification standard for drivers regarding seizures and loss of consciousness provides that a person is physically qualified to drive a CMV if that person has ''no established medical history or clinical diagnosis of epilepsy or any other condition which is likely to cause the loss of consciousness or any loss of ability to control'' a CMV (49 CFR 391.41(b)(8)). To assist in applying this standard, FMCSA publishes guidance for medical examiners (ME) in the form of medical advisory criteria in Appendix A to 49 CFR part 391.[1] In 2007, FMCSA published recommendations from a Medical Expert Panel (MEP) that FMCSA tasked to review the existing seizure disorder guidelines for MEs.[2] The MEP performed a comprehensive, systematic literature review, including evidence available at the time. The MEP issued recommended criteria to evaluate whether an individual with a history of epilepsy, a single unprovoked seizure, or a provoked seizure should be allowed to drive a CMV.

On January 15, 2013, FMCSA began granting exemptions, on a case-by-case basis, to individual drivers from the physical qualification standard regarding seizures and loss of consciousness in 49 CFR 391.41(b)(8) (78 FR 3069). The Agency considers the medical advisory criteria, the 2007 MEP recommendations, any public comments received, and each individual's medical

[1] Appendix A to Part 391, Title 49, available at *https://www.ecfr.gov/current/title-49/part-391/appendix-Appendix* A to Part 391.

[2] ''Expert Panel Recommendations, Seizure Disorders and Commercial Motor Vehicle Driver Safety,'' Medical Expert Panel (Oct. 15, 2007), available at *https://www.fmcsa.dot.gov/sites/fmcsa.dot.gov/files/2020-04/Seizure-Disorders-MEP-Recommendations-v2-prot%2010152007.pdf.*

information and driving record in deciding whether to grant the exemption.

The 17 individuals listed in this notice have requested an exemption from the epilepsy and seizure disorders prohibition in 49 CFR 391.41(b)(8). Accordingly, the Agency will evaluate the qualifications of each applicant to determine whether granting the exemption will achieve the required level of safety mandated by statute.

IV. Qualifications of Applicants

Andrew Barker

Andrew Barker is a 29-year-old class A commercial driver's license (CDL) holder in North Carolina. He has a history of seizure disorder and has been seizure free since April 2019. He takes an anti-seizure medication with the dosage and frequency remaining the same since July 9, 2025. His physician states that they are supportive of him receiving an exemption.

Kyle Benner

Kyle Benner is a 36-year-old class A driver's license holder in Pennsylvania. He has a history of provoked seizure and has been seizure free since December 19, 2022. He takes an anti-seizure medication with the dosage and frequency remaining the same since May 2025. His physician states that they are supportive of him receiving an exemption.

Devin Brockington

Devin Brockington is a 39-year-old class A CDL holder in Maryland. He has a history of a neurocytoma and has been seizure free since September 6, 2024. He takes an anti-seizure medication with the dosage and frequency remaining the same since June 1, 2025. His physician states that they are supportive of him receiving an exemption.

Wendy Cook

Wendy Cook is a 55-year-old class C driver's license holder in Oregon. She has a history of a provoked seizure and has been seizure free since February 11, 2025. She takes an anti-seizure medication with the dosage and frequency remaining the same since May 19, 2025. Her physician states that they are supportive of her receiving an exemption.

Caedmon Cunningham

Caedmon Cunningham is a 20-year-old class C driver's license holder in Kansas. He has a history of epilepsy and has been seizure free since November 2022. He takes an anti-seizure medication with the dosage and frequency remaining the same since January 2021. His physician states that they are supportive of him receiving an exemption.

Steven Ernest

Steven Ernest is a 46-year-old class B CDL holder in Maine. He has a history of provoked seizure and has been seizure free since November 2023. He takes an anti-seizure medication with the dosage and frequency remaining the same since January 10, 2024. His physician states that they are supportive of him receiving an exemption.

Chauncy Gibson

Chauncy Gibson is a 54-year-old class AM CDL holder in Georgia. He has a history of provoked seizures and has been seizure free since May 9, 2024. He takes an anti-seizure medication with the dosage and frequency remaining the same since August 2024. His physician states that they are supportive of him receiving an exemption.

Matthew Heller

Matthew Heller is a 52-year-old class D driver's license holder in New York. He has a history of epilepsy and has been seizure free since March 30, 2019. He takes an anti-seizure medication with the dosage and frequency remaining the same since September 2020. His physician states that they are supportive of him receiving an exemption.

Michael S. Miller

Michael S. Miller is a 39-year-old class C driver's license holder in California. He has a history of seizure disorder and has been seizure free since June 9, 2023. He takes an anti-seizure medication with the dosage and frequency remaining the same since June 2025. His physician states that they are supportive of him receiving an exemption.

Michael George Murray

Michael George Murray is a 46-year-old class C CDL holder in New York. He has a history of a single provoked seizure and has been seizure free since May 8, 2023. He takes an anti-seizure medication with the dosage and frequency remaining the same since 2023. His physician states that they are supportive of him receiving an exemption.

Brandon Petruzzi

Brandon Petruzzi is a 28-year-old class DM driver's license holder in Massachusetts. He has a history of a single provoked seizure and has been seizure free since February 3, 2025. He does not take an anti-seizure medication. His physician states that they are supportive of him receiving an exemption.

Scott Pontious

Scott Pontious is a 59-year-old class D driver's license holder in Ohio. He has a history of a single provoked seizure and has been seizure free since August 2022. He takes an anti-seizure medication with the dosage and frequency remaining the same since 2024. His physician states that they are supportive of him receiving an exemption.

Anthony Sanders

Anthony Sanders is a 33-year-old class E driver's license holder in Missouri. He has a history of provoked seizure and has been seizure free since January 2025. He does not take an anti-seizure medication. His physician states that they are supportive of him receiving an exemption.

Theodore Schoep

Theodore Schoep is a 44-year-old class D driver's license holder in Minnesota. He has a history of epilepsy and has been seizure free since 2007. He takes an anti-seizure medication with the dosage and frequency remaining the same since August 2011. His physician states that they are supportive of him receiving an exemption.

Ryen Seyfried

Ryen Seyfried is a 29-year-old class D driver's license holder in New York. He has a history of seizure disorder and has been seizure free since 2022. He takes an anti-seizure medication with the dosage and frequency remaining the same since 2022. His physician states that they are supportive of him receiving an exemption.

Jeffrey Sparkman

Jeffrey Sparkman is a 60-year-old class DA CDL holder in Kentucky. He has a history of seizure disorder and has been seizure free since August 19, 2025. He takes an anti-seizure medication with the dosage and frequency remaining the same since 2025. His physician states that they are supportive of him receiving an exemption.

Donte Watkins

Donte Watkins is a 35-year-old class A CDL holder in North Carolina. He has a history of provoked seizure and has been seizure free since December 2023. He takes an anti-seizure medication with the dosage and frequency remaining the same since February 2025. His physician states that they are

supportive of him receiving an exemption.

V. Request for Comments

In accordance with 49 U.S.C. 31136(e) and 31315(b), FMCSA requests public comment from all interested persons on the exemption applications described in this notice. FMCSA will consider all comments received before the close of business on the closing date indicated under the **DATES** section of the notice.

Larry W. Minor,

Associate Administrator for Policy.

[FR Doc. 2026–05184 Filed 3–16–26; 8:45 am]

BILLING CODE 4910–EX–P

DEPARTMENT OF TRANSPORTATION

Federal Motor Carrier Safety Administration

[Docket No. FMCSA–2026–0430]

Agency Information Collection Activities; Information Collection Renewal: Crash Causal Factors Program: Knowledge of Systems and Processes

AGENCY: Federal Motor Carrier Safety Administration (FMCSA), Department of Transportation (DOT).

ACTION: Notice and request for comments.

SUMMARY: In accordance with the Paperwork Reduction Act of 1995, FMCSA requests approval to renew an information collection request (ICR) titled, Crash Causal Factors Program: Knowledge of Systems and Processes.'' This ICR relates to the ''Study of Commercial Motor Vehicle Crash Causation,'' mandated by Congress in the Infrastructure and Investment Jobs Act (IIJA). To meet Congressional requirements, FMCSA established the Crash Causal Factors Program (CCFP) to conduct in-depth research to better understand the key factors that contribute to crashes involving large trucks and buses. Phase 1 of the CCFP, the Heavy-Duty Truck Study, focuses on fatal crashes involving heavy-duty (Class 7/8) trucks. This ICR renewal covers Phase 2, the Medium-Duty Truck Study, which will focus on crashes involving medium-duty (Class 3 through 6) trucks. To plan and execute the Medium-Duty Truck Study, FMCSA must collect information from the States and local jurisdictions to understand their interest or ability to participate in the study; existing crash data collection processes, systems, and resources; and commercial motor vehicle (CMV) enforcement funding mechanisms and sources. The IC is scheduled to expire on August 31, 2026.

DATES: Comments on this notice must be received on or before May 18, 2026.

ADDRESSES: You may submit comments identified by Docket Number FMCSA–2026–0430 using any of the following methods:

- *Federal eRulemaking Portal: https://www.regulations.gov.* Follow the online instructions for submitting comments.
- *Mail:* Dockets Operations; U.S. Department of Transportation, 1200 New Jersey Avenue SE, W58–213, Washington, DC 20590–0001.
- *Hand Delivery or Courier:* Dockets Operations, U.S. Department of Transportation, 1200 New Jersey Avenue SE, W58–213, 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.
- *Fax:* (202) 493–2251.

To avoid duplication, please use only one of these four methods. See the ''Public Participation and Request for Comments'' portion of the **SUPPLEMENTARY INFORMATION** section for instructions on submitting comments.

FOR FURTHER INFORMATION CONTACT: Kelly Stowe, Office of Research, Crash Data Analytics Division, DOT, FMCSA, 1200 New Jersey Avenue SE, Washington, DC 20590–0001; 617–386–6807; *kelly.stowe@dot.gov.*

SUPPLEMENTARY INFORMATION:

Instructions

All submissions must include the Agency name and docket number. For detailed instructions on submitting comments, see the Public Participation heading below. Note that all comments received will be posted without change to *https://www.regulations.gov,* including any personal information provided. Please see the Privacy Act heading below.

Public Participation and Request for Comments

If you submit a comment, please include the docket number for this notice (FMCSA–2026–0430), indicate the specific section of this document to which your comment applies, and provide a reason for each suggestion or recommendation. 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 FMCSA can contact you if there are questions regarding your submission.

To submit your comment online, go to *https://www.regulations.gov/docket/FMCSA-2026-0430/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.

Privacy Act

In accordance with 5 U.S.C. 553(c), DOT solicits comments from the public to better inform its regulatory process. DOT posts these comments, including any personal information the commenter provides, to *www.regulations.gov* as described in the system of records notice DOT/ALL 14 (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 edits and are searchable by the name of the submitter.

