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Federal Register

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DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 25

[Docket No. FAA–2026–3490; Special Conditions No. 25–888–SC]

Special Conditions: ALOFT AeroArchitects, Gulfstream Aerospace Corporation Model G–IV, GIV–X, GV, and GV–SP Airplanes; Rechargeable Lithium Batteries and Battery System Installations

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Final special conditions; request for comments.

SUMMARY: These special conditions are issued for the Gulfstream Aerospace Corporation (Gulfstream) Model G–IV, GIV–X, GV, and GV–SP series airplanes, as modified by ALOFT AeroArchitects (ALOFT). These airplanes 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 a main ship rechargeable lithium battery. 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 ALOFT on April 16, 2026. Send comments on or before June 1, 2026.

ADDRESSES: Send comments identified by Docket No. FAA–2026–3490 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: Nazih Khaouly, Aircraft Systems, AIR–626A, Technical Innovation Policy Branch, Policy and Innovation Division, Aircraft Certification Service, Federal Aviation Administration, 2200 South 216th Street, Des Moines, Washington 98198; telephone and fax 206–231–3160; email nazih.khaouly@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 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 title 14, Code of Federal Regulations (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 proposed 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, 2026, ALOFT applied for a supplemental type certificate for the installation of rechargeable lithium batteries and battery systems in the Gulfstream Model G–IV, GIV–X, GV, and GV–SP series airplanes. These airplanes, approved under Type Certificate No. A12EA, are twin-engine transport category airplanes with a maximum seating capacity of 19 passengers. These airplanes have a maximum takeoff weight between 46,500 and 91,400 pounds, depending on the model.

Type Certification Basis

Under the provisions of title 14, Code of Federal Regulations (14 CFR) 21.101, ALOFT must show that the Gulfstream Model G–IV, GIV–X, GV, and GV–SP

series airplanes, as changed, continue to meet the applicable provisions of the regulations listed in Type Certificate No. A12EA 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 G-IV, GIV-X, GV, and GV-SP series airplanes 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 applicant apply for a supplemental type certificate to modify any other model included on the same type certificate 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 G-IV, GIV-X, GV, and GV-SP series airplanes must comply with 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 § 21.101.

Novel or Unusual Design Features

The Gulfstream Model G-IV, GIV-X, GV, and GV-SP series airplanes, as modified by ALOFT, will incorporate the following novel or unusual design features:

Installation of a main ship rechargeable lithium battery.

Discussion

Rechargeable lithium batteries and battery systems are considered to be a novel or unusual design feature in transport category airplanes, with respect to the requirements in § 25.1353. This type of battery has certain failure, operational, and maintenance characteristics that differ significantly from those of the nickel-cadmium and lead-acid rechargeable batteries currently approved for installation on transport category airplanes. These batteries and battery systems introduce higher energy levels into airplane systems through new chemical compositions in various battery-cell sizes and construction. Interconnection of these cells in battery packs introduces failure modes that require unique design considerations, such as provisions for thermal management.

Special Condition 1 requires that each individual cell within a battery and battery system be designed to maintain safe temperatures and pressures. Special Condition 2 addresses these same issues but for the entire battery system.

Special Condition 2 requires that the batteries and battery system be designed to prevent propagation of a thermal event, such as self-sustained, uncontrolled increases in temperature or pressure from one cell to adjacent cells.

Special Conditions 1 and 2 are intended to ensure that the cells and battery system are designed to eliminate the potential for uncontrollable failures. However, a certain number of failures will occur due to various factors beyond the control of the designer. Therefore, other special conditions are intended to protect the airplane and its occupants if failure occurs.

Special Conditions 3, 7, and 8 are self-explanatory.

Special Condition 4 clarifies that the flammable-fluid fire-protection requirements of § 25.863 apply to rechargeable lithium battery installations. Section 25.863 is applicable to areas of the airplane that could be exposed to flammable fluid leakage from airplane systems. Rechargeable lithium batteries contain electrolyte that is a flammable fluid.

Special Condition 5 requires each rechargeable lithium battery and battery system installation to not damage surrounding structure or adjacent systems, equipment, or electrical wiring from corrosive fluids or gases that may escape in such a way as to cause a major or more severe failure condition.

Special Condition 6 requires each rechargeable lithium battery and battery system installation to have provisions to prevent any hazardous effect on airplane structure or systems caused by the maximum amount of heat it can generate due to any failure of it or its individual cells. The means of meeting special conditions 5 and 6 may be the same, but they are independent requirements addressing different hazards. Special Condition 5 addresses corrosive fluids and gases, whereas special condition 6 addresses heat.

Special Condition 9 requires rechargeable lithium batteries and battery systems to have “automatic” means, for charge rate and disconnect, due to the fast acting nature of lithium battery chemical reactions. Manual intervention would not be timely or effective in mitigating the hazards associated with these batteries.

These special conditions apply to all rechargeable lithium batteries and battery system installations in lieu of

§ 25.1353(b)(1) through (4) at amendment 25-123, or § 25.1353(c)(1) through (4) at earlier amendments. Those regulations will remain in effect for other battery installations on these airplanes.

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 G-IV, GIV-X, GV, and GV-SP series airplanes, as modified by ALOFT. Should ALOFT apply at a later date for a supplemental type certificate to modify any other model included on Type Certificate No. A12EA to incorporate the same novel or unusual design feature, these special conditions would apply to that model as well.

Conclusion

This action affects only certain novel or unusual design features on the Gulfstream Model G-IV, GIV-X, GV, and GV-SP series airplanes. It is not a rule of general applicability and affects only the applicant who applied to the FAA for approval of these features on the airplane.

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 Model G-IV, GIV-X, GV, and GV-SP series airplanes, as modified by ALOFT.

In lieu of Title 14, Code of Federal Regulations (14 CFR) 25.1353(b)(1) through (4) at amendment 25-123 or § 25.1353(c)(1) through (4) at earlier amendments, each rechargeable lithium battery installation must:

Be designed to maintain safe cell temperatures and pressures under all foreseeable operating conditions to prevent fire and explosion.

2. Be designed to prevent the occurrence of self-sustaining, uncontrollable increases in temperature or pressure, and automatically control

the charge rate of each cell to protect against adverse operating conditions, such as cell imbalance, back charging, overcharging, and overheating.

3. Not emit explosive or toxic gases, either in normal operation or as a result of its failure, that may accumulate in hazardous quantities within the airplane.

4. Meet the requirements of § 25.863.

5. Not damage surrounding structure or adjacent systems, equipment, or electrical wiring from corrosive fluids or gases that may escape in such a way as to cause a major or more severe failure condition.

6. Have provisions to prevent any hazardous effect on airplane structure or systems caused by the maximum amount of heat it can generate due to any failure of it or its individual cells.

7. Have a failure sensing and warning system to alert the flightcrew if its failure affects safe operation of the airplane.

8. Have a monitoring and warning feature that alerts the flightcrew when its charge state falls below acceptable levels if its function is required for safe operation of the airplane.

9. Have a means to automatically disconnect from its charging source in the event of an over-temperature condition, cell failure or battery failure.

Note: A battery system consists of the battery, battery charger and any protective, monitoring and alerting circuitry or hardware inside or outside of the battery. It also includes vents (where necessary) and packaging. For the purpose of this special condition, a battery and the battery system is referred to as a battery.

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

Jorge R. Castillo,

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

[FR Doc. 2026-07483 Filed 4-15-26; 8:45 am]

BILLING CODE 4910-13-P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 25

[Docket No. FAA-2026-3506; Special Conditions No. 25-889-SC]

Special Conditions: Honeywell International Inc., Boeing Model 757-200, 757-200PF, 757-200CB, and 757-300 Airplanes; Non-Rechargeable Lithium Batteries and Battery System Installation

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Final special conditions; request for comments.

SUMMARY: These special conditions are issued for the Boeing Company (Boeing) 757 series airplane models 757-200, 757-200PF, 757-200CB, and 757-300. These airplanes, as modified by Honeywell International, Inc. (Honeywell), 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 for the installation of non-rechargeable lithium batteries in an underwater locator beacon (ULB). 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 Honeywell on April 16, 2026. Send comments on or before June 1, 2026.

ADDRESSES: Send comments identified by Docket No. FAA-2026-3506 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: Nazih Khaouly, Aircraft Systems, AIR-626A, Technical Innovation Policy Branch, Policy and Innovation Division, Aircraft Certification Service, Federal Aviation Administration, 2200 South 216th Street, Des Moines, Washington

98198; telephone and fax 206-231-3160; email nazih.khaouly@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 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 title 14, Code of Federal Regulations (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 proposed 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 8, 2026, Honeywell applied for a supplemental type certificate for the installation of non-rechargeable lithium batteries in the ULB in the Boeing Model 757–200, 757–200PF, 757–200CB, 757–300 series airplanes. These airplanes, approved under Type Certificate No. A2NM, are twin engine transport category airplanes. The Boeing Model 757–200, 757–200PF, 757–200CB, 757–300 series airplanes have a maximum passenger range between 7 and 239 passengers, and a maximum takeoff weight range between 230,500 and 273,000 pounds, depending on model and configuration.