Background

On December 27, 2020, the Consolidated Appropriations Act, 2021 (Pub. L. 116–260), was signed into law, appropriating $30 million to FMCSA to ''carry out [a] study of the cause[s] of large truck crashes.'' On November 14, 2021, the President signed into law the IIJA (Pub. L. 117–58), which contains requirements for a larger study under section 23006, ''Study of Commercial Motor Vehicle Crash Causation.'' The requirements under section 23006 define the scope of the study to include all CMVs as defined in 49 U.S.C. 31132.

Section 23006(b)(1) of IIJA requires the Secretary to ''carry out a comprehensive study to determine the causes of, and contributing factors to, crashes that involve a commercial motor vehicle.'' Section 23006(b)(2) further requires the Secretary to:

A. Identify data requirements, data collection procedures, reports, and any other measures that can be used to improve the ability of States and the Secretary to evaluate future crashes involving CMVs;

B. Monitor crash trends and identify causes and contributing factors; and

C. Develop effective safety improvement policies and programs.

To meet the requirements of Section 23006, FMCSA established the CCFP.

Through the CCFP, FMCSA is conducting in-depth research to better understand the key factors that contribute to crashes involving large trucks and buses. Phase 1 of the CCFP, the Heavy-Duty Truck Study, is focusing on fatal crashes involving heavy-duty (Class 7/8) trucks.[1] Study data will be collected over a 2-year period. This information collection (IC) renewal covers Phase 2, the Medium-Duty Truck Study, which will focus on crashes involving medium-duty (Class 3 through 6) trucks.[2] Future phases of the study will focus on different CMV populations (such as passenger carriers) or crash severities (*i.e.,* serious injury crashes).

Congress anticipated that FMCSA would need to consult with the States and a variety of other experts when planning and executing the study, as noted in section 23006(d), which reads: ''In designing and carrying out the study, the Secretary may consult with individuals or entities with expertise on—

1. Crash causation and prevention;
2. Commercial motor vehicles, commercial drivers, and motor carriers, including passenger carriers;
3. Highways and noncommercial motor vehicles and drivers;
4. Federal and State highway and motor carrier safety programs;
5. Research methods and statistical analysis; and
6. Other relevant topics, as determined by the Secretary.''

This IC will collect data from Federal, State, and local highway and motor carrier safety programs. It will focus on identifying and documenting States' and local jurisdictions' interest in participating in the study; agreements that the States or jurisdictions will require to participate in the study; existing crash data collection processes, systems, tools, training, and quality control processes; and CMV enforcement funding mechanisms and sources.

How the Agency Will Use Collected Information

FMCSA will use collected information from four ICs:

- *IC–1:* Identifying Points of Contact
- *IC–2:* Sample Design; Partnerships and Coordination
- *IC–3:* Crash Data Collection
- *IC–4:* CMV Enforcement Resources and Funding

Information collected under these four ICs will inform various elements of the study plan, including the sample design, data collection plans, participation agreements, resourcing plans, and development of the study database. Below are additional details on how FMCSA will use collected information to develop various study plan elements.

IC–1: Identifying Points of Contact

Before collecting information for ICs 2, 3, and 4, FMCSA will first need to identify the appropriate points of contact in each State/jurisdiction for the remaining IC components. Once FMCSA obtains contact information from the States, the Agency will distribute a web-based survey for IC–2, IC–3, and IC–4 to the relevant point of contact in each State or jurisdiction. Below are additional details on how FMCSA will use collected information to develop various study plan elements.

IC–2: Sample Design; Partnerships and Coordination

The original Large Truck Crash Causation Study conducted from 2001 through 2003 leveraged the sample design from the National Highway Traffic Safety Administration's (NHTSA) National Automotive Sampling System (NASS) Crashworthiness Data System (CDS). NHTSA has since replaced the system with the Crash Investigation Sampling System (CISS).[3] Both NASS CDS and CISS are focused on crashes involving passenger vehicles (*i.e.,* passenger cars, light trucks, vans, and utility vehicles). IIJA mandated NHTSA to upgrade CISS to include additional program sites, an expanded scope to include all crash types, and add on-scene investigation protocols. In 2024, NHTSA deployed the first phase of the CISS modernization by increasing its data collection sites from 32 to 40, expanding the scope of data collection, and investigating crashes involving non-motorists and motorcyclists.[4] Future phases may include crashes involving vehicles greater than 10,000 pounds and an on-scene (rapid response) data collection effort. While NHTSA is working to expand CISS data collection efforts, CISS was not designed to collect data on a representative sample of crashes involving CMVs, which is considered a rare population. In a discussion on special crash populations in the 2019 sample design and weighting documentation for CISS,[5] NHTSA stated that ''[t]he most efficient way to study a rare population is to design a special study that solely targets that particular rare population.'' Due to current limitations of the CISS methodology, FMCSA developed a new sample design for the Heavy-Duty Truck Study and plans to update that design for the Medium-Duty Truck Study. FMCSA will coordinate with NHTSA where feasible to account for potential overlap with planned CISS modernization efforts.

To allow for a nationally representative sample design, the Agency will need to identify an appropriate mix of State and local jurisdictions. Participating States and local jurisdictions will be asked to collect and share the required study data and troubleshoot study-related issues as they arise. The information collected under IC–2 will inform the sample design for this study. It will also provide important information about State- or local jurisdiction-required participation and data sharing agreements.

IC–3: Crash Data Collection

FMCSA is planning to leverage existing State and local jurisdiction resources (where possible) to collect required study data. This will be a complex effort that will require substantial information sharing and coordination between participating States/jurisdictions and FMCSA.

Under IC–3, FMCSA will seek to learn more about the data elements that State and local jurisdictions are already collecting; State and local jurisdiction medium-duty truck crash reporting criteria and notification systems; State and local jurisdiction crash data collection systems and processes (*e.g.,* what systems exist, who owns the system(s), the data flow from roadside to the system, whether the system can interface with other systems, etc.); existing crash data collection trainings offered by the State/jurisdiction; existing State/jurisdiction crash data collection tools; and crash data quality reviews that States and local jurisdictions currently conduct. While

[1] Heavy-duty trucks, or Class 7/8 trucks, have a gross vehicle weight rating (GVWR) of 26,001 pounds or more. Examples of heavy-duty trucks include truck-tractor semi-trailers, furniture trucks, garbage trucks, and cement trucks.

[2] Medium-duty trucks, or Class 3 through 6 trucks, have a GVWR of 10,001–26,000 pounds. Examples of medium-duty trucks include bucket trucks, box trucks, city delivery vans, and full-size pickup trucks.

[3] NHTSA, Crash Investigation Sampling System: Motor Vehicle Crash Data Collection, accessed February 6, 2026, at *https://www.nhtsa.gov/crash-data-systems/crash-investigation-sampling-system.*

[4] NHTSA, Overview of the 2024 Crash Investigation Sampling System, accessed February 4, 2026, at *https://crashstats.nhtsa.dot.gov/Api/Public/ViewPublication/813769.*

[5] Zhang, F., Noh, E. Y., Subramanian, R., & Chen, C.L. (2019, September). *Crash Investigation Sampling System: Sample Design and Weighting* (Report No. DOT HS 812 804). Washington, DC: National Highway Traffic Safety Administration. Accessed February 6, 2026, at *https://crashstats.nhtsa.dot.gov/Api/Public/ViewPublication/812804.*

FMCSA will build on insights gained from the Heavy-Duty Truck Study, the Agency seeks updated information because some States and local jurisdictions may have changed their data collection processes or they may differ for medium-duty trucks. The Agency will use this information to inform the study crash data collection plan and requirements for the study database.

IC–4: CMV Enforcement Resources and Funding

FMCSA must collect information from States and local jurisdictions to understand whether existing CMV enforcement resources can meet the study needs, and if not, to determine how much additional funding or resources jurisdictions will require to collect the necessary data. IC–4 will identify available CMV enforcement resources within States/jurisdictions, funding sources for existing CMV enforcement resources and activities (*e.g.,* State-funded versus FMCSA grant-funded), and whether there is a mechanism for the local jurisdiction to receive study funding through FMCSA's grant programs (*i.e.,* as a sub-grantee). Information collected under IC–4 will also inform FMCSA resourcing plans outside of the States/jurisdictions (*e.g.,* whether the Agency will need to hire third-party interviewers to interview involved drivers, motor carriers, and witnesses).

Method of Collection

FMCSA will collect the required information for IC–1 via email. For ICs 2, 3, and 4, FMCSA will leverage a web-based survey application combined with a document sharing platform (*e.g.,* Google, Huddle) or email (if needed) to collect information. FMCSA believes that all respondents will have State or local government-provided information technology equipment (*e.g.,* laptops, mobile devices, etc.) and internet access; as such, the Agency believes electronic submissions will be most cost-effective and efficient for respondents (as opposed to mail-based submissions or some other means). FMCSA estimates that 100 percent of submissions will be electronic.

Results of Data Collection

FMCSA does not plan to publish results from this data collection. Results from this data collection, which will be descriptive and/or qualitative in nature, will inform the study sample design, participation agreements, data collection plans, resource plans, and study database requirements. No complex analytical techniques will be used. Final results from the overall study, once completed, will be published in a final study report. Study findings will ultimately provide new information resources that motor carriers, States, safety advocacy groups, FMCSA, and others can use to develop effective, targeted strategies to reduce crashes. As part of the CCFP, this IC supports DOT's and FMCSA's heightened effort to address the rising number of fatal crashes and reduce roadway fatalities.

Title: Crash Causal Factors Program: Knowledge of Systems and Processes.

OMB Control Number: 2126–0079.

Type of Request: IC Renewal Request.

Respondents: State and local Government employees (first-line supervisors of police and detectives; police and sheriff's patrol officers; general and operations managers; chief executives; computer and information systems managers; and computer and mathematical operations workers).

Estimated Number of Respondents: 2,160 respondents.

Estimated Time per Response: 2 hours per response for IC–1, 2.5 hours per response for IC–2, 3.83 hours per response for IC–3, 1.67 hours per response for IC–4.

Expiration Date: August 31, 2026.

Frequency of Response: Once for IC–1 and IC–2; no more than once annually for IC–3 and IC–4.

Estimated Total Annual Burden: 9,127.5 hours total, or 3,042.5 hours annually (215.5 annual hours for State computer and information systems managers + 495 annual hours for local computer and information systems managers + 112 annual hours for State police and sheriff's patrol officers + 210 annual hours for local police and sheriff's patrol officers + 293.5 annual hours for State first-line supervisors of police and detectives + 705 annual hours for local first-line supervisors of police and detectives + 42.5 annual hours for State general and operations managers + 125 annual hours for local general and operations managers + 42.5 annual hours for State chief executives + 125 annual hours for local chief executives + 181.5 annual hours for State computer and mathematical operations workers + 495 annual hours for local computer and mathematical operations workers = 3,042.5 annual 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 performance of FMCSA's functions; (2) the accuracy of the estimated burden; (3) ways for FMCSA to enhance the quality, usefulness, and clarity of the collected information; and (4) ways that the burden could be minimized without reducing the quality of the collected information. The Agency will summarize or include your comments in the request for OMB's clearance of this IC renewal request.