Type Certification Basis

Under the provisions of title 14, Code of Federal Regulations (14 CFR) 21.101, Honeywell must show that the Boeing Model 757–200, 757–200PF, 757–200CB, 757–300 series airplanes, as changed, continue to meet the applicable provisions of the regulations listed in Type Certificate No. A2NM 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 Boeing Model 757–200, 757–200PF, 757–200CB, and 757–300 airplanes 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 Honeywell apply for a supplemental type certificate to modify any other model included on the same type certificate 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 Boeing Model 757–200, 757–200PF, 757–200CB, 757–300 series airplanes 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 § 21.101.

Novel or Unusual Design Features

The Boeing Model 757–200, 757–200PF, 757–200CB, 757–300 series airplanes, as modified by Honeywell, will incorporate the following novel or unusual design feature: The installation of non-rechargeable lithium batteries in the underwater locator beacon (ULB).

Discussion

The FAA derived the current regulations governing installation of batteries in transport-category airplanes from Civil Air Regulations (CAR) 4b.625(d), as part of the recodification of CAR 4b, which established 14 CFR part 25 in February 1965. This recodification essentially reworded the CAR 4b battery requirements, which are currently in § 25.1353(b)(1) through (4). Non-rechargeable lithium batteries and battery systems are novel and unusual with respect to the state of technology considered when these requirements were codified. Non-rechargeable lithium batteries and battery systems introduce higher energy levels into airplane systems through new chemical compositions in various battery-cell sizes and construction. Interconnection of these cells in battery packs introduce failure modes that require unique design considerations, such as provisions for thermal management.

In January 2013, two independent events involving rechargeable lithium-ion batteries revealed unanticipated failure modes. A National Transportation Safety Board letter to the FAA, dated May 22, 2014, which is available at <https://www.nts.gov, filename A-14-032-036.pdf>, describes these events.

On July 12, 2013, an event involving a non-rechargeable lithium battery in an ELT installation demonstrated unanticipated failure modes. The United Kingdom's Air Accidents Investigation Branch Bulletin S5/2013¹ describes this event. These events, involving rechargeable and non-rechargeable lithium batteries, prompted the FAA to initiate a broad evaluation of these energy-storage technologies.

On April 22, 2016, the FAA published special conditions No. 25–612–SC in the **Federal Register** (81 FR 23573), applicable to Gulfstream Aerospace Corporation, for the Model GVI airplane. Those were the first special conditions the FAA issued for non-rechargeable lithium battery installations. In that

document, the FAA explained its decision to make those special conditions effective on April 22, 2017, one year after publication in the **Federal Register**. In those special conditions, the FAA stated its intention to apply non-rechargeable lithium battery and battery system special conditions to design changes on other airplane makes and models applied for after this same date.

Special condition 1 of these special conditions requires that each individual cell within a non-rechargeable lithium battery and battery system be designed to maintain safe temperatures and pressures. Special condition 2 addresses these same issues but for the entire battery. Special condition 2 requires the battery be designed to prevent propagation of a thermal event, such as self-sustained, uncontrollable increases in temperature or pressure from one cell to adjacent cells.

Special conditions 1 and 2 are intended to ensure that the non-rechargeable lithium battery and its cells are designed to eliminate the potential for uncontrollable failures. However, a certain number of failures will occur due to various factors beyond the control of the battery designer. Therefore, other special conditions are intended to protect the airplane and its occupants if failure occurs.

Special conditions 3, 7, and 8 are self-explanatory.

Special condition 4 makes it clear that the flammable-fluid fire-protection requirements of § 25.863 apply to non-rechargeable lithium battery and battery system installations. Section 25.863 is applicable to areas of the airplane that could be exposed to flammable-fluid leakage from airplane systems. Non-rechargeable lithium batteries and battery systems contain an electrolyte that is a flammable fluid.

Special condition 5 requires that each non-rechargeable lithium battery and battery system installation not damage surrounding structure or adjacent systems, equipment, or electrical wiring from corrosive fluids or gases that may escape in such a way as to cause a major or more severe failure condition.

While special condition 5 addresses corrosive fluids and gases, special condition 6 addresses heat. Special condition 6 requires that each non-rechargeable lithium battery and battery system installation have provisions to prevent any hazardous effect on airplane structure or systems caused by the maximum amount of heat the battery installation can generate due to any failure of it or its individual cells. The means of meeting special conditions 5 and 6 may be the same, but

¹ See Aircraft Accident Report 2/2015—Boeing B787–8, ET–AOP, 12 July 2013 Ground fire at London Heathrow Airport on 12 July 2013. www.gov.uk/aaib-reports/aircraft-accident-report-2-2015-boeing-b787-8-et-aop-12-july-2013.

the requirements are independent and address different hazards.

These special conditions apply to all non-rechargeable lithium battery and battery system installations, in lieu of § 25.1353(b)(1) through (4) at amendment 25–123. Sections 25.1353(b)(1) through (4) at amendment 25–123 remain in effect for other battery installations.

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 Boeing Model 757–200, 757–200PF, 757–200CB, 757–300 series airplanes, as modified by Honeywell. Should Honeywell apply at a later date for a supplemental type certificate to modify any other model included on Type Certificate No. A2NM 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 the Boeing Model 757–200, 757–200PF, 757–200CB, 757–300 series airplanes. It is not a rule of general applicability and affects only the applicant who applied to the FAA for approval of these features on the airplane.

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 the Boeing Model 757–200, 757–200PF, 757–200CB, 757–300 series airplanes, as modified by Honeywell.

In lieu of § 25.1353(b)(1) through (4) at amendment 25–123, or § 25.1353(c)(1) through (4) at earlier amendments, each non-rechargeable lithium battery and battery system installation must:

1. Be designed to maintain safe cell temperatures and pressures, under all

foreseeable operating conditions, to prevent fire and explosion.

2. Be designed to prevent the occurrence of self-sustaining, uncontrollable increases in temperature or pressure.

3. Not emit explosive or toxic gases, either in normal operation or as a result of its failure, that may accumulate in hazardous quantities within the airplane.

4. Meet the requirements of § 25.863.

5. Not damage surrounding structure or adjacent systems, equipment, or electrical wiring from corrosive fluids or gases that may escape in such a way as to cause a major or more severe failure condition.

6. Have provisions to prevent any hazardous effect on airplane structure or systems caused by the maximum amount of heat it can generate due to any failure of it or its individual cells.

7. Have a failure-sensing and warning system to alert the flight crew, in the event its failure affects safe operation of the airplane.

8. Have a means for the flight crew or maintenance personnel to determine the battery charge state if the battery's function is required for safe operation of the airplane.

Note: A battery system consists of the battery, battery charger, and any protective monitoring and alerting circuitry or hardware inside or outside of the battery. It also includes vents (where necessary) and packaging. For the purpose of these special conditions, a battery and the battery system is referred to as a battery.

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

Jorge R. Castillo,

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

[FR Doc. 2026–07484 Filed 4–15–26; 8:45 am]

BILLING CODE 4910–13–P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 97

[Docket No. 31658; Amdt. No. 4213]

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 April 16, 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 April 16, 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: Gary W. Petty, 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 April 10, 2026.

Gary W. Petty,

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 14 May 2026

Sacramento, CA, MHR, RNAV (GPS) RWY 22R, Orig-B
San Francisco, CA, SFO, ILS OR LOC RWY 19L, Amdt 23A
Miami, FL, MIA, RNAV (RNP) Y RWY 12, Amdt 1
Orlando, FL, MCO, RNAV (RNP) Z RWY 17L, Orig-A
Kapolei, HI, JRF/PHJR, NDB RWY 4R, Amdt 1
Ames, IA, AMW, VOR RWY 31, Amdt 10B, CANCELED
Milford, IA, 4D8, VOR-A, Amdt 1, CANCELED
Washington, IA, AWG, VOR RWY 36, Amdt 1C, CANCELED
Carbondale/Murphysboro, IL, MDH, NDB RWY 18L, Amdt 13B, CANCELED
Centralia, IL, ENL, VOR-A, Amdt 1A, CANCELED
Chicago, IL, MDW, RNAV (GPS) RWY 4L, Amdt 1B, CANCELED
Olney-Noble, IL, OLY, NDB RWY 4, Amdt 14A, CANCELED
Shelbyville, IL, 2H0, NDB-A, Amdt 3A, CANCELED
Bedford, IN, BFR, VOR RWY 13, Amdt 10D, CANCELED
Elkhart, IN, EKM, VOR RWY 9, Amdt 7, CANCELED
Fort Wayne, IN, SMD, VOR RWY 13, Amdt 11, CANCELED
Griffith, IN, 05C, VOR RWY 8, Amdt 8B, CANCELED
Huntington, IN, HHG, VOR-A, Amdt 2B, CANCELED
Kokomo, IN, OKK, RNAV (GPS) RWY 5, Amdt 2
Kokomo, IN, OKK, RNAV (GPS) RWY 14, Orig-C
Kokomo, IN, OKK, RNAV (GPS) RWY 23, Amdt 1E
Kokomo, IN, OKK, RNAV (GPS) RWY 32, Orig-C
Muncie, IN, MIE, ILS OR LOC RWY 32, Amdt 10
Muncie, IN, MIE, RNAV (GPS) RWY 14, Amdt 1
Muncie, IN, MIE, RNAV (GPS) RWY 21, Amdt 2
Muncie, IN, MIE, RNAV (GPS) RWY 32, Amdt 1
Muncie, IN, MIE, VOR RWY 14, Amdt 17C, CANCELED
Muncie, IN, MIE, VOR RWY 21, Amdt 14A, CANCELED
New Castle, IN, UWL, NDB RWY 10, Amdt 1, CANCELED
Terre Haute, IN, HUF, VOR RWY 5, Amdt 18A, CANCELED
Winchester, IN, I22, RNAV (GPS) RWY 26, Amdt 2
Eureka, KS, 13K, VOR RWY 18, Amdt 3, CANCELED