Issued under the authority of 49 CFR 1.87.

David M. Sutula,

Acting Associate Administrator, Office of Research and Registration.

[FR Doc. 2026–05137 Filed 3–16–26; 8:45 am]

BILLING CODE 4910–EX–P

DEPARTMENT OF TRANSPORTATION

Federal Motor Carrier Safety Administration

[Docket No. FMCSA–2026–0049]

Qualification of Drivers; Exemption Applications; Hearing

AGENCY: Federal Motor Carrier Safety Administration (FMCSA), Department of Transportation (DOT).

ACTION: Notice of applications for exemption; request for comments.

SUMMARY: FMCSA announces receipt of applications from eight individuals for an exemption from the hearing requirement in the Federal Motor Carrier Safety Regulations (FMCSRs) to operate a commercial motor vehicle (CMV) in interstate commerce. If granted, the exemptions would enable these hard of hearing and deaf individuals to operate CMVs in interstate commerce.

DATES: Comments must be received on or before April 16, 2026.

ADDRESSES: You may submit comments identified by Docket No. FMCSA–2026–0049 using any of the following methods:

- *Federal eRulemaking Portal:* Go to *www.regulations.gov,* insert the docket number (FMCSA–2026–0049) in the keyword box and click ''Search.'' Next, choose the only notice listed, and click on the ''Comment'' button. Follow the online instructions for submitting comments.
- *Mail:* Dockets Operations; U.S. Department of Transportation, 1200 New Jersey Avenue SE, W58–213, Washington, DC 20590–0001.
- *Hand Delivery or Courier:* Dockets Operations, U.S. Department of Transportation, 1200 New Jersey Avenue SE, W58–213, Washington, DC 20590–0001, between 9 a.m. and 5 p.m., 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.

- *Fax:* (202) 493–2251.

To avoid duplication, please use only one of these four methods. See the ''Public Participation'' portion of the **SUPPLEMENTARY INFORMATION** section for instructions on submitting comments.

FOR FURTHER INFORMATION CONTACT: Ms. Christine A. Hydock, Chief, Medical Programs Division, FMCSA, DOT, 1200 New Jersey Avenue SE, Washington, DC 20590–0001, (202) 366–4001, *fmcsamedical@dot.gov.* Office hours are 8:30 a.m. to 5 p.m. ET Monday through Friday, except Federal holidays. If you have questions regarding viewing or submitting material to the docket, contact Dockets Operations, (202) 366–9826.

SUPPLEMENTARY INFORMATION:

I. Public Participation

A. Submitting Comments

If you submit a comment, please include the docket number for this notice (FMCSA–2026–0049), indicate the specific section of this document to which each comment applies, and provide a reason for each suggestion or recommendation. 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 that FMCSA can contact you if there are questions regarding your submission.

To submit your comment online, go to *https://www.regulations.gov/docket/FMCSA-2026-0049.* Next, choose the only notice listed, click the ''Comment'' button, and type your comment into the text box on the following screen. Choose whether you are submitting your comment as an individual or on behalf of a third party and then submit.

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.

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.* 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

To view comments, go to *www.regulations.gov,* insert the docket number (FMCSA–2026–0049) in the keyword box and click ''Search.'' Next, choose the only notice listed, and click ''Browse Comments.'' If you do not have access to the internet, you may view the docket online by visiting Dockets Operations in room W58–213 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.

D. Privacy Act

In accordance with 49 U.S.C. 31315(b)(6), DOT solicits comments from the public on the exemption request. DOT posts these comments, including any personal information the commenter provides, to *www.regulations.gov,* as described in the system of records notice DOT/ALL–14 FDMS (Federal Docket Management System), which can be reviewed under the ''Department Wide System of Records Notices'' link 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.

II. Legal Basis

FMCSA has authority under 49 U.S.C. 31136(e) and 31315(b) to grant exemptions from the 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 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)). FMCSA grants medical exemptions from the FMCSRs for a 2-year period to align with the maximum duration of a driver's medical certification.

III. Background

The physical qualification standard for drivers regarding hearing, found in 49 CFR 391.41(b)(11), states that a person is physically qualified to drive a CMV if that person first perceives a forced whispered voice in the better ear at not less than 5 feet with or without the use of a hearing aid or, if tested by use of an audiometric device, does not have an average hearing loss in the better ear greater than 40 decibels at 500 Hz, 1,000 Hz, and 2,000 Hz with or without a hearing aid when the audiometric device is calibrated to American National Standard (formerly ASA Standard) Z24.5—1951.

This standard was adopted in 1970 and was revised in 1971 to allow drivers to be qualified under this standard while wearing a hearing aid (35 FR 6458, 6463 (Apr. 22, 1970) and 36 FR 12857 (July 8, 1971)). In 2008, FMCSA published Evidence Report, ''Executive Summary on Hearing, Vestibular Function and Commercial Motor Driving Safety.'' [1] The evidence report reached two conclusions regarding the matter of hearing loss and CMV driver safety: (1) no studies that examined the relationship between hearing loss and crash risk exclusively among CMV

[1] *https://www.fmcsa.dot.gov/regulations/medical/hearing-vestibular-function-and-commercial-motor-vehicle-driver-safety-executive.*

drivers were identified; and (2) evidence from studies of the private driver's license holder population does not support the contention that individuals with hearing impairment are at an increased risk for a crash.

On February 1, 2013, FMCSA began granting exemptions, on a case-by-case basis, to individual drivers from the physical qualification standard regarding hearing in 49 CFR 391.41(b)(11) (78 FR 3069). The Agency considers relevant scientific information and literature, the 2008 Evidence Report, ''Executive Summary on Hearing, Vestibular Function and Commercial Motor Driving Safety,'' any public comments received, and each individual's driving record in deciding whether to grant the exemption.

The eight individuals listed in this notice have requested an exemption from the hearing standard in 49 CFR 391.41(b)(11). Accordingly, the Agency will evaluate the qualifications of each applicant to determine whether granting the exemption will achieve the required level of safety mandated by statute.

IV. Qualifications of Applicants

Steven Belsvik

Mr. Belsvik, 64, holds a class A commercial driver's license (CDL) in Minnesota.

Jennifer Besenyei

Ms. Besenyei, 34, holds a class A CDL in Florida.

Kristie Boling

Ms. Boling, 45, holds a class D driver's license in Ohio.

Richard Bruischart

Mr. Bruischart, 52, holds a class O driver's license in Michigan.

Jerry Glover

Mr. Glover, 75, holds a class AMV CDL in Alabama.

Gary Holt

Mr. Holt, 73, holds a class ABCDM CDL in Wisconsin.

Matthew Palanti

Mr. Palanti, 42, holds a class C driver's license in Pennsylvania.

Michael Paytosh

Mr. Paytosh, 50, holds a class D driver's license in Ohio.

V. Request for Comments

In accordance with 49 U.S.C. 31136(e) and 31315(b), FMCSA requests public comment from all interested persons on the exemption applications described in this notice. FMCSA will consider all comments received before the close of business on the closing date indicated under the **DATES** section of the notice.

Larry W. Minor,

Associate Administrator for Policy.

[FR Doc. 2026–05181 Filed 3–16–26; 8:45 am]

BILLING CODE 4910–EX–P

DEPARTMENT OF TRANSPORTATION

Federal Motor Carrier Safety Administration

[Docket No. FMCSA–2026–0035]

Qualification of Drivers; Exemption Applications; Epilepsy and Seizure Disorders

AGENCY: Federal Motor Carrier Safety Administration (FMCSA), Department of Transportation (DOT).

ACTION: Notice of applications for exemption; request for comments.

SUMMARY: FMCSA announces receipt of applications from 14 individuals for an exemption from the prohibition in the Federal Motor Carrier Safety Regulations (FMCSRs) against persons with a clinical diagnosis of epilepsy or any other condition that is likely to cause a loss of consciousness or any loss of ability to control a commercial motor vehicle (CMV) to drive in interstate commerce. If granted, the exemptions would enable these individuals who have had one or more seizures and are taking anti-seizure medication to operate CMVs in interstate commerce.

DATES: Comments must be received on or before April 16, 2026.

ADDRESSES: You may submit comments identified by Docket No. FMCSA–2026–0035 using any of the following methods:

- *Federal eRulemaking Portal:* Go to *www.regulations.gov,* insert the docket number (FMCSA–2026–0035) in the keyword box and click ''Search.'' Next, choose the only notice listed, and click on the ''Comment'' button. Follow the online instructions for submitting comments.
- *Mail:* Dockets Operations, U.S. Department of Transportation, 1200 New Jersey Avenue SE, W58–213, Washington, DC 20590–0001.
- *Hand Delivery or Courier:* Dockets Operations, U.S. Department of Transportation, 1200 New Jersey Avenue SE, W58–213, Washington, DC 20590–0001, between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays.
- *Fax:* (202) 493–2251.

To avoid duplication, please use only one of these four methods. See the ''Public Participation'' portion of the **SUPPLEMENTARY INFORMATION** section for instructions on submitting comments.

FOR FURTHER INFORMATION CONTACT: Ms. Christine A. Hydock, Chief, Medical Programs Division, FMCSA, DOT, 1200 New Jersey Avenue SE, Washington, DC 20590–0001; (202) 366–4001; *fmcsamedical@dot.gov*. Office hours are 8:30 a.m. to 5 p.m. ET Monday through Friday, except Federal holidays. If you have questions regarding viewing or submitting material to the docket, contact Dockets Operations, (202) 366–9826.

SUPPLEMENTARY INFORMATION:

I. Public Participation

A. Submitting Comments

If you submit a comment, please include the docket number for this notice (FMCSA–2026–0035), indicate the specific section of this document to which each comment applies, and provide a reason for each suggestion or recommendation. 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 that FMCSA can contact you if there are questions regarding your submission.

To submit your comment online, go to *https://www.regulations.gov/docket/FMCSA-2026-0035*. Next, choose the only notice listed, click the ''Comment'' button, and type your comment into the text box on the following screen. Choose whether you are submitting your comment as an individual or on behalf of a third party and then submit.

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.

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*. 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

To view comments, go to *www.regulations.gov,* insert the docket number (FMCSA–2026–0035) in the keyword box and click ''Search.'' Next, choose the only notice listed, and click ''Browse Comments.'' If you do not have access to the internet, you may view the docket online by visiting Dockets Operations in room W58–213 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.

D. Privacy Act

In accordance with 49 U.S.C. 31315(b)(6), DOT solicits comments from the public on the exemption request. DOT posts these comments, including any personal information the commenter provides, to *www.regulations.gov,* as described in the system of records notice DOT/ALL–14 FDMS (Federal Docket Management System), which can be reviewed under the ''Department Wide System of Records Notices'' link 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.

II. Legal Basis

FMCSA has authority under 49 U.S.C. 31136(e) and 31315(b) to grant exemptions from the 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 absent such exemption, pursuant to the standard set forth 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)). FMCSA grants medical exemptions from the FMCSRs for a 2-year period to align with the maximum duration of a driver's medical certification.

III. Background

The physical qualification standard for drivers regarding seizures and loss of consciousness provides that a person is physically qualified to drive a CMV if that person has ''no established medical history or clinical diagnosis of epilepsy or any other condition which is likely to cause the loss of consciousness or any loss of ability to control'' a CMV (49 CFR 391.41(b)(8)). To assist in applying this standard, FMCSA publishes guidance for medical examiners (ME) in the form of medical advisory criteria in Appendix A to 49 CFR part 391.[1] In 2007, FMCSA published recommendations from a Medical Expert Panel (MEP) that FMCSA tasked to review the existing seizure disorder guidelines for MEs.[2] The MEP performed a comprehensive, systematic literature review, including evidence available at the time. The MEP issued recommended criteria to evaluate whether an individual with a history of epilepsy, a single unprovoked seizure, or a provoked seizure should be allowed to drive a CMV.

On January 15, 2013, FMCSA began granting exemptions, on a case-by-case basis, to individual drivers from the physical qualification standard regarding seizures and loss of consciousness in 49 CFR 391.41(b)(8) (78 FR 3069). The Agency considers the medical advisory criteria, the 2007 MEP recommendations, any public comments received, and each individual's medical information and driving record in deciding whether to grant the exemption.

The 14 individuals listed in this notice have requested an exemption from the epilepsy and seizure disorders prohibition in 49 CFR 391.41(b)(8). Accordingly, the Agency will evaluate the qualifications of each applicant to determine whether granting the exemption will achieve the required level of safety mandated by statute.

IV. Qualifications of Applicants

Walter Albaugh

Walter Albaugh is a 42-year-old class D license holder in Massachusetts. He has a history of seizure disorder and has been seizure free since September 2016. He takes an anti-seizure medication with the dosage and frequency remaining the same since 2014. His physician states that they are supportive of him receiving an exemption.

Cadan Asterino

Cadan Asterino is a 25-year-old class D license holder in Arizona. He has a history of generalized epilepsy and has been seizure free since 2014. He takes an anti-seizure medication with the dosage and frequency remaining the same since 2015. His physician states that they are supportive of him receiving an exemption.

Alexander Blakes

Alexander Blakes is a 41-year-old class A license holder in Maryland. He has a history of a single provoked seizure and has been seizure free since October 25, 2022. He takes an anti-seizure medication with the dosage and frequency remaining the same since 2022. His physician states that they are supportive of him receiving an exemption.

Cooper Franklin

Cooper Franklin is a 23-year-old class C license holder in North Carolina. He has a history of a provoked seizure and has been seizure free since September 2018. He does not take an anti-seizure medication. His physician states that they are supportive of him receiving an exemption.

[1] Appendix A to Part 391, Title 49, available at *https://www.ecfr.gov/current/title-49/part-391/appendix-Appendix* A to Part 391.

[2] ''Expert Panel Recommendations, Seizure Disorders and Commercial Motor Vehicle Driver Safety,'' Medical Expert Panel (Oct. 15, 2007), available at *https://www.fmcsa.dot.gov/sites/fmcsa.dot.gov/files/2020-04/Seizure-Disorders-MEP-Recommendations-v2-prot%2010152007.pdf.*

Anthony Fertitta

Anthony Fertitta is a 31-year-old class D license holder in Massachusetts. He has a history of seizure disorder and has been seizure free since August 2016. He takes an anti-seizure medication with the dosage and frequency remaining the same since 2016. His physician states that they are supportive of him receiving an exemption.

Cody Ford

Cody Ford is a 35-year-old class O license holder in Michigan. He has a history of seizures and has been seizure free since 2018. He takes an anti-seizure medication with the dosage and frequency remaining the same since 2018. His physician states that they are supportive of him receiving an exemption.

Terry Gribbons

Terry Gribbons is a 32-year-old class DA license holder in Kentucky. He has a history of preoperative seizures and has been seizure free since September 24, 2017. He takes an anti-seizure medication with the dosage and frequency remaining the same since September 2017. His physician states that they are supportive of him receiving an exemption.

Andrew Horton

Andrew Horton is a 21-year-old enhanced license holder in Washington. He has a history of focal epilepsy and has been seizure free since September 2017. He takes an anti-seizure medication with the dosage and frequency remaining the same since September 2017. His physician states that they are supportive of him receiving an exemption.

Bryel Johnson

Bryel Johnson is a 37-year-old class A commercial driver's license (CDL) holder in Idaho. He has a history of epilepsy and has been seizure free since March 2011. He takes an anti-seizure medication with the dosage and frequency remaining the same since 2015. His physician states that they are supportive of him receiving an exemption.

Stephen Kelley

Stephen Kelley is a 56-year-old class D and M2 license holder in Virginia. He has a history of non-intractable epilepsy and has been seizure free since 2004. He takes an anti-seizure medication with the dosage and frequency remaining the same since April 16, 2019. His physician states that they are supportive of him receiving an exemption.

Jacob McNally

Jacob McNally is a 32-year-old class A CDL holder in Connecticut. He has a history of seizure disorder and has been seizure free since 2015. He takes an anti-seizure medication with the dosage and frequency remaining the same since January 10, 2024. His physician states that they are supportive of him receiving an exemption.

Joshua Trainum

Joshua Trainum is a 51-year-old class A CDL holder in Pennsylvania. He has a history of seizure disorder and has been seizure free since January 2018. He takes an anti-seizure medication with the dosage and frequency remaining the same since April 4, 2018. His physician states that they are supportive of him receiving an exemption.

Shawn Tupick

Shawn Tupick is a 54-year-old class A CDL holder in New Hampshire. He has a history of oligodendroglioma and has been seizure free since October 19, 2017. He takes an anti-seizure medication with the dosage and frequency remaining the same since October 2017. His physician states that they are supportive of him receiving an exemption.

Velvel Zhivov

Velvel Zhivov is a 20-year-old class D license holder in New York. He has a history of epilepsy and has been seizure free since January 2017. He takes an anti-seizure medication with the dosage and frequency remaining the same since 2020. His physician states that they are supportive of him receiving an exemption.

V. Request for Comments

In accordance with 49 U.S.C. 31136(e) and 31315(b), FMCSA requests public comment from all interested persons on the exemption applications described in this notice. FMCSA will consider all comments received before the close of business on the closing date indicated under the **DATES** section of the notice.

Larry W. Minor,

Associate Administrator for Policy.

[FR Doc. 2026–05180 Filed 3–16–26; 8:45 am]

BILLING CODE 4910–EX–P

DEPARTMENT OF TRANSPORTATION

Federal Transit Administration

Announcement of Fiscal Year 2026 Grants for Buses and Bus Facilities Program Project Selections

AGENCY: Federal Transit Administration (FTA), Department of Transportation (DOT).

ACTION: Notice of project selections and implementation guidance.

SUMMARY: The U.S. Department of Transportation's (DOT) Federal Transit Administration (FTA) announces the award of $388,279,883 for 34 projects under the FY 2026 Grants for Buses and Bus Facilities Competitive Program (Bus Competitive Program). This notice provides administrative guidance on project implementation.

FOR FURTHER INFORMATION CONTACT: Successful applicants should contact the appropriate FTA Regional Office for information regarding applying for the funds or program-specific information. A list of Regional Offices can be found at *https://www.transit.dot.gov/about/regional-offices/regional-offices.* For all other questions, contact Kirsten Wiard-Bauer, Office of Program Management, at *ftalownobusnofo@dot.gov* or (202) 366–2053. A TDD is available at 1–800–877–8339 (TDD/FIRS).

SUPPLEMENTARY INFORMATION: Federal public transportation law (49 U.S.C. 5339(b)) authorizes FTA to make competitive grants for the Bus Competitive Program.

Federal public transportation law (49 U.S.C. 5338(a)(2)(M)) authorized $408,223,797 in FY 2026 funds for the Bus Competitive Program after an oversight takedown.

On May 15, 2025, FTA published a joint Notice of Funding Opportunity (NOFO) announcing the availability of approximately $398 million in FY 2025 Bus Competitive Program funds and approximately $1.10 billion in Low or No Emission (Low-No) Program funds (90 FR 20737). FTA is electing to select additional projects from this NOFO using FY 2026 Bus Competitive Program funds, as well as available prior year funds. These funds will provide financial assistance to states and eligible public agencies to replace, rehabilitate, purchase, or lease buses, vans, and related equipment; and for capital projects to rehabilitate, purchase, construct, or lease bus-related facilities. In response to the NOFO, FTA received 479 eligible project proposals requesting approximately $6.8 billion in Federal funds. Project proposals were evaluated based on each applicant's

responsiveness to the program evaluation criteria outlined in the NOFO.

Based on the criteria in the NOFO, FTA is funding 34 projects, as shown in Table 1, for a total of $388,279,883. A minimum of 15 percent of the amount made available for the Bus Competitive Program is set aside for projects located in rural areas, which is reflected in FTA's joint selections across FY 2025 and FY 2026. A statutory cap of 10 percent for any one applicant in the Bus Competitive Program is reflected as well.

Recipients selected for competitive funding are required to work with their FTA Regional Office to submit a grant application in FTA's Transit Award Management System (TrAMS) for the projects identified in the attached table to quickly obligate funds. A discretionary project identification number has been assigned to each project for tracking purposes and must be used in the TrAMS application. Grant applications must include only eligible activities applied for in the original project proposal.

When the allocated amount is less than the requested amount, recipients must reduce scope or scale the project so that a complete phase or a usable segment of the originally proposed project is implemented. Amounts may be reduced because they were capped or scaled due to more funding being requested than available, ineligible expenses may have been removed from the funded project scope, or funding was allocated for only the low-emission elements of a mixed-emission project. In all such cases where the amount allocated is less than the amount requested, the recipient should work with its Regional Office to reduce the scope appropriately. Recipients may also provide additional local funds to complete a proposed project.