- Hutchinson, KS, HUT, NDB RWY 13, Amdt 16, CANCELED
- Independence, KS, IDP, VOR-A, Amdt 3B, CANCELED
- Stockton, KS, RCP, RNAV (GPS) RWY 18, Orig-C
- Stockton, KS, RCP, RNAV (GPS) RWY 36, Orig-C
- Campbellsville, KY, AAS, VOR/DME-A, Amdt 7, CANCELED
- Louisville, KY, LOU, NDB RWY 33, Amdt 16E, CANCELED
- Abbeville, LA, IYA, VOR/DME-B, Amdt 3C, CANCELED
- Alexandria, LA, AEX, VOR/DME RWY 32, Amdt 1D, CANCELED
- Houma, LA, HUM, COPTER VOR RWY 12, Amdt 4B
- Houma, LA, HUM, RNAV (GPS) RWY 12, Orig-B
- Houma, LA, HUM, RNAV (GPS) RWY 18, Orig-C
- Houma, LA, HUM, RNAV (GPS) RWY 30, Orig-B
- Houma, LA, HUM, RNAV (GPS) RWY 36, Orig-C
- Houma, LA, HUM, VOR RWY 30, Amdt 12D
- Ruston, LA, RSN, VOR-A, Amdt 1, CANCELED
- Jackman, ME, 59B, RNAV (GPS) RWY 13, Amdt 2
- Jackman, ME, 59B, RNAV (GPS) RWY 31, Amdt 2
- Alma, MI, AMN, VOR RWY 18, Amdt 1C, CANCELED
- Marquette, MI, SAW, ILS OR LOC RWY 1, Amdt 2A
- Marquette, MI, SAW, VOR RWY 19, Amdt 1A, CANCELED
- Niles, MI, 3TR, VOR-A, Amdt 1, CANCELED
- Port Huron, MI, PHN, NDB RWY 4, Amdt 5, CANCELED
- Alexandria, MN, AXN, VOR RWY 22, Amdt 15C, CANCELED
- Dodge Center, MN, TOB, VOR-A, Amdt 5, CANCELED
- Duluth, MN, DLH, ILS OR LOC RWY 27, Amdt 12
- Duluth, MN, DLH, VOR OR TACAN RWY 3, Amdt 21C
- Eveleth, MN, EVM, VOR-A, Amdt 2B, CANCELED
- Butler, MO, BUM, VOR-A, Amdt 5A, CANCELED
- Columbia, MO, COU, RNAV (GPS) RWY 31, Amdt 1B
- Perryville, MO, PCD, VOR-A, Amdt 5B, CANCELED
- Springfield, MO, SGF, RNAV (GPS) RWY 32, Amdt 2D
- Charlotte, NC, CLT, ILS OR LOC RWY 1L, ILS RWY 1L (SA CAT I), ILS RWY 1L (CAT II), ILS RWY 1L (CAT III), Amdt 2
- Charlotte, NC, CLT, ILS OR LOC RWY 19R, ILS RWY 19R (SA CAT I), ILS RWY 19R (CAT II), ILS RWY 19R (CAT III), Amdt 3
- Charlotte, NC, CLT, RNAV (GPS) Y RWY 1L, Amdt 2
- Charlotte, NC, CLT, RNAV (GPS) Y RWY 19R, Amdt 3
- Charlotte, NC, CLT, Takeoff Minimums and Obstacle DP, Amdt 9
- Statesville, NC, SVH, ILS OR LOC RWY 28, Amdt 2
- Statesville, NC, SVH, ILS Y OR LOC Y RWY 28, Orig-B, CANCELED
- Cooperstown, ND, S32, RNAV (GPS) RWY 13, Orig-A
- Cooperstown, ND, S32, RNAV (GPS) RWY 31, Orig-A
- New Town, ND, 05D, RNAV (GPS) RWY 12, Amdt 1
- New Town, ND, 05D, Takeoff Minimums and Obstacle DP, Amdt 1
- Washburn, ND, 5C8, RNAV (GPS) RWY 8, Orig
- Washburn, ND, 5C8, RNAV (GPS) RWY 26, Orig
- Washburn, ND, 5C8, Takeoff Minimums and Obstacle DP, Orig
- Fairbury, NE, FBY, NDB-A, Amdt 3C, CANCELED
- Valentine, NE, VTN, RNAV (GPS) RWY 3, Amdt 1
- York, NE, JYR, NDB RWY 17, Amdt 6A, CANCELED
- York, NE, JYR, NDB RWY 35, Amdt 4B, CANCELED
- Belen, NM, BRG, VOR-A, Amdt 1C, CANCELED
- Jamestown, NY, JHW, VOR RWY 25, Amdt 8C, CANCELED
- Athens/Albany, OH, UNI, NDB RWY 25, Amdt 9E, CANCELED
- Barnesville, OH, 6G5, VOR/DME RWY 27, Orig-D, CANCELED
- Bluffton, OH, 5G7, VOR RWY 23, Amdt 7B, CANCELED
- Columbus, OH, TZR, NDB RWY 4, Amdt 7A, CANCELED
- Columbus, OH, OSU, NDB RWY 9R, Amdt 3C, CANCELED
- Findlay, OH, FDY, VOR RWY 7, Amdt 12B, CANCELED
- Fostoria, OH, FZI, VOR-A, Amdt 4C, CANCELED
- Ottawa, OH, OWX, VOR RWY 27, Amdt 2C, CANCELED
- Versailles, OH, VES, RNAV (GPS) RWY 9, Amdt 1B
- Altus, OK, AXS, VOR-A, Orig, CANCELED
- Oklahoma City, OK, RCE, VOR-B, Amdt 3, CANCELED
- Perry, OK, F22, VOR RWY 17, Amdt 3D, CANCELED
- St Marys, PA, OYM, VOR RWY 28, Amdt 7B, CANCELED
- Wellsboro, PA, N38, RNAV (GPS) RWY 10, Amdt 2
- Wellsboro, PA, N38, RNAV (GPS) RWY 28, Amdt 2
- Manning, SC, MNI, NDB RWY 2, Amdt 3, CANCELED
- Manning, SC, MNI, RNAV (GPS) RWY 20, Orig
- Bridgeport, TX, XBP, VOR/DME RWY 18, Amdt 1A, CANCELED
- Center, TX, F17, NDB RWY 17, Amdt 2C, CANCELED
- Cotulla, TX, COT, VOR-A, Amdt 13A, CANCELED
- Dallas, TX, DAL, ILS OR LOC RWY 13L, ILS RWY 13L (SA CAT I), ILS RWY 13L (SA CAT II), Amdt 34B
- Dallas, TX, DAL, ILS OR LOC RWY 13R, Amdt 6D
- Dallas, TX, DAL, ILS OR LOC RWY 31L, Amdt 23A
- Dallas, TX, DAL, ILS OR LOC RWY 31R, ILS RWY 31R (SA CAT I), ILS RWY 31R (SA CAT II), Amdt 7C
- Dallas, TX, DAL, RNAV (GPS) Y RWY 31R, Amdt 3C
- Dallas, TX, DAL, RNAV (GPS) Z RWY 13L, Amdt 4A
- Dallas, TX, DAL, RNAV (GPS) Z RWY 13R, Amdt 2B
- Navasota, TX, 60R, VOR-A, Amdt 2D, CANCELED
- Sweetwater, TX, SWW, RNAV (GPS) RWY 35, Orig-C
- Salt Lake City, UT, SLC, ILS OR LOC RWY 16L, ILS RWY 16L (CAT II), ILS RWY 16L (CAT III), Amdt 4A
- Salt Lake City, UT, SLC, ILS OR LOC RWY 17, ILS RWY 17 (SA CAT I), ILS RWY 17 (SA CAT II), Amdt 15A
- Salt Lake City, UT, SLC, ILS OR LOC RWY 34L, ILS RWY 34L (SA CAT I), ILS RWY 34L (CAT II), ILS RWY 34L (CAT III), Amdt 5
- Salt Lake City, UT, SLC, ILS OR LOC RWY 34R, ILS RWY 34R (SA CAT I), ILS RWY 34R (CAT II), ILS RWY 34R (CAT III), Amdt 6
- Salt Lake City, UT, SLC, LDA RWY 35, Amdt 2
- Salt Lake City, UT, SLC, RNAV (GPS) RWY 35, Amdt 5
- Salt Lake City, UT, SLC, RNAV (GPS) Y RWY 34L, Amdt 3
- Salt Lake City, UT, SLC, RNAV (GPS) Y RWY 34R, Amdt 3
- Salt Lake City, UT, SLC, RNAV (RNP) Z RWY 34L, Amdt 1
- Salt Lake City, UT, SLC, RNAV (RNP) Z RWY 34R, Amdt 1
- Salt Lake City, UT, SLC, RNAV (RNP) Z RWY 35, Orig, CANCELED
- Martinsville, VA, MTV, RNAV (GPS) RWY 13, Amdt 3
- Martinsville, VA, MTV, Takeoff Minimums and Obstacle DP, Amdt 4
- Fort Atkinson, WI, 61C, VOR-A, Amdt 1, CANCELED
- Madison, WI, MSN, ILS OR LOC RWY 21, Amdt 1
- Milwaukee, WI, MWC, LOC RWY 15L, Amdt 6G
- Milwaukee, WI, MWC, RNAV (GPS) RWY 4L, Orig-F
- Milwaukee, WI, MWC, RNAV (GPS) RWY 15L, Orig-F
- Milwaukee, WI, MKE, RNAV (GPS) RWY 19R, Amdt 2D
- Milwaukee, WI, MWC, RNAV (GPS) RWY 22R, Orig-G
- Rhineland, WI, RHI, VOR/DME RWY 27, Orig-I, CANCELED
- Logan, WV, 6L4, RNAV (GPS) RWY 24, Amdt 1A
- Parkersburg, WV, PKB, VOR RWY 21, Amdt 17F

Rescinded: On March 3, 2026 (91 FR 10318), the FAA published an Amendment in Docket No. 31652, Amdt No. 4207, to Part 97 of the Federal Aviation Regulations under section 97.23. The following entries for Bolingbrook, IL, and Alice, TX, effective May 14, 2026, are hereby rescinded in their entirety:

- Bolingbrook, IL, 1C5, VOR-A, Amdt 1B, CANCELED
- Alice, TX, ALI, VOR RWY 31, Amdt 13G, CANCELED
- Alice, TX, ALI, VOR-A, Amdt 15C, CANCELED

Rescinded: On March 17, 2026 (91 FR 12687), the FAA published an Amendment

in Docket No. 31654, Amdt No. 4209, to Part 97 of the Federal Aviation Regulations under section 97.23. The following entries for Midland, TX, effective May 14, 2026, are hereby rescinded in their entirety:

Midland, TX, MDD, VOR RWY 25, Amdt 3E, CANCELED

Midland, TX, MDD, VOR-A, Amdt 2B, CANCELED

Rescinded: On April 7, 2026 (91 FR 17604), the FAA published an Amendment in Docket No. 31656, Amdt No. 4211, to Part 97 of the Federal Aviation Regulations under section 97.23. The following entries for Evansville, IN, Plainview, TX and Robstown, TX, effective May 14, 2026, are hereby rescinded in their entirety:

Evansville, IN, EVV, VOR RWY 4, Amdt 7A, CANCELED

Plainview, TX, PVW, VOR RWY 4, Amdt 9D, CANCELED

Robstown, TX, RBO, VOR/DME-A, Amdt 3B, CANCELED

[FR Doc. 2026-07360 Filed 4-15-26; 8:45 am]

BILLING CODE 4910-13-P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 97

[Docket No. 31659; Amdt. No. 4214]

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 amends, suspends, or removes Standard Instrument Approach Procedures (SIAPs) and associated Takeoff Minimums and Obstacle Departure Procedures 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 for the 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 April 16, 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 April 16, 2026.

ADDRESSES: Availability of matter 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 online 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: Gary W. Petty, 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 amending the referenced SIAPs. The complete regulatory description of each SIAP is listed on the appropriate FAA Form 8260, as modified by the National Flight Data Center (NFDC)/Permanent Notice to Airmen (P-NOTAM), and is incorporated by reference under 5 U.S.C. 552(a), 1 CFR part 51, and 14 CFR 97.20. The large number of SIAPs, their complex nature, and the need for a special format make their verbatim publication in the **Federal Register** expensive and impractical. Further, pilots do not use the regulatory text of the SIAPs, but 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 contained on FAA form

documents is unnecessary. This amendment provides the affected CFR sections, and specifies the SIAPs and 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 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 and Takeoff Minimums and ODP as amended in the transmittal. For safety and timeliness of change considerations, this amendment incorporates only specific changes contained for each SIAP and Takeoff Minimums and ODP as modified by FDC permanent NOTAMs.

The SIAPs and Takeoff Minimums and ODPs, as modified by FDC permanent NOTAM, and contained in this amendment are based on criteria contained in the U.S. Standard for Terminal Instrument Procedures (TERPS). In developing these changes to SIAPs and Takeoff Minimums and ODPs, the TERPS criteria were applied only to specific conditions existing at the affected airports. All SIAP amendments in this rule have been previously issued by the FAA in a FDC NOTAM as an emergency action of immediate flight safety relating directly to published aeronautical charts.

The circumstances that created the need for these SIAP and Takeoff Minimums and ODP amendments require making them effective in less than 30 days.

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 these 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.

List of Subjects in 14 CFR Part 97

Air traffic control, Airports, Incorporation by reference, Navigation (air).

Issued in Washington, DC, April 10, 2026.

Gary W. Petty,

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 amending Standard Instrument Approach Procedures and Takeoff Minimums and ODPs, 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:

By amending: § 97.23 VOR, VOR/DME, VOR or TACAN, and VOR/DME or TACAN; § 97.25 LOC, LOC/DME, LDA, LDA/DME, SDF, SDF/DME; § 97.27 NDB, NDB/DME; § 97.29 ILS, ILS/DME, MLS, MLS/DME, MLS/RNAV; § 97.31 RADAR SIAPs; § 97.33 RNAV SIAPs; and § 97.35 COPTER SIAPs, Identified as follows:

* * * Effective Upon Publication

AIRAC date	State	City	Airport	FDC No.	FDC date	Procedure name
14-May-26 ..	CA	San Luis Obispo	San Luis Obispo County Rgnl	6/3064	3/25/2026	VOR OR TACAN–A, Amdt 6C.
14-May-26 ..	CA	San Luis Obispo	San Luis Obispo County Rgnl	6/3065	3/25/2026	RNAV (GPS) RWY 11, Amdt 2.
14-May-26 ..	CA	San Luis Obispo	San Luis Obispo County Rgnl	6/3066	3/25/2026	RNAV (GPS) RWY 29, Amdt 1.
14-May-26 ..	DC	Washington	Ronald Reagan Washington Ntl.	6/4527	3/27/2026	ILS OR LOC RWY 1, ILS RWY 1 (SA CAT I), ILS RWY 1 (CAT II), Amdt 41D.
14-May-26 ..	PA	Harrisburg	Harrisburg Intl	6/4713	3/27/2026	VOR RWY 31, Amdt 2C.
14-May-26 ..	NC	Lincolnton	Lincoln County Rgnl	6/4897	3/27/2026	RNAV (GPS) RWY 23, Amdt 1B.
14-May-26 ..	NC	Lincolnton	Lincoln County Rgnl	6/4898	3/27/2026	RNAV (GPS) RWY 5, Amdt 1D.
14-May-26 ..	KS	Salina	Salina Rgnl	6/5296	3/23/2026	ILS OR LOC RWY 35, Amdt 19C.
14-May-26 ..	NY	Hudson	Columbia County	6/6871	2/19/2026	RNAV (GPS) RWY 3, Orig-C.
14-May-26 ..	MS	Ripley	Ripley	6/6874	2/19/2026	RNAV (GPS) RWY 21, Amdt 1B.
14-May-26 ..	MS	Ripley	Ripley	6/6875	2/19/2026	RNAV (GPS) RWY 3, Amdt 1B.
14-May-26 ..	GA	Louisville	Louisville Muni	6/6879	2/19/2026	RNAV (GPS) RWY 13, Orig-B.
14-May-26 ..	MI	Grand Haven	Grand Haven Meml Airpark	6/6881	2/19/2026	RNAV (GPS) RWY 27, Orig-B.
14-May-26 ..	ND	Harvey	Harvey Muni	6/6882	2/19/2026	RNAV (GPS) RWY 29, Orig-E.
14-May-26 ..	SC	Lake City	Lake City Muni Cj Evans Fld ..	6/6907	2/19/2026	RNAV (GPS) RWY 1, Orig-A.
14-May-26 ..	ND	Casselton	Casselton Robert Miller Rgnl ..	6/6908	2/19/2026	RNAV (GPS) RWY 31, Amdt 1B.
14-May-26 ..	LA	Mansfield	C E ‘Rusty’ Williams	6/7004	2/19/2026	RNAV (GPS) RWY 18, Orig-D.
14-May-26 ..	TX	Carthage	Panola County-Sharpe Fld	6/7005	2/19/2026	RNAV (GPS) RWY 35, Orig-C.
14-May-26 ..	MN	Minneapolis	Minneapolis-St Paul Intl/Wold-Chamberlain.	6/7174	3/18/2026	LOC RWY 17, Amdt 1B.
14-May-26 ..	WI	Eagle River	Eagle River Union	6/7437	2/23/2026	VOR/DME RWY 4, Amdt 1C.
14-May-26 ..	WI	Eagle River	Eagle River Union	6/7439	2/23/2026	RNAV (GPS) RWY 4, Orig-B.
14-May-26 ..	WI	Eagle River	Eagle River Union	6/7441	2/23/2026	LOC/DME RWY 4, Orig-C.
14-May-26 ..	NE	Ogallala	Searle Fld	6/8588	1/30/2026	RNAV (GPS) RWY 8, Amdt 2D.
14-May-26 ..	WI	Oshkosh	Wittman Rgnl	6/8643	3/16/2026	LOC BC RWY 18, Amdt 7B.
14-May-26 ..	TX	Eagle Pass	Maverick County Meml Intl	6/8751	2/23/2026	RNAV (GPS) RWY 31, Orig-A.
14-May-26 ..	TX	Center	Center Muni	6/8752	2/23/2026	RNAV (GPS) RWY 35, Orig-D.
14-May-26 ..	TX	Center	Center Muni	6/8753	2/23/2026	RNAV (GPS) RWY 17, Orig-E.
14-May-26 ..	OK	Holdenville	Holdenville Muni	6/8754	2/23/2026	RNAV (GPS) RWY 35, Orig-B.
14-May-26 ..	OK	Holdenville	Holdenville Muni	6/8755	2/23/2026	RNAV (GPS) RWY 17, Orig-B.
14-May-26 ..	OH	Wilmington	Clinton Fld	6/8756	2/23/2026	RNAV (GPS) RWY 3, Orig-A.
14-May-26 ..	KS	Abilene	Abilene Muni	6/8757	2/23/2026	RNAV (GPS) RWY 36, Amdt 2.
14-May-26 ..	PA	Harrisburg	Harrisburg Intl	6/8804	3/16/2026	RNAV (GPS) RWY 13, Amdt 1A.
14-May-26 ..	ND	Bismarck	Bismarck Muni	6/8945	1/30/2026	RNAV (GPS) RWY 31, Amdt 1C.
14-May-26 ..	MN	Minneapolis	Minneapolis-St Paul Intl/Wold-Chamberlain.	6/9371	3/18/2026	ILS OR LOC RWY 12L, ILS RWY 12L (SA CAT I), ILS RWY 12L (CAT II AND III), Amdt 12.