Selected projects are eligible to incur costs under pre-award authority no earlier than Friday, February 20, 2026. Pre-award costs are incurred at your own risk, and the announcement that a project was selected does not guarantee that FTA will, in fact, obligate a grant for the funding. FTA is not required to reimburse pre-award costs if you do not receive an obligated grant or if the obligated grant is less than anticipated and is inadequate to cover all pre-award costs. Eligibility for reimbursement is contingent upon planning and environmental requirements having been met, among other factors. For more about FTA's policy on pre-award authority, please see the current FTA Apportionments, Allocations, and Program Information at *https://www.transit.dot.gov/funding/apportionments.*

Post-award reporting requirements include submission of Federal Financial Reports and Milestone Progress Reports in TrAMS (see FTA Circular 5010.1F). Recipients must comply with all applicable Federal statutes, regulations, executive orders, FTA circulars, and other Federal requirements in carrying out the project supported by the FTA grant. FTA emphasizes that recipients must follow all third-party procurement requirements set forth in Federal public transportation law (49 U.S.C. 5325(a)) and described in the FTA Third Party Contracting Guidance Circular (FTA Circular 4220.1G).

Funds allocated in this announcement must be obligated in a grant by September 30, 2029.

Technical Review and Evaluation Summary: The FTA assessed all project proposals that were submitted under the FY 2025 Buses and Bus Facilities Program and the Low-No Program competition. For information on the evaluation criteria, please refer to **Federal Register** Notice (91 FR 1856): *https://www.federalregister.gov/documents/2026/01/15/2026-00643/announcement-of-fiscal-year-2025-grants-for-buses-and-bus-facilities-program-and-fiscal-year-2025.*

Matthew J. Welbes,

Executive Director.

TABLE 1—FY 2026 BUSES AND BUS FACILITIES PROJECT SELECTIONS

[Note: Some projects have multiple project IDs]

State	Recipient	Project ID	Project description	Award
AK	Manokotak Village	D2026–BUSC–100	Purchase expansion bus	$205,000
AK	University of Alaska Fairbanks	D2026–BUSC–101	Expand and rehabilitate maintenance facility	5,440,000
CA	Antelope Valley Transit Authority	D2026–BUSC–102	Construct operations and maintenance facility	16,640,000
CA	City of Santa Ana	D2026–BUSC–103	Rehabilitate and replace bus infrastructure	3,472,000
CA	Foothill Transit	D2026–BUSC–104	Construct a mobility hub	20,800,000
CA	Golden Gate Bridge, Highway & Transportation District.	D2026–BUSC–105	Relocate bus transit center	25,600,000
CA	Orange County Transportation Authority	D2026–BUSC–106	Purchase safety and security equipment for bus facilities.	960,000
CA	San Diego Metropolitan Transit System (MTS)	D2026–BUSC–107	Construct bus transit center	14,680,000
DE	Delaware Department of Transportation	D2026–BUSC–108	Rehabilitate buses	14,260,000
FL	City of Gainesville	D2026–BUSC–109	Purchase replacement buses, construct bus transfer station, and improve bus stops.	10,263,750
FL	Florida Department of Transportation obo Central Florida Regional Transportation Authority (LYNX).	D2026–BUSC–110	Purchase replacement buses	9,270,640
HI	Honolulu Department of Transportation Services.	D2026–BUSC–111	Purchase replacement buses and related equipment.	11,569,965
IA	Des Moines Area Regional Transit Authority	D2026–BUSC–112	Expand bus facility	20,000,000
IL	Springfield Mass Transit District	D2026–BUSC–113	Construct bus fueling station	6,733,300
LA	New Orleans Regional Transit Authority (NORTA).	D2026–BUSC–114	Purchase replacement buses and rehabilitate two operations and maintenance facilities.	27,200,000
MD	Maryland Transit Administration obo Transit Services of Frederick County.	D2026–BUSC–115	Purchase replacement vehicles	336,000
MI	Ann Arbor Area Transportation Authority	D2026–BUSC–116	Purchase new bus facility	7,220,095
MO	Kansas City Area Transportation Authority	D2026–BUSC–117	Purchase replacement buses and rehabilitate bus facility.	13,333,000
NC	City of Durham	D2026–BUSC–118	Purchase replacement buses	6,142,400
NC	Research Triangle Regional Public Transportation Authority dba GoTriangle.	D2026–BUSC–119	Expand and rehabilitate operations and maintenance facility.	17,718,750

TABLE 1—FY 2026 BUSES AND BUS FACILITIES PROJECT SELECTIONS—Continued

[Note: Some projects have multiple project IDs]

State	Recipient	Project ID	Project description	Award
NC	Town of Chapel Hill	D2026–BUSC–120	Purchase replacement vehicles and safety training equipment.	8,802,268
ND	North Dakota Department of Transportation ...	D2026–BUSC–121	Purchase replacement buses	5,070,000
NV	Regional Transportation Commission of Southern Nevada.	D2026–BUSC–122	Purchase replacement buses and related equipment.	8,843,449
NY	Central New York Regional Transportation Authority (CNYRTA).	D2026–BUSC–123	Construct bus maintenance, storage, and administrative facility.	28,800,000
NY	New York City Department of Transportation	D2026–BUSC–124	Construct and rehabilitate bus stops	10,000,000
NY	Niagara Frontier Transportation Authority	D2026–BUSC–125	Rehabilitate three bus facilities	21,600,000
OR	Salem Area Mass Transit District	D2026–BUSC–126	Construct bus transit center	3,000,000
PR	Puerto Rico Highways and Transportation Authority obo Municipality of Aguada.	D2026–BUSC–127	Purchase expansion buses and rehabilitate bus terminal.	2,477,341
PR	Puerto Rico Highways and Transportation Authority obo Municipality of San German.	D2026–BUSC–128	Purchase expansion buses and construct bus stops.	1,182,550
TN	City of Clarksville	D2026–BUSC–129 and D2026–BUSC–130.	Construct bus transit center	16,000,000
VA	Petersburg Area Transit	D2026–BUSC–131	Purchase replacement buses and construct operations and maintenance facility.	23,820,750
VA	Transportation District Commission of Hampton Roads.	D2026–BUSC–132	Purchase replacement buses	10,620,000
WA	Kitsap County Public Transportation Benefit Area Authority (DBA Kitsap Transit).	D2026–BUSC–133	Construct bus driver training facility	15,000,000
WA	Sauk-Suiattle Indian Tribe	D2026–BUSC–134	Purchase replacement buses and construct bus facility.	1,218,625
	Total	.....	.....	388,279,883

[FR Doc. 2026–05152 Filed 3–16–26; 8:45 am]

BILLING CODE 4910–57–P

DEPARTMENT OF THE TREASURY

Office of Foreign Assets Control

Notice of OFAC Sanctions Action

AGENCY: Office of Foreign Assets Control, Treasury.

ACTION: Notice.

SUMMARY: The U.S. Department of the Treasury's Office of Foreign Assets Control (OFAC) is publishing the names of one or more persons that have been placed on OFAC's Specially Designated Nationals and Blocked Persons List (SDN List) based on OFAC's determination that one or more applicable legal criteria were satisfied. All property and interests in property subject to U.S. jurisdiction of these persons are blocked, and U.S. persons are generally prohibited from engaging in transactions with them. Additionally, OFAC is publishing updates to the identifying information of one person currently included on the SDN List.

DATES: This action was issued on March 12, 2026. See **SUPPLEMENTARY INFORMATION** for relevant dates.

FOR FURTHER INFORMATION CONTACT: *OFAC:* Associate Director for Global Targeting, 202–622–2420; Assistant Director for Sanctions Compliance, 202–622–2490 or *https://ofac.treasury.gov/contact-ofac.*

SUPPLEMENTARY INFORMATION:

Electronic Availability

The SDN List and additional information concerning OFAC sanctions programs are available on OFAC's website: *https://ofac.treasury.gov.*

Notice of OFAC Actions

A. On March 12, 2026, OFAC determined that the property and interests in property subject to U.S. jurisdiction of the following persons are blocked under the relevant sanctions authorities listed below.

Individuals

1. DO, Phi Khanh, Hanoi, Vietnam; DOB 04 Mar 1980; POB Hanoi, Vietnam; nationality Vietnam; Gender Male; Secondary sanctions risk: North Korea Sanctions Regulations, sections 510.201 and 510.210; Transactions Prohibited For Persons Owned or Controlled By U.S. Financial Institutions: North Korea Sanctions Regulations section 510.214; Passport B7083978 (Vietnam) issued 27 Aug 2012 expires 27 Aug 2022; National ID No. 111534690 (Vietnam) (individual) [NPWMD] (Linked To: KIM, Se Un).

Designated pursuant to section 1(a)(iii) of Executive Order 13382 of June 28, 2005, ''Blocking Property of Weapons of Mass Destruction Proliferators and Their Supporters,'' 70 FR 38567, 3 CFR, 2005 Comp., p. 170 (July 1, 2005) (E.O. 13382) for having provided, or attempted to provide, financial, material, technological or other support for, or goods or services in support of, KIM SE UN, a person whose property and interests in property are blocked pursuant to E.O. 13382.

2. HOANG, Van Nguyen, Vietnam; DOB 20 Jul 1980; POB Nghe An, Vietnam; nationality Vietnam; Gender Male; Secondary sanctions risk: North Korea Sanctions Regulations, sections 510.201 and 510.210; Transactions Prohibited For Persons Owned or Controlled By U.S. Financial Institutions: North Korea Sanctions Regulations section 510.214; Passport C7177903 (Vietnam) issued 18 Apr 2019 expires 18 Apr 2029; National ID No. 013564395 (Vietnam) (individual) [NPWMD] (Linked To: KIM, Se Un).

Designated pursuant to section 1(a)(iii) of E.O. 13382 for having provided, or attempted to provide, financial, material, technological or other support for, or goods or services in support of, KIM SE UN, a person whose property and interests in property are blocked pursuant to E.O. 13382.

3. NGUYEN, Quang Viet, Vietnam; DOB 12 Oct 1993; nationality Vietnam; Gender Male; Secondary sanctions risk:

North Korea Sanctions Regulations, sections 510.201 and 510.210; Transactions Prohibited For Persons Owned or Controlled By U.S. Financial Institutions: North Korea Sanctions Regulations section 510.214; National ID No. 122094898 (Vietnam) (individual) [DPRK4] (Linked To: AMNOKGANG TECHNOLOGY DEVELOPMENT COMPANY).

Designated pursuant to section 1(a)(v) of Executive Order 13810 of September 20, 2017, ''Imposing Additional Sanctions With Respect to North Korea'' 82 FR 44705, 3 CFR, 2017 Comp., p. 379 (September 25, 2017) (E.O. 13810) for having materially assisted, sponsored, or provided financial, material, or technological support for, or goods or services to or in support of, AMNOKGANG TECHNOLOGY DEVELOPMENT COMPANY, a person whose property and interests in property are blocked pursuant to E.O. 13810.