DEPARTMENT OF COMMERCE

15 CFR Part 8

[Docket No. 260108–0024]

RIN 0605–AA70

Rescinding Portions of Department of Commerce Title VI Regulations To Conform More Closely With the Statutory Text and To Implement Executive Order 14281**AGENCY:** Office of Civil Rights, Department of Commerce.**ACTION:** Final rule.

SUMMARY: By this rule, the Department of Commerce (Department) amends its regulations implementing Title VI of the Civil Rights Act of 1964 (Title VI) to eliminate provisions concerning disparate-impact liability and affirmative action. These amendments align the Department's regulations with Title VI's original public meaning, avoid constitutional concerns, reduce compliance costs, and serve the public interest. In addition, these revisions implement changes directed in Executive Order 14281.

DATES: The rule is effective April 16, 2026.

FOR FURTHER INFORMATION CONTACT: Daniel Sweeney, Senior Counsel, Office of the General Counsel, at (202) 482–1395.

SUPPLEMENTARY INFORMATION:**I. Executive Summary**

The Department is revising and rescinding portions of its regulations promulgated pursuant to Title VI, 42 U.S.C. 2000d–1, to more closely align its regulations to the language that Congress enacted in Title VI prohibiting intentionally discriminatory conduct, *see* 42 U.S.C. 2000d. The Department is cross-referencing and incorporating the reasoning of the Department of Justice (DOJ) final rule published in the **Federal Register** on December 10, 2025. 90 FR 57141. There are serious statutory and constitutional concerns with the legality of the Department's Title VI regulations, which go beyond intentional discrimination to additionally prohibit conduct having an unintentional disparate impact. This rule accordingly rescinds those portions of the regulations that prohibit conduct having a disparate impact, which are in considerable tension with both Title VI and the Constitution and do not serve the public interest.

The rule's revisions also conform to Executive Order 14281, “*Restoring Equality of Opportunity and*

Meritocracy” (Apr. 28, 2025; 90 FR 17537). That Order states that “[i]t is the policy of the United States to eliminate the use of disparate-impact liability in all contexts to the maximum degree possible to avoid violating the Constitution, Federal civil rights laws, and basic American ideals.” *Id.* at 17537. Although the Department would take this action independent of Executive Order 14281, the Order supports this action.

This rule makes clear that (i) the Department's Title VI regulations do not prohibit conduct or activities that have a disparate impact and instead prohibit only intentional discrimination, and (ii) the Department thus will not pursue Title VI disparate-impact liability against its Federal-funding recipients.

II. Discussion**A. Statutory History of Title VI**

Title VI of the Civil Rights Act of 1964, as amended, provides: “No person in the United States shall, on the ground of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance.” 42 U.S.C. 2000d. Title VI also directs Federal departments and agencies that extend Federal financial assistance to “effectuate the provisions of” Title VI “by issuing rules, regulations, or orders of general applicability.” 42 U.S.C. 2000d–1. The section of Title VI that sets forth the prohibited conduct, 42 U.S.C. 2000d, prohibits intentional discrimination and makes no reference to unintentional disparate effects or impact. *See Alexander v. Sandoval*, 532 U.S. 275, 280 (2001) (“[I]t is . . . beyond dispute—and no party disagrees—that [Title VI] prohibits only intentional discrimination.”). The statute does not explicitly provide any Federal department or agency with authority to prohibit conduct having an unintentional disparate impact. And despite having ample opportunities, Congress has not amended Title VI to impose disparate-impact liability.

B. Regulatory History of Title VI

The Department originally published these regulations in a final rule on July 5, 1973 (38 FR 17938). The rule was issued under Section 602 of the Civil Rights Act of 1964 (42 U.S.C. 2000d–1). Its issuance was part of a coordinated effort among Federal departments and agencies, based on recommendations from the Interagency Committee for Uniform Title VI Regulation Amendments, to clarify and standardize

the application of Title VI. Shortly thereafter, the Department published a correction notice on September 4, 1973 (38 FR 23777), to fix minor typographical errors in the original publication.

In 2003, the Department added language defining “program or activity” and “program” to reflect the amendment of Title VI by the Civil Rights Restoration Act of 1987, Public Law 100–259, 68 FR 51334; *see* 15 CFR 8.3(g). Thus, beyond the required updating of the phrases “program or activity” and “program” pursuant to the Civil Rights Restoration Act, the Department has not substantively updated its Title VI regulations since 1973.

C. Relevant Supreme Court Decisions

The Supreme Court has found that Title VI, 42 U.S.C. 2000d, does not prohibit facially neutral policies that result in disparate outcomes when there is no discriminatory intent. Rather, it prohibits only intentional discrimination. In 1978, the Supreme Court found that Congress intended Title VI to prohibit “only those racial classifications that would violate the Equal Protection Clause” if committed by a government actor. *Regents of the Univ. of Cal. v. Bakke*, 438 U.S. 265, 287 (1978) (Powell, J., announcing the judgment of the Court); *id.* at 325, 328, 352–53 (Brennan, White, Marshall, and Blackmun, JJ., concurring in part and dissenting in part); *see also Students for Fair Admissions, Inc. v. President & Fellows of Harvard Coll.*, 600 U.S. 181, 198 n.2 (2023) (*SFFA*). Shortly before *Bakke*'s Title VI holding, the Supreme Court held that the Equal Protection Clause prohibits only intentional discrimination and that “a law or other official act” that has a “racially disproportionate impact” alone does not violate that Clause. *Washington v. Davis*, 426 U.S. 229, 239 (1976); *see also Vill. of Arlington Heights v. Metro. Hous. Dev. Corp.*, 429 U.S. 252, 265 (1977) (“Proof of racially discriminatory intent or purpose is required to show a violation of the Equal Protection Clause.”). Taken together, these Supreme Court cases establish that Title VI's statutory prohibition, like the Equal Protection Clause, extends only to intentional discrimination.

In 2001, the Supreme Court, in *Alexander v. Sandoval*, reaffirmed that settled understanding. *See* 532 U.S. at 280 (“[I]t is . . . beyond dispute . . . that [Title VI] prohibits only intentional discrimination.”). In *Sandoval*, the Supreme Court held that private plaintiffs lacked a private right of action to enforce DOJ's “disparate-impact

regulations.” *Id.* at 285–87. Although the Supreme Court had previously found a private cause of action to enforce Title VI’s bar on intentional discrimination, *id.* at 279–80, that conclusion did not extend to enforcing DOJ’s “disparate-impact regulations.” *Id.* at 285. As the Supreme Court explained, it is “clear” that “the disparate-impact regulations do not simply apply” the statutory prohibition, as the regulations “forbid conduct that [Title VI] permits,” so it is equally “clear that the private right of action to enforce [Title VI] does not include a private right to enforce these regulations.” *Id.* While the Supreme Court in *Sandoval* “assume[d]” without deciding that DOJ’s disparate-impact regulations were valid, the Court explained that the then-current version of the regulations were in “considerable tension” with the Supreme Court’s Title VI precedents. Similarly, the regulations did not “authoritatively” construe Title VI because the regulations “forbid conduct”—namely, policies that unintentionally result in a disparate impact—that Title VI “permits.” *Id.* at 281–82, 284–85; *see also id.* at 286 n.6 (“[Title VI] permits the very behavior that the regulations forbid.”).

Finally, in 2024, the Supreme Court overruled *Chevron U.S.A. Inc. v. Natural Resources Defense Council, Inc.*, 467 U.S. 837 (1984). *See Loper Bright Enters. v. Raimondo*, 603 U.S. 369, 409–12 (2024). In reaching that result, the Supreme Court made clear that “statutes . . . have a single, best meaning” that is “‘fixed at the time of enactment.’” *Id.* at 400 (quoting *Wis. Cent. Ltd. v. United States*, 585 U.S. 274, 284 (2018)). Thus, Title VI’s bar on discrimination can have only one meaning. And under Supreme Court precedent, the single, best meaning of Title VI is that it “prohibits only intentional discrimination” and “permits” facially neutral policies that result in disparate outcomes so long as there is no discriminatory intent. *Sandoval*, 532 U.S. at 280, 286 n.6.

D. Executive Order 14281

On April 23, 2025, the President issued Executive Order 14281. This Order restated the “bedrock principle of the United States . . . that all citizens are treated equally under the law.” 90 FR at 17537. The Order explained that this “principle guarantees equality of opportunity, not equal outcomes,” and “promises that people are treated as individuals, not components of a particular race or group.” *Id.*

That Order also explained that disparate-impact liability “endangers this foundational principle.” *Id.*

Disparate-impact liability, the Order reasoned, “all but requires individuals and businesses to consider race and engage in racial balancing to avoid potentially crippling legal liability.” *Id.* As the Order explained, disparate-impact liability “not only undermines our national values but also runs contrary to equal protection under the law and, therefore, violates our Constitution.” *Id.*

The Order relayed that because of these problems, “[i]t is the policy of the United States to eliminate the use of disparate-impact liability in all contexts to the maximum degree possible to avoid violating the Constitution, Federal civil rights laws, and basic American ideals.” *Id.* Accordingly, this rule revises the Department’s currently existing Title VI regulations, consistent with the Order’s policy and purpose.

In any event, the Department would have independently initiated steps toward making these changes regardless of Executive Order 14281. Even if Executive Order 14281 did not exist, in other words, the Department would have taken steps to adopt the policy to eliminate the use of disparate-impact liability under Title VI. The Order states, and the Department firmly agrees, that a “bedrock principle of the United States is that all citizens are treated equally under the law. This principle guarantees equality of opportunity, not equal outcomes. It promises that people are treated as individuals, not components of a particular race or group. It encourages meritocracy and a colorblind society,” not race-, color-, or national-origin-based favoritism. 90 FR at 17537. And adherence to this principle, including in the issuance of grants, “is essential to creating opportunity, encouraging achievement, and sustaining the American Dream.” *Id.*

Imposing disparate-impact liability endangers these policy objectives. Disparate-impact liability also raises serious constitutional concerns, is in considerable tension with the original public meaning of Title VI, creates confusion, increases the costs of compliance, and does not serve the public interest. After considering the relevant issues and factors and weighing the relevant considerations, the Department concludes that these reasons support eliminating disparate-impact liability from the Department’s Title VI regulations. In any event, the Department concludes that each reason is a separate and independent basis for eliminating disparate-impact liability from the Department’s Title VI regulations.

E. Need for Rulemaking

The Department’s regulation at 15 CFR 8.4, entitled “Discrimination prohibited,” outlines the core prohibitions against discrimination and includes several provisions that go beyond the statutory text and constitutional requirements by prohibiting facially neutral policies that have a disparate impact. Specifically, § 8.4(a) establishes the general principle that no person in the United States shall, on the ground of race, color, or national origin, be excluded from participation in, be denied the benefits of, or otherwise be subjected to discrimination under any program to which the part applies. Section 8.4(b) enumerates specific discriminatory acts that are prohibited. These include, among others, providing different services or benefits, subjecting individuals to segregation or separate treatment, restricting the enjoyment of advantages or privileges afforded to others, and using criteria or administrative methods that have the effect of discriminating. This section also prohibits recipients from selecting sites or locations for facilities with the purpose or effect of excluding individuals on prohibited grounds. Furthermore, § 8.4(b)(6) requires a recipient to take affirmative action to overcome the effects of prior discrimination. Section 8.4(c) addresses employment practices. It establishes that where a primary objective of the Federal financial assistance is to provide employment, a recipient is prohibited from discriminating in its employment practices. Even where providing employment is not a primary objective, the rule specifies that the same prohibitions apply if a recipient’s discriminatory employment practices tend to exclude individuals from participation in or deny them the benefits of the federally assisted program.

There are serious statutory and constitutional concerns with the legality of the Department’s Title VI disparate-impact regulations. The Department also has serious policy concerns with its current disparate-impact regulations, including that the disparate-impact standard creates confusion, undermines public confidence in the nation’s civil rights laws and the rule of law, and produces burdensome litigation and compliance costs.

1. Serious Legal Concerns

In accordance with the reasoning of the DOJ final rule, this Department recognizes that there are serious statutory concerns as to whether the

Title VI statute authorizes the disparate-impact provisions of the current regulations. As summarized above, the Supreme Court's *Sandoval* decision makes clear that Title VI prohibits "only intentional discrimination" and "permits" facially neutral policies that result in disparate outcomes when there is no discriminatory intent. *Sandoval*, 532 U.S. at 280–81, 286 n.6. That is the "single, best meaning" of Title VI. *Loper Bright*, 603 U.S. at 400. *Sandoval* calls into serious doubt the legality of the Department's "disparate-impact regulations." *Sandoval*, 532 U.S. at 281–82, 284–85 (noting that DOJ's substantially identical regulations were in "considerable tension" with the Supreme Court's Title VI precedents); *see also id.* at 286 n.6 ("[Title VI] permits the very behavior that the regulations forbid."). Although *Sandoval* resolved only the question of private enforceability, subsequent cases such as *Loper Bright* have made clear that the Department cannot extend Title VI beyond its original public meaning. *See Loper Bright*, 603 U.S. at 412–13 (holding that "courts must . . . ensur[e] that [an] agency acts within" its statutory authority). And even in the absence of Supreme Court precedent, the Department would have concluded that the best reading of Title VI is that it prohibits only intentional discrimination.

Title VI authorizes agencies to promulgate regulations "to effectuate" the statute's prohibition of intentional discrimination. 42 U.S.C. 2000d–1. The current regulations' extension of prohibited conduct to include conduct with an unintentional disparate impact reaches a vastly broader scope than the statute itself. This scope is too broad to be considered a simple prophylactic measure aimed at preventing intentional discrimination. *See Sandoval*, 532 U.S. at 286 n.6 ("[Title VI] permits the very behavior that the regulations forbid."). Thus, the disparate-impact regulations do not "effectuate" Title VI. 42 U.S.C. 2000d–1.

There are also serious concerns about whether the Department's Title VI regulations pass constitutional muster under the Equal Protection Clause. As the Supreme Court recently held in *SFFA*, "the Equal Protection Clause . . . applies without regard to any differences of race, of color, or of nationality—it is universal in its application" and the "guarantee of equal protection cannot mean one thing when applied to one individual and something else when applied to a person of another color." 600 U.S. at 206 (internal quotation marks omitted) (first quoting *Yick Wo v. Hopkins*, 118

U.S. 356, 369 (1886); and then quoting *Bakke*, 438 U.S. at 289–90 (Powell, J.)). Despite the promises of the Equal Protection Clause, a funding recipient's risk of disparate-impact liability under the Department's regulations is triggered by unintentional disparate outcomes, which the recipient may not even know about without investigation. To evaluate and avoid this risk, the funding recipient must incur investigatory costs, such as conducting an impact analysis, and is coerced to proactively consider race, color, and national origin, and potentially use it to change the unintended disparate outcomes. In short, disparate-impact liability encourages and, in some cases, requires covered entities to engage in the intentional use of race and racial balancing to eliminate those disparate outcomes by treating certain racial groups differently from others—the exact conduct the Equal Protection Clause forbids. *See id.* The serious constitutional concerns raised by these perverse incentives further confirm that the best reading of Title VI is that it prohibits only intentional discrimination and does not authorize the Department to impose disparate-impact liability. *See Edward J. DeBartolo Corp. v. Fla. Gulf Coast Bldg. & Constr. Trades Council*, 485 U.S. 568, 575 (1988) ("[W]here an otherwise acceptable construction of a statute would raise serious constitutional problems, the Court will construe the statute to avoid such problems unless such construction is plainly contrary to the intent of Congress." (citing *NLRB v. Catholic Bishop of Chi.*, 440 U.S. 490, 499–501, 504 (1979))).

This encouraged or coerced use of race, color, or national origin violates the Equal Protection Clause unless it survives review under the "daunting" strict-scrutiny standard. *SFFA*, 600 U.S. at 206; *see also Free Speech Coal., Inc. v. Paxton*, 145 S. Ct. 2291, 2310 (2025) ("Strict scrutiny—which requires a restriction to be the least restrictive means of achieving a compelling governmental interest—is 'the most demanding test known to constitutional law.'" (quoting *City of Boerne v. Flores*, 521 U.S. 507, 534 (1997))). The use of race, color, or national origin necessitated by the disparate-impact provisions runs into serious issues with the requirement of narrow tailoring to achieve a compelling interest. *SFFA*, 600 U.S. at 206–07.

Similarly, the "affirmative action" provision authorizes and sometimes requires the intentional use of race without requiring that this intentional use be narrowly tailored to serve a recognized compelling interest. Instead,

it encourages intentional racial balancing "to overcome the effects of" unintended racial disparities. 28 CFR 42.104(b)(6). Thus, for substantially the same reasons as above, the "affirmative action" provision raises serious constitutional concerns.

As summarized above, there are serious statutory and constitutional concerns with the Department's disparate-impact regulations. But even if the regulations were consistent with the statute, the Department finds that eliminating the potential constitutional concerns addressed above would independently justify the amendment of the regulations. *Cf. U.S. Tel. Ass'n v. FCC*, 188 F.3d 521, 528 (D.C. Cir. 1999) (concluding it was not "arbitrary and capricious" to adopt a certain policy in order to "avoid[] raising a non-trivial constitutional question"). And even if the regulations did not raise serious constitutional concerns, the Department finds that eliminating the costs and confusion caused by the mismatch between the statute and the disparate-impact regulations would independently justify the repeal of the regulations.