4. CELESTINO HERRERA, York Louis, Barcelona, Spain; DOB 07 Nov 1996; POB La Vega, Dominican Republic; nationality Dominican Republic; alt. nationality Spain; Gender Male; Secondary sanctions risk: North Korea Sanctions Regulations, sections 510.201 and 510.210; Transactions Prohibited For Persons Owned or Controlled By U.S. Financial Institutions: North Korea Sanctions Regulations section 510.214; Passport XDB250498 (Spain); alt. Passport EM0642806 (Dominican Republic) issued 28 Feb 2013 expires 28 Feb 2019; National ID No. 24558183W (Dominican Republic) (individual) [DPRK4] (Linked To: YUN, Song Guk).

Designated pursuant to section 1(a)(v) of E.O. 13810 for having materially assisted, sponsored, or provided financial, material, or technological support for, or goods or services to or in support of, YUN SONG GUK, a person whose property and interests in property are blocked pursuant to E.O. 13810.

5. HOANG, Minh Quang, Hanoi, Vietnam; DOB 16 Nov 1993; POB Hanoi, Vietnam; nationality Vietnam; Gender Male; Digital Currency Address—XBT bc1qyy5pt5cx3zth8xlj92lq5y87dh 8xv3nwgs4ncq; Secondary sanctions risk: North Korea Sanctions Regulations, sections 510.201 and 510.210; Transactions Prohibited For Persons Owned or Controlled By U.S. Financial Institutions: North Korea Sanctions Regulations section 510.214; National ID No. 001093019421 (Vietnam) (individual) [DPRK4] (Linked To: YUN, Song Guk).

Designated pursuant to section 1(a)(v) of E.O. 13810 for having materially assisted, sponsored, or provided financial, material, or technological support for, or goods or services to or in support of, YUN SONG GUK, a person whose property and interests in property are blocked pursuant to E.O. 13810.

6. YUN, Song Guk (a.k.a. YUN, So'ng-kuk), Boten, Laos; DOB 27 Jul 1969; nationality Korea, North; Gender Male; Digital Currency Address—ETH 0xb637f84b66876ebf609c2a4208905 f9ddac9d075; alt. Digital Currency Address—ETH 0x95584C303 FCd48AF5c6B9873015f2AD0ca84EaE3; Secondary sanctions risk: North Korea Sanctions Regulations, sections 510.201 and 510.210; Transactions Prohibited For Persons Owned or Controlled By U.S. Financial Institutions: North Korea Sanctions Regulations section 510.214; Passport 180131469 (Korea, North) (individual) [DPRK4].

Designated pursuant to section 1(a)(iv) of E.O. 13810 for being a North Korean person, including a North Korean person that has engaged in commercial activity that generates revenue for the Government of North Korea or the Workers' Party of Korea.

Entities

1. AMNOKGANG TECHNOLOGY DEVELOPMENT COMPANY (Korean: 압록강기술개발회사; Chinese Simplified: 鸭绿江技术开发公司) (a.k.a. AMNOKGANG TECHNOLOGY DEVELOPMENT CORPORATION; a.k.a. KOREA AMNOKGANG TECHNOLOGY DEVELOPMENT COMPANY (Korean: 조선압록강기술개발회사); a.k.a. KOREA APROKGANG TECHNOLOGY COMPANY; a.k.a. YALU RIVER TECHNOLOGY DEVELOPMENT COMPANY), South Hamgyong, Korea, North; Pothonggang District, Pyongyang, Korea, North; Digital Currency Address - ETH 0xcB74874f1e06Fcf80A306e06e5379A44B488bA2D; alt. Digital Currency Address - ETH 0x0330070FD38Ec3bB94F58FA55D40368271E9e54A; alt. Digital Currency Address - ETH 0x9Be599d7867f5E1a2D7Ec6dB9710dF2b98A15573; Secondary sanctions risk: North Korea Sanctions Regulations, sections 510.201 and 510.210; Transactions Prohibited For Persons Owned or Controlled By U.S. Financial Institutions: North Korea Sanctions Regulations section 510.214; Organization Established Date 1982; Organization Type: Other information technology and computer service activities; Digital Currency Address - TRX TNrX2FwrHKoo4XACGkmSzqeK4pdnKYn6Z7; alt. Digital Currency Address - TRX TEEYCuGDyeNkuDj4u6GQRXxXo3Nh29r2vP; alt. Digital Currency Address - TRX TZB4NrX7k9ZsV6PRc1GigAztLL8WHpLvwP; alt. Digital Currency Address - TRX TDe2UNAvuUnTbbDo7518eMe3TXN5qJW8Ft [DPRK4].

Designated pursuant to section 1(a)(i) of E.O. 13810 for operating in the information technology industry in North Korea.

2. QUANGVIETDNBG INTERNATIONAL SERVICES COMPANY LIMITED (a.k.a. SHOPAR INTERNATIONAL E–TRADE COMPANY LIMITED), 37C Alley 2/69 Hoang Liet Street, Hoang Liet Ward, Hanoi, Vietnam; Secondary sanctions risk: North Korea Sanctions Regulations, sections 510.201 and 510.210; Transactions Prohibited For Persons Owned or Controlled By U.S. Financial Institutions: North Korea Sanctions Regulations section 510.214; Organization Established Date 04 Jul 2022; Tax ID No. 0110050211 (Vietnam) [DPRK4] (Linked To: NGUYEN, Quang Viet).

Designated pursuant to section 1(a)(vi) of E.O. 13810 for being owned or controlled by, or having acted or purported to act for or on behalf of, directly or indirectly, NGUYEN QUANG VIET, a person whose property and interests in property are blocked pursuant to E.O. 13810.

B. On March 12, 2026, OFAC updated the SDN List entry for the following person, whose property and interests in property subject to U.S. jurisdiction continue to be blocked. The listing below reflects the amended entry on the SDN List.

—From—

SIM, Hyon Sop (a.k.a. SIM, Hyo'n-so'p), Dandong, China; DOB 25 Nov 1983; POB Pyongyang, North Korea; nationality Korea, North; Gender Male; Digital Currency Address—ETH 0x4f47bc496083c727c5fbe3ce9cdf2b0f6496270c; Secondary sanctions risk: North Korea Sanctions Regulations, sections 510.201 and 510.210; Transactions Prohibited For Persons Owned or Controlled By U.S. Financial Institutions: North Korea Sanctions Regulations section 510.214; Digital Currency Address—ARB 0x4f47bc496083c727c5fbe3ce9cdf2b0f6496270c; Digital Currency Address—BSC 0x4f47bc496083c727c5fbe3ce9cdf2b0f6496270c; Passport 109484100 (Korea, North) expires 24 Dec 2024 (individual) [NPWMD] (Linked To: KOREA KWANGSON BANKING CORP).

—To—

SIM, Hyon Sop (a.k.a. SIM, Hyo'n-so'p), Dandong, China; DOB 25 Nov 1983; POB Pyongyang, North Korea; nationality Korea, North; Gender Male; Digital Currency Address—ETH 0x4f47bc496083c727c5fbe3ce9cdf2b0f6496270c; alt. Digital Currency Address—ETH 0xd04E33461FEA8302c5E1e13895b60cEe8AEfda7F; alt. Digital Currency Address—ETH 0x76EA76CA4Eb727f18956aB93445a94c5280412B9; alt. Digital Currency Address—ETH 0xFb3eFf152ea55D1BfA04Dbdd509A80fD7b72cdEB; alt. Digital Currency Address—ETH 0xFda1Ec4A6178d4916b001a065422D31EBE5F62FF; alt. Digital Currency Address—ETH 0x747AFB5c7A7fc34B547cD0FDEbf9b91759C5a52b; Secondary sanctions risk: North Korea Sanctions Regulations, sections 510.201 and 510.210; Transactions Prohibited For Persons Owned or Controlled By U.S. Financial Institutions: North Korea Sanctions Regulations section 510.214; Digital Currency Address—TRX TPDLpXxPcaSsupEZ3yrVksmNkYP5SLeKxu; alt. Digital Currency

Address—TRX TGXE9dGWawjf d3xqFSho1h1bRbRv9wUGrF; alt. Digital Currency Address—TRX TNTFhgFoKH 4srBMiWbfrVFqP2AThSmdwf1; alt. Digital Currency Address—TRX TXhf9nU9bjo1j9z5qEesHdr6gtdnd fnA4T; alt. Digital Currency Address—TRX TK17wfSPp32RWrnzZPrGpv 7TxdNFvvvE2s; alt. Digital Currency Address—TRX TYeQD2VddTZ 9NkFkAnT9DD8cUGetGUQZB2; Digital Currency Address—ARB 0x4f47bc 496083c727c5fbe3ce9cdf2b0f6496270c; Digital Currency Address—BSC 0x4f47bc496083c727c5fbe3ce9cdf2b0f 6496270c; Passport 109484100 (Korea, North) expires 24 Dec 2024 (individual) [NPWMD] (Linked To: KOREA KWANGSON BANKING CORP).

(Authority: E.O. 13382; E.O. 13810.)

Bradley T. Smith,

Director, Office of Foreign Assets Control.

[FR Doc. 2026–05114 Filed 3–16–26; 8:45 am]

BILLING CODE 4810–AL–P

DEPARTMENT OF THE TREASURY

Internal Revenue Service

Agency Information Collection Activities; Comment Request on Application To Adopt, Change, or Retain a Tax Year

AGENCY: Internal Revenue Service (IRS), Treasury.

ACTION: Notice of information collection; request for comments.

SUMMARY: In accordance with the Paperwork Reduction Act of 1995, the IRS is inviting comments on the information collection request outlined in this notice.

DATES: Written comments should be received on or before May 18, 2026 to be assured of consideration.

ADDRESSES: Direct all written comments to Andres Garcia, Internal Revenue Service, Room 6526, 1111 Constitution Avenue NW, Washington, DC 20224, or by email to *pra.comments@irs.gov.* Include ''OMB Control No. 1545–0134'' in the subject line of the message.

FOR FURTHER INFORMATION CONTACT: Requests for additional information or copies of this collection should be directed to Kerry Dennis, (202) 317–5751.

SUPPLEMENTARY INFORMATION: The IRS, in accordance with the Paperwork Reduction Act of 1995 (PRA) (44 U.S.C. 3506(c)(2)(A)), provides the general public and Federal agencies with an opportunity to comment on proposed, revised, and continuing collections of information. This helps the IRS assess the impact and minimize the burden of its information collection requirements. Comments submitted in response to this notice will be summarized and/or included in the request for OMB approval. All comments will become a matter of public record, and viewable on relevant websites. For this reason, please do not include in your comments information of a confidential nature, such as sensitive personal information. Comments are invited on: (a) Whether the collection of information is necessary for the proper performance of the functions of the agency, including whether the information shall have practical utility; (b) the accuracy of the agency's estimate of the burden of the collection of information; (c) ways to enhance the quality, utility, and clarity of the information to be collected; (d) ways to minimize the burden of the collection of information on respondents, including through the use of automated collection techniques or other forms of information technology; and (e) estimates of capital or start-up costs and costs of operation, maintenance, and purchase of services to provide information.