2. Serious Policy Concerns

The Department also has serious policy concerns with the Title VI regulations' imposition of disparate-impact liability. While the Department expresses its policy concerns with disparate-impact liability independent of Executive Order 14281, that Order sets forth many valid policy concerns with disparate-impact liability:

On a practical level, disparate-impact liability has hindered businesses from making hiring and other employment decisions based on merit and skill, their needs, or the needs of their customers because of the specter that such a process might lead to disparate outcomes, and thus disparate-impact lawsuits. This has made it difficult, and in some cases impossible, for employers to use bona fide job-oriented evaluations when recruiting, which prevents job seekers from being paired with jobs to which their skills are most suited—in other words, it deprives them of opportunities for success.

90 FR at 17537. Moreover, the legal concerns identified above have caused uncertainty and confusion for Federal funding recipients as to whether and when they need to comply with the disparate-impact regulations and when they can or must consider race, color, and national origin. As explained above, *Sandoval* casts substantial doubt on the validity of the disparate-impact regulations that many Federal departments and agencies have promulgated pursuant to Title VI. *See* 532 U.S. at 280–82.

Additionally, in practice, and as explained above, disparate-impact liability leads covered entities to engage in racial balancing even as the underlying Title VI statute forbids intentional racial discrimination. This tension tends to create confusion and undermine public confidence in the nation's civil rights laws and in the rule of law itself, as the law seems to both forbid and require the same conduct.

These problems are amplified by the arbitrary nature of the racial and ethnic categories typically used to measure disparate effects, which, by virtue of their arbitrariness, typically lack a meaningful connection to a compelling interest. *See, e.g., SFFA*, 600 U.S. at 216–17 (explaining that the “[racial] categories” utilized by Harvard and University of North Carolina were “themselves imprecise in many ways” and “the use of these opaque racial categories undermine[d], instead of promote[d], [their] goals”).

The Department has considered, among other views, the view that looking at disparate effects can sometimes be useful in uncovering or deterring subtle discrimination or indifference to unnecessary and arbitrary barriers; the view that placing a focus on disparate outcomes can help undo the impact of prior instances of intentional discrimination; the view that placing a focus on disparate outcomes is critical for advancing the Department's goals of promoting economic development and creating conditions that facilitate economic opportunities for all communities; the view that covered entities and affected individuals have already structured their policies and conduct around the disparate-impact provisions at issue; the view that meeting certain racial and/or ethnic thresholds carries benefits regarding experience, knowledge, empathy, and cooperation; and the view that the elimination of disparate-impact provisions is a disruption to the status quo that places an unnecessary and inappropriate focus on race and ethnicity. But all these alleged benefits

are outweighed by the other issues and factors the Department has considered.

The Department has also considered the alternative of trying to adopt a modified version of disparate-impact liability, for example, by requiring covered entities to try to remedy disparate impacts and/or unintentional discrimination for only certain types of cases regarding education, housing, or employment; or by requiring covered entities to consider disparate impacts for special economic development and opportunity purposes. But any version of imposing liability for unintentional discrimination is inconsistent with Title VI's original public meaning, and even a modified version of disparate-impact liability would not sufficiently eliminate the Department's serious legal and policy concerns. The Department determines that any benefits from adopting alternative versions of disparate-impact liability are outweighed by the Department's legal and policy concerns. And even if possible, developing such a rule would not solve the confusion or rule-of-law concerns expressed above, nor reduce the compliance and litigation costs that covered entities face. The Department believes that the better course is to avoid the complexities and litigation associated with this alternative, which ultimately would leave some parts of the problems unaddressed and others inadequately addressed.

The Department also considered the potential reliance interests of funding recipients and others on the disparate-impact regulations. *Sandoval*, however, cast serious doubt on the regulations more than 20 years ago. And Executive Order 14281 also directed all agencies to “deprioritize enforcement of all statutes and regulations to the extent they include disparate-impact liability,” including specifically the Department's Title VI disparate-impact regulations. 90 FR at 17538. The Department accordingly believes that any reliance interests should be minimal and do not outweigh the Department's legal and other policy concerns. Further, each of the Department's concerns, whether

considered cumulatively or separately, outweighs any reliance interests.

The Department notes that *Sandoval* has also led to a divergence between Title VI enforcement by private plaintiffs and enforcement by Federal departments and agencies. After *Sandoval*, private plaintiffs can enforce only Title VI's statutory prohibition on intentional discrimination, while the Department can continue to pursue disparate-impact liability. Repealing the disparate-impact regulations would eliminate this incongruent enforcement.

Overall, after considering the relevant issues and factors and weighing the relevant considerations, the Department finds that, regardless of the legality of the Department's disparate-impact regulations, the above summarized policy concerns, when viewed separately or cumulatively, independently justify the repeal of its disparate-impact regulations.

III. Regulatory Amendments

This rule's regulatory changes address the concerns regarding the statutory authority supporting the scope of these regulations that the Supreme Court questioned in *Sandoval* and the other legal and policy concerns discussed above, harmonize the implementing regulations' scope with the original public meaning of Title VI, promote consistent enforcement among private plaintiffs and Federal departments and agencies, and provide much needed clarity to the courts and Federal funding recipients.

For the reasons summarized above, the Department amends the following provisions in its Title VI implementing regulation that explain the particular types of “Discrimination prohibited,” located at 15 CFR 8.4.

A. Table Summarizing Amendments

The table below indicates the exact wording changes. For each section indicated in the left column, the text shown in the middle column is removed and the text shown in the right column is added:

Section	Remove	Add
8.4(b)(2)	Full text of paragraph: “(2) A recipient . . . or national origin.”	“[Removed and Reserved]”.
8.4(b)(3)	“or effect” from both places.	
8.4(b)(6)	Full text of paragraph (6), subparts (i) and (ii).	
8.4(c)(1)	“(1)” from “(c) Employment practices. (1) Where a primary objective of the” In revised, remove “(c) Employment practices, “Such recipients and other parties . . . , develop a written affirmative action plan.”.	
8.4(c)(2)	Full text of paragraph: “(2) In regard to . . . of beneficiaries.”.	

B. Section-by-Section Analysis

Section 8.4(b)(2)

Section 8.4(b)(2) is the current regulation's general prohibition of unintentional disparate impact. This paragraph expands prohibited conduct from purposeful discrimination to Federal funding recipients who "utilize criteria or methods of administration which have the effect of subjecting individuals to discrimination." Because this paragraph's only purpose is to extend the scope of the regulation to unintentional disparate-impact discrimination, this rule deletes this paragraph and thus amends the Department's Title VI implementing regulations to conform more closely to the scope of the original public meaning of Title VI. The rule replaces paragraph (b)(2) with a placeholder to maintain the numbering accuracy of previous citations and other references to parts of this section.

Section 8.4(b)(3)

Section 8.4(b)(3) addresses a Federal funding recipient's or applicant's selection of sites or locations of facilities. The paragraph provides that a funding recipient may not make selections with the "purpose or effect" of discriminating, or "with the purpose or effect of defeating or substantially impairing the accomplishment of the objectives of" Title VI or the Department's implementing regulations. The paragraph's two references to "effect" extend its scope to unintentional disparate impacts. This rule deletes both "or effect" references to conform paragraph (b)(3) more closely to the scope of the original public meaning of Title VI.

Section 8.4(b)(6)

Section 8.4(b)(6) deals with "affirmative action." Paragraph (b)(6)(ii) authorizes affirmative action in programs even in the absence of a finding of prior discrimination in a program "to overcome the effects of conditions which resulted in limiting participation by persons of a particular race, color or national origin." This provision points not to intentional discrimination, but rather to the unintentional "effects of conditions." The provision consequently authorizes intentional racial classifications, racial preferences, and other race-based actions without the supporting compelling interest and narrow tailoring that the Equal Protection Clause demands. This section has long conflicted with the Equal Protection Clause.

Paragraph (b)(6)(i) *requires* that a recipient "take affirmative action to overcome the effects of prior discrimination" if in "administering a program" the "recipient has previously discriminated." This provision goes well beyond the Equal Protection Clause, which permits in limited circumstances, but does not mandate, a government to take narrowly tailored action to remedy the effects of its identified past discrimination. *See, e.g., Bakke*, 438 U.S. at 307 (Powell, J.). Moreover, even putting aside the mandatory language in the provision, this provision does not require sufficient narrow tailoring to the particular past discrimination, but rather simply "affirmative action to overcome the effects of prior discrimination." This provision accordingly promotes potentially illegal race discrimination to the extent there is a lack of narrow tailoring. Moreover, it problematically requires recipients to consider and use race preferences when the recipient may not want to consider or use race preferences. This is contrary to the Department's goal of promoting and defending a culture of nondiscrimination and is destructive of the public's understanding of, and faith in, the nation's civil rights laws. This rule, therefore, deletes paragraph (b)(6).