Title: Application to Adopt, Change, or Retain a Tax Year.

OMB Control Number: 1545–0134.

Form Number: 1128.

Abstract: Form 1128 is needed to process taxpayers' request to change their tax year. All information requested is used to determine whether the application should be approved. Respondents are taxable and nontaxable entities including individuals, partnerships, corporations, estates, tax-exempt organizations and cooperatives. This collection of information only includes the estimates for estates, trusts, tax-exempt organizations and cooperatives. Burden for other respondents can be found under 1545–0123 for partnerships and corporations, and 1545–0074 for individuals.

Current Actions: There are no changes to the form that would affect burden.

Type of Review: Extension of a currently approved collection.

Affected Public: Estates, trusts, tax-exempt organizations and cooperatives.

Estimated Number of Responses: 9,788.

Estimated Time per Response: 23 hours, 43 minutes.

Estimated Total Annual Burden Hours: 232,066 hours.

Dated: March 13, 2026.

Kerry Dennis,

Tax Analyst.

[FR Doc. 2026–05192 Filed 3–16–26; 8:45 am]

BILLING CODE 4831–GV–P

DEPARTMENT OF THE TREASURY

Internal Revenue Service

Agency Information Collection Activities; Comment Request on Application for Enrollment, Application for Renewal of Enrollment, and Regulations Governing the Performance of Actuarial Services Under the Employee Retirement Income Security Act of 1972

AGENCY: Internal Revenue Service (IRS), Treasury.

ACTION: Notice of information collection; request for comments.

SUMMARY: In accordance with the Paperwork Reduction Act of 1995, the IRS is inviting comments on the information collection request outlined in this notice.

DATES: Written comments should be received on or before May 18, 2026 to be assured of consideration.

ADDRESSES: Direct all written comments to Andres Garcia, Internal Revenue Service, Room 6526, 1111 Constitution Avenue NW, Washington, DC 20224, or by email to *pra.comments@irs.gov.* Include ''OMB Control No. 1545–0951'' in the subject line of the message.

FOR FURTHER INFORMATION CONTACT: Requests for additional information or copies of this collection should be directed to Jason Schoonmaker, (801) 620–6008.

SUPPLEMENTARY INFORMATION: The IRS, in accordance with the Paperwork Reduction Act of 1995 (PRA) (44 U.S.C. 3506(c)(2)(A)), provides the general public and Federal agencies with an opportunity to comment on proposed, revised, and continuing collections of information. This helps the IRS assess the impact and minimize the burden of its information collection requirements. Comments submitted in response to this notice will be summarized and/or included in the request for OMB approval. All comments will become a matter of public record, and viewable on relevant websites. For this reason, please do not include in your comments information of a confidential nature, such as sensitive personal information. Comments are invited on: (a) Whether the collection of information is necessary for the proper performance of the functions of the agency, including whether the information shall have practical utility; (b) the accuracy of the agency's estimate of the burden of the collection of information; (c) ways to enhance the quality, utility, and clarity of the information to be collected; (d) ways to minimize the burden of the collection of information on

respondents, including through the use of automated collection techniques or other forms of information technology; and (e) estimates of capital or start-up costs and costs of operation, maintenance, and purchase of services to provide information.

Title: Application for Enrollment, Application for Renewal of Enrollment, and Regulations Governing the Performance of Actuarial Services Under the Employee Retirement Income Security Act of 1972.

OMB Control Number: 1545–0951.

Form Number: 5434, 5434–A.

Regulation Project Number: TD 9517/REG–159704–03.

Abstract: Form 5434 is used to apply for enrollment to perform actuarial services under the Employee Retirement income Security Act of 1974 (ERISA). Form 5434–A is used to renew enrollment every three years to perform actuarial services under (ERISA). The information is used by the Joint Board for the Enrollment of Actuaries to determine the eligibility of the applicant to perform actuarial services. The regulations require that records be kept that verify satisfaction of requirements, and certificates of completion education requirements.

Current Actions: There are no changes to the forms or regulations at this time. However, the agency is updating the number of respondents based on its most recent filing data.

Type of Review: Extension of a currently approved collection.

Affected Public: Individuals and households.

Form 5434

Estimated Number of Respondents: 150.

Estimated Time per Respondent: 1 hour.

Estimated Annual Burden Hours: 150.

Form 5434 A

Estimated Number of Respondents: 1,166.

Estimated Time per Respondent: 30 Minutes.

Estimated Annual Burden Hours: 583.

TD 9517/REG–159704–03

Estimated Number of Respondents/Recordkeepers: 1,166.

Estimated Time per Respondent: 15 Minutes.

Estimated Annual Burden Hours: 417.

Total Estimated Annual Burden: 1,608 hours.

Dated: March 13, 2026.

Jason M. Schoonmaker,

Tax Analyst.

[FR Doc. 2026–05197 Filed 3–16–26; 8:45 am]

BILLING CODE 4831–GV–P

DEPARTMENT OF THE TREASURY

Internal Revenue Service

Agency Information Collection Activities; Comment Request on Average Area Purchase Price Safe Harbors and Nationwide Purchase Prices Under Section 143

AGENCY: Internal Revenue Service (IRS), Treasury.

ACTION: Notice of information collection; request for comments.

SUMMARY: In accordance with the Paperwork Reduction Act of 1995, the IRS is inviting comments on the information collection request outlined in this notice.

DATES: Written comments should be received on or before May 18, 2026 to be assured of consideration.

ADDRESSES: Direct all written comments to Andres Garcia, Internal Revenue Service, Room 6526, 1111 Constitution Avenue NW, Washington, DC 20224, or by email to *pra.comments@irs.gov.* Include ''OMB Control No. 1545–1877'' in the subject line of the message.

FOR FURTHER INFORMATION CONTACT: Requests for additional information or copies of this collection should be directed to Kerry Dennis, (202) 317–5751.

SUPPLEMENTARY INFORMATION: The IRS, in accordance with the Paperwork Reduction Act of 1995 (PRA) (44 U.S.C. 3506(c)(2)(A)), provides the general public and Federal agencies with an opportunity to comment on proposed, revised, and continuing collections of information. This helps the IRS assess the impact and minimize the burden of its information collection requirements. Comments submitted in response to this notice will be summarized and/or included in the request for OMB approval. All comments will become a matter of public record, and viewable on relevant websites. For this reason, please do not include in your comments information of a confidential nature, such as sensitive personal information. Comments are invited on: (a) Whether the collection of information is necessary for the proper performance of the functions of the agency, including whether the information shall have practical utility; (b) the accuracy of the agency's estimate of the burden of the collection of information; (c) ways to enhance the quality, utility, and clarity of the information to be collected; (d) ways to minimize the burden of the collection of information on respondents, including through the use of automated collection techniques or other forms of information technology; and (e) estimates of capital or start-up costs and costs of operation, maintenance, and purchase of services to provide information.

Title: Average Area Purchase Price Safe Harbors and Nationwide Purchase Prices under section 143.

OMB Control Number: 1545–1877.

Revenue Procedure Number: 2025–18.

Abstract: Revenue Procedure 2025–18 provides issuers of qualified mortgage bonds, as defined in section 143(a) of the Internal Revenue Code (Code), and issuers of mortgage credit certificates, as defined in section 25(c), with (1) the nationwide average purchase price for residences located in the United States, and (2) average area purchase price safe harbors for residences located in statistical areas in each state, the District of Columbia, Puerto Rico, the Northern Mariana Islands, American Samoa, the Virgin Islands, and Guam.

Current Actions: There are no changes to the revenue procedure that would affect burden.

Type of Review: Extension of a currently approved collection.

Affected Public: State, Local, and Tribal Governments.

Estimated Number of Responses: 60.

Estimated Time per Response: 15 minutes.

Estimated Total Annual Burden Hours: 15 hours.

Dated: March 13, 2026.

Kerry Dennis,

Tax Analyst.

[FR Doc. 2026–05193 Filed 3–16–26; 8:45 am]

BILLING CODE 4831–GV–P

DEPARTMENT OF THE TREASURY

Internal Revenue Service

Electronic Tax Administration Advisory Committee; Public Meeting

AGENCY: Internal Revenue Service, Department of Treasury.

ACTION: Notice of meeting.

SUMMARY: The Electronic Tax Administration Advisory Committee will hold a public meeting.

DATES: Wednesday, March 25, 2026.

ADDRESSES: Virtual via Microsoft Teams.

FOR FURTHER INFORMATION CONTACT: Anna Millikan, Office of National Public Liaison, at 202–317–6564, or send an email to *PublicLiaison@irs.gov*.

SUPPLEMENTARY INFORMATION: Pursuant to the Federal Advisory Committee Act, the Internal Revenue Service announces the Electronic Tax Administration

Advisory Committee (ETAAC) will hold a public meeting on Wednesday, March 25, 2026, at 10:00 a.m. Eastern.

The meeting will be held virtually via Microsoft Teams. Members of the public planning to attend should register by March 23 by contacting Anna Millikan at 202–317–6564 or sending an email to *PublicLiaison@irs.gov*.

The meeting agenda will be posted online prior to the meeting at the ETAAC web page, *www.irs.gov/etaac*.

The purpose of the ETAAC is to provide continuing advice regarding the development and implementation of the IRS organizational strategy for electronic tax administration. ETAAC is an organized public forum for discussion of electronic tax administration issues such as prevention of identity theft and refund fraud. It supports the overriding goal that paperless filing should be the preferred and most convenient method of filing tax and information returns. ETAAC members convey the public's perceptions of IRS electronic tax administration activities, offer constructive observations about current or proposed policies, programs, and procedures, and suggest improvements.

Should you wish the ETAAC to consider a written statement germane to the committee's work, file the statement by sending an email to *PublicLiaison@irs.gov* by March 23, 2026.

Dated: March 13, 2026.

John A. Lipold,

Designated Federal Officer, Office of National Public Liaison, Internal Revenue Service.

[FR Doc. 2026–05166 Filed 3–16–26; 8:45 am]

BILLING CODE 4831–GV–P

DEPARTMENT OF VETERANS AFFAIRS

[OMB Control No. 2900–0820]

Agency Information Collection Activity: Adaptive Sports Grant Application

AGENCY: Veterans Health Administration, Department of Veterans Affairs.

ACTION: Notice.

SUMMARY: Veterans Health Administration, Department of Veterans Affairs (VA), is announcing an opportunity for public comment on the proposed collection of certain information by the agency. Under the Paperwork Reduction Act (PRA) of 1995, Federal agencies are required to publish notice in the **Federal Register** concerning each proposed collection of information, including each proposed extension of a currently approved collection, and allow 60 days for public comment in response to the notice.

DATE: Comments must be received on or before May 18, 2026.

ADDRESSES: Comments must be submitted through *www.regulations.gov*.

FOR FURTHER INFORMATION CONTACT:

Program-Specific information: Veta Brooks-Berryman, 202–480–4633, *Veta.Brooks1@va.gov*.

VA PRA information: Dorothy Glasgow, 202–461–1084, *VAPRA@va.gov*.

SUPPLEMENTARY INFORMATION: Under the PRA of 1995, Federal agencies must obtain approval from the Office of Management and Budget (OMB) for each collection of information they conduct or sponsor. This request for comment is being made pursuant to Section 3506(c)(2)(A) of the PRA.

With respect to the following collection of information, VHA invites comments on: (1) whether the proposed collection of information is necessary for the proper performance of VHA's functions, including whether the information will have practical utility; (2) the accuracy of VHA's estimate of the burden of the proposed collection of information; (3) ways to enhance the quality, utility, and clarity of the information to be collected; and (4) ways to minimize the burden of the collection of information on respondents, including through the use of automated collection techniques or the use of other forms of information technology.

Title: Adaptive Sports Grant Application (VA Form 10096).

OMB Control Number: 2900–0820. *https://www.r0820eginfo.gov/public/do/PRASearch.* (Once at this link, you can enter the OMB Control Number to find the historical versions of this Information Collection).

Type of Review: Revision of a currently approved collection.

Abstract: Legal authority for this data collection is found under 38 U.S.C. 521A, which authorizes and mandates the collection of data to apply for a VA adaptive sports program grant. The mandated collection of data allows for evaluation of eligibility for an adaptive sports program grant, the goal of which is providing adaptive sports opportunities for disabled veterans and members of the Armed Forces. The information will be used by VA to evaluate multiple criteria to confirm grantee eligibility, to score grantee proposals according to application criteria, and to ensure program efficacy and appropriate use of grant funds. The application information will indicate whether and to what extent a grant program is likely to be successful in meeting the program's intent for providing adaptive sports opportunities for disabled veterans and members of the Armed Forces.

Affected Public: Private sector non-profit.

Estimated Annual Burden: 64 hours.

Estimated Average Burden per Respondent: 20 minutes.

Frequency of Response: Once annually.

Estimated Number of Respondents: 191.

(Authority: 44 U.S.C. 3501 *et seq.*)

Lanea Haynes,

Alternate, VA PRA Clearance Officer, Office of Information Technology, Data Governance Analytics, Department of Veterans Affairs.

[FR Doc. 2026–05177 Filed 3–16–26; 8:45 am]

BILLING CODE 8320–01–P

FEDERAL REGISTER

Vol. 91 Tuesday,

No. 51 March 17, 2026

Part II

The President

Proclamation 11017—Women's History Month, 2026

Federal Register
Vol. 91, No. 51
Tuesday, March 17, 2026

Presidential Documents

Title 3—

The President

Proclamation 11017 of March 12, 2026

Women's History Month, 2026

By the President of the United States of America

A Proclamation

This Women's History Month, we celebrate the extraordinary American women of our past and the titans of our present who have strengthened our families, enriched our culture, defended our values, pioneered our industries, and shaped our Nation's glorious future.

For 250 years, strong women have brought our Nation to countless new heights and moments of triumph. To this day, across every industry, women are champions of success, trailblazers in their fields, and models in their homes. Whether they serve our Nation as service members, government leaders, entrepreneurs, or mothers, every devoted woman guides our Nation's strength, prosperity, and way of life.

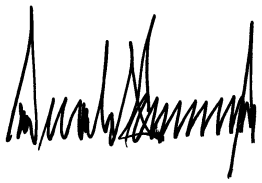
For this reason, my Administration will always promote policies that embolden women, uplift our children, and fortify the American family. Since I returned to office last year, we have permanently expanded the child tax credit, invested in the next generation through our historic creation of Trump Accounts, and dramatically reduced prices on common medicines like insulin and fertility treatments through TrumpRx. We are keeping men out of women's sports, enforcing Title IX as it was originally written, and ensuring colleges preserve—and, where possible, expand—scholarships and roster opportunities for female athletes. At the same time, we are restoring public safety and upholding the rule of law in every city so women, children, and families can feel safe and secure.

We are also restoring strength to the American economy, ensuring that women who work hard, build businesses, and grow our industries can achieve greater success than ever before. A small business owner can now expand her company thanks to our historic 20 percent tax deduction. A farmer will benefit from new trade markets that allow her to sell more American-grown products around the world. And with the great One Big Beautiful Bill, we eliminated tax on tips and overtime pay—putting more money in the pockets of hardworking women across America.

This month, we recognize and honor the incredible women who have built our Nation, formed our conscience, and elevated our spirit. May their legacies continue to inspire future generations of citizens to strive for excellence, lead proudly, and carry forth the enduring values that make America the greatest country in the history of the world.

NOW, THEREFORE, I, DONALD J. TRUMP, President of the United States of America, by virtue of the authority vested in me by the Constitution and the laws of the United States, do hereby proclaim March 2026 as Women's History Month. I call upon public officials, educators, librarians, and all the people of the United States to observe this day with appropriate programs, ceremonies, and activities.

IN WITNESS WHEREOF, I have hereunto set my hand this twelfth day of March, in the year of our Lord two thousand twenty-six, and of the Independence of the United States of America the two hundred and fiftieth.



[FR Doc. 2026–05262
Filed 3–16–26; 11:15 am]
Billing code 3395–F4–P

Reader Aids

Federal Register

Vol. 91, No. 51

Tuesday, March 17, 2026

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FEDERAL REGISTER PAGES AND DATE, MARCH

9977–10304	2
10305–10490	3
10491–10744	4
10745–10938	5
10939–11128	6
11129–11440	9
11441–11888	10
11889–12054	11
12055–12286	12
12287–12496	13
12497–12672	16
12673–12914	17

CFR PARTS AFFECTED DURING MARCH

At the end of each month the Office of the Federal Register publishes separately a List of CFR Sections Affected (LSA), which lists parts and sections affected by documents published since the revision date of each title.

3 CFR

Proclamations:
11014.....11439
11015.....12285
11016.....12495
11017.....12913
Executive Orders:
14390.....12051
Administrative Orders:
Notices
Notice of 2026–03–02.....10937

5 CFR

Proposed Rules:
316.....10904
330.....10904
351.....10904
353.....10904
359.....10904
362.....10904
430.....10904
2429.....10774

7 CFR

760.....11129
915.....11131
944.....11131
1205.....9977
1214.....11135
1215.....11441
1222.....11140
1414.....10491
1430.....11129
Proposed Rules:
6.....11174
923.....11181
932.....11184
981.....11187
1212.....11189

10 CFR

9.....10939
800.....10954
1040.....10954, 10955
1042.....10955
1703.....10305
Proposed Rules:
2.....10450, 11934
15.....12084
51.....10450, 11934
52.....10450, 11934
54.....10450, 11934
170.....12084
171.....12084

12 CFR

5.....9977, 10491
27.....10499
265.....10745
611.....10956
614.....10956
620.....10956
626.....10956
628.....10956
630.....10956
1228.....12673
1238.....12055
Proposed Rules:
3.....10202
6.....10202
8.....10202
15.....10202
19.....10202
Ch. VII.....10343
703.....11934
749.....11934

13 CFR

302.....12675
303.....12676
305.....12677

14 CFR

25.....12678
29.....12680
39.....10309, 10311, 10313, 10503, 10506, 10508, 10510, 10513, 10746, 10956, 10959, 10961, 10965, 11443, 11446, 12055, 12059, 12065, 12068, 12287, 12289, 12292, 12497, 12499, 12501, 12684
71.....9982, 9983, 10968, 11889, 12295, 12686
97.....10316, 10318, 12687
107.....9984
Proposed Rules:
39.....10349, 10522, 11191, 11478, 11480, 12312, 12314, 12512, 12695, 12698
71.....10013, 10014, 10352, 10979, 12514

15 CFR

4.....10748

16 CFR

Proposed Rules:
Ch. I.....12325
425.....12318
1217.....11944

17 CFR

240.....10320
249.....10320
Proposed Rules:
Ch. I.....12516

19 CFR

12.....11889

21 CFR

201.....10749

207.....10749
1308.....9985, 12504
1310.....11450
Proposed Rules:
73.....10524
573.....10525
878.....12524

22 CFR

22.....12296
42.....11891
135.....12509

23 CFR

655.....10771

24 CFR

247.....12301
599.....10970
880.....12301
882.....12301
884.....12301
886.....12301
891.....12301
966.....12301
Proposed Rules:
5.....10016
960.....10016
982.....10016
983.....10016

26 CFR

Proposed Rules:
1 .....10983, 11003, 11194, 12118
301.....11203

28 CFR

68.....9989
Proposed Rules:
26.....12525
77.....10780

29 CFR

Proposed Rules:
2550.....10033

30 CFR

250.....9998
Proposed Rules:
550.....11212
556.....11212
590.....11212

31 CFR

548.....10002
587 .....10003, 10004, 10006, 10007
591.....10008
1010.....11456
Proposed Rules:
1010.....10034

32 CFR

145.....10516

33 CFR

165.....12689
401.....12690
402.....12693

34 CFR

685.....12302
Proposed Rules:
Ch. II.....10353
600.....11378
668.....11378
690.....11378

36 CFR

7.....10334
Proposed Rules:
13.....11483

37 CFR

380 .....11458, 11462, 11465, 11468
383.....11471

39 CFR

Proposed Rules:
Ch. III.....10526

40 CFR

52.....10339, 11474
60.....11802
300.....10516, 12304
1090.....10008
Proposed Rules:
52 .....10360, 10531, 10545, 12123, 12333
62.....10556
63.....10559, 12700
81.....10545
118.....10787
228.....12126
260.....10862
261.....10862
262.....10862
263.....10862
264.....10862
265.....10862
266.....10862
267.....10862
271.....10862
300.....10577
761.....10862

41 CFR

101-8.7.....10971
105-9.....10971

42 CFR

Ch. I.....12308
405.....12071
410.....12071
414.....12071
424.....12071
425.....12071
427.....12071
428.....12071
495.....12071
512.....12071
Proposed Rules:
600.....11006

45 CFR

Proposed Rules:
153.....11006
154.....11006
155.....11006
156.....11006
158.....11006
1355.....11017

47 CFR

Proposed Rules:
64.....12736

48 CFR

Ch.1 .....12488, 12491
22.....12488
25.....12488
52.....12488
Proposed Rules:
970.....11495

49 CFR

40.....10518
Proposed Rules:
571.....12532, 12537

50 CFR

216.....12510
635.....10696
648 .....11141, 12082, 12511
679 .....10520, 11750, 11902
Proposed Rules:
10.....11019
18.....11240
92.....11267
218.....11618
224.....10580
622.....10360
648.....12545
660.....11022

LIST OF PUBLIC LAWS

Note: No public bills which have become law were received by the Office of the Federal Register for inclusion in today's **List of Public Laws**.

Last List February 20, 2026

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