Section 8.4(c)

Section 8.4(c) addresses prohibited discriminatory employment practices. Paragraph (c)(1) prohibits intentionally discriminatory employment practices when a primary objective of the Federal financial assistance is to provide employment. Paragraph (c)(2) extends the prohibition to employment practices of the recipient even when the financial assistance primary objective "is not to provide employment" if discrimination in the non-funded employment practices "tends, on the ground of race, color, or national origin, to exclude persons from participation in, to deny them the benefits of, or to subject them to discrimination under the program." This paragraph prohibits not only intentional discrimination but also conduct that "tends" to have a discriminatory effect on a program without the primary objective of providing employment. Moreover, paragraph (c)(2)'s extension to employment practices where the Federal funding's primary objective is not to provide employment conflicts with the statutory limitation found in 42 U.S.C. 2000d–3. Section 2000d–3 states, "[n]othing contained in [Title VI] shall be construed to authorize action under [Title VI] by any department or agency with respect to any employment

practice of any employer, employment agency, or labor organization except where a primary objective of the Federal financial assistance is to provide employment." *Id.*; *see also Johnson v. Transp. Agency, Santa Clara Cnty.*, 480 U.S. 616, 628 n.6 (1987) (citing the statutory limitation and noting Congress's intent that Title VI not "impinge" on Title VII, which prohibits discriminatory employment practices). The rule deletes paragraph (c)(2) so that the regulation more closely adheres to the original public meaning of Title VI. This rule amends the current text of paragraph (c)(1) to make a conforming edit to remove affirmative action requirements in accordance with the reasoning of the DOJ final rule and to implement a technical edit to reflect the removal of paragraph (c)(2).

C. Severability

The Department's position is that each of these amendments serves a vital and related but distinct purpose. The Department also confirms that each of the amendments is intended to operate independently of each other and that the potential invalidity of one amendment should not affect the other amendments. The Department would adopt any of the amendments independently of the invalidity of a separate amendment.

IV. Classification

A. Administrative Procedure Act

Pursuant to 5 U.S.C. 553(a)(2), the provisions of the Administrative Procedure Act requiring notice of proposed rulemaking and the opportunity for public participation are inapplicable to this rule because it relates to "agency management or personnel or to public property, loans, grants, benefits, or contracts."

Title VI concerns non-discrimination conditions on the receipt of Federal financial assistance, and more particularly to the receipt of Federal "[g]rants and loans," "property," "personnel" and "[a]ny Federal agreement, arrangement, or other contract which has as one of its purposes the provision of assistance." 15 CFR 8.3(f); *see also* 15 CFR 8.5 (requiring funding recipient sign contractual assurance of compliance with Title VI); *Cummings v. Premier Rehab Keller, P.L.L.C.*, 596 U.S. 212, 217–18 (2022) (observing that Congress enacted Title VI "[p]ursuant to its authority to 'fix the terms on which it shall disburse federal money'" (internal citation omitted)). *Cf. Education Programs or Activities Receiving or Benefitting from Federal Financial*

Assistance, 82 FR 46655, 46655 (Oct. 6, 2017) (invoking the section 553(a)(2) exception to amend Title IX regulations to “promote consistency in the enforcement of Title IX for [the Department of Agriculture] financial assistance recipients”); *Preserving Community and Neighborhood Choice*, 85 FR 47899 (Aug. 7, 2020) (invoking the exception to repeal Housing and Urban Development rule regarding Federal grantees); *Participation by Minority Business Enterprise in Department of Transportation Programs*, 53 FR 18285 (May 23, 1988) (invoking the exception to expand coverage of Department of Transportation regulation regarding Federal Aviation Administration’s airport financial assistance program); *Nondiscrimination on the Basis of Handicap in Federally Assisted Programs—Suspension of Guidelines with Respect to Mass Transportation*, 46 FR 40687 (Aug. 11, 1981) (invoking the exception to suspend Department of Justice guidelines regarding prohibiting disability discrimination in transportation programs and activities receiving Federal financial assistance).

Indeed, invoking 5 U.S.C. 553(a)(2) is consistent with the Office for Management and Budget’s (OMB) definition for “Federal financial assistance” under 2 CFR 200.1, which defines “Federal financial assistance” with the same categories as the Administrative Procedure Act’s exception for rules “relating to agency management or personnel or to public property, loans, grants, benefits, or contracts,” 5 U.S.C. 553(a)(2). With potentially limited exceptions not applicable to the Department, all the forms of Federal financial assistance set forth under 2 CFR 200.1 that the Department administers would fall under the “public property, loans, grants, benefits, or contracts” exception.

Thus, in accordance with the reasoning of the DOJ final rule, the Department issues this final rule without prior public notice and comment or a delayed effective date under 5 U.S.C. 553(a)(2).

B. Executive Orders 12866 and 13563 (Regulatory Review)

This rulemaking is a “significant regulatory action” under section 3(f) of Executive Order 12866, 58 FR 51735, 51738 (Sep. 30, 1993). Accordingly, this rule has been submitted to the Office of Management and Budget (OMB) for review.

This regulation has been drafted and reviewed in accordance with Executive Order 12866 section 1(b), *id.* at 51735, and in accordance with Executive Order

13563 section 1(b), 76 FR 3821, 3821 (Jan. 18, 2011), which supplements and reaffirms the principles of Executive Order 12866. These Executive Orders direct agencies to assess all costs and benefits of available regulatory alternatives and, if regulation is necessary, to select regulatory approaches that maximize net benefits. 58 FR at 51735; 76 FR at 3821. Executive Order 13563 also recognizes that some benefits and costs are difficult to quantify and provides that, where appropriate and permitted by law, agencies may consider and discuss qualitatively values that are difficult or impossible to quantify. *Id.*

As explained in the preamble, the regulatory modifications this rule makes are necessary to conform Department regulations to Executive Order 14281, address serious legal concerns regarding the Department’s Title VI regulation that the Supreme Court raised in *Sandoval*, harmonize the implementing regulation’s scope with the scope of conduct that Congress intended Title VI to prohibit, promote consistency in enforcement among private plaintiffs and Federal departments and agencies, provide much needed clarity to courts and Federal funding recipients and beneficiaries regarding the scope of the Department’s Title VI regulations, and implement the Department’s general policy of minimizing unnecessary attention to individuals’ racial and ethnic background(s).

Per USASpending data, the Department issued over 8,000 separate new financial assistance awards and obligated over \$63 billion over the past four fiscal years (FYs 22, 23, 24, and 25). In FY2023 alone, the Department issued over 2,000 separate new financial assistance awards and obligated over \$5.7 billion. The Department’s Title VI-related active investigations regarding these funds and their recipients were traditionally coordinated through and conducted with other federal agencies, including the DOJ, due to the Department’s External Civil Rights program being in its infancy and not having dedicated staff until recently. As a result, the Department does not have information about active investigations during that timeframe. Additionally, the Department does not track which of its investigations and compliance reviews involve solely allegations of disparate-impact discrimination. For enforcement actions that relate to both intentional discrimination and conduct having an unintentional disparate impact, the Department does not track and cannot reliably quantify the costs attributable to the varying disparate-impact portions of enforcement actions. That the existence

of a disparate impact is sometimes a factor that is considered in determining whether discrimination is intentional further impedes monetizing costs and benefits. Therefore, the overall cost effect on the Department is difficult to quantify. This deregulatory action should decrease the Department’s enforcement costs, however. It will also have the benefit, albeit difficult to quantify, of bringing the Department’s regulations in line with the law. The Department is also unable to quantify how funding recipients will respond to the regulatory changes, but the deregulatory action should result in greater flexibility and lower compliance costs.

Although funding recipients may receive additional Federal funding from sources other than the Department, the Department does not envision that this rule will appreciably increase administrative costs or compliance costs for funding recipients who must also adhere to the regulations of another department or agency. This deregulatory action does not create any new obligations for funding recipients. On the contrary, by eliminating disparate-impact liability from the regulation, it eliminates a source of regulatory confusion, narrows the conduct prohibited, and thus lessens the costs of compliance and potential liability. Moreover, recipients who receive funds for the same program or activity from more than one Federal entity already enter into separate contractual assurances with each funding entity; such assurances already impose varying requirements that each Federal funding source deems necessary.

Based on the analysis of the practical qualitative costs and benefits noted above, the Department believes that this rule is consistent with the principles of Executive Orders 12866 and 13563, including the requirements that, to the extent permitted by law, the Department adopt a regulation only upon a reasoned determination that its benefits justify its costs and choose a regulatory approach that maximizes net benefits. *See* 58 FR at 51735; 76 FR at 3821.

C. Executive Order 14192 (Unleashing Prosperity Through Deregulation)

Executive Order 14192 requires an agency, unless prohibited by law, to identify at least 10 existing regulations to be repealed when the agency publicly proposes for notice and comment or otherwise promulgates a new regulation. 90 FR 9065, 9065 (Jan. 31, 2025). In furtherance of this requirement, section 3(c) of the Order requires 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.” The Department expects this rule to be a deregulatory action under Executive Order 14192.

D. Executive Order 13132 (Federalism)

This rule does not contain policies having federalism implications as the term is defined in Executive Order 13132. This rule will not have a substantial, direct effect on the relationship between the national government and the states, on distribution of power and responsibilities among various levels of government, or on states’ policymaking discretion. States that choose to receive Federal financial assistance from the Department do so voluntarily and agree to comply with relevant statutory requirements as a condition of receiving such funding. This rule does not subject states or any other funding recipients or beneficiaries to new obligations. This rule amends and clarifies existing regulations that are required by statute. Therefore, in accordance with section 6 of Executive Order 13132, 64 FR 43255, 43257–58 (Aug. 4, 1999), the Department has determined that these amendments do not have sufficient Federalism implications to warrant the preparation of a federalism summary impact statement.

E. Regulatory Flexibility Act

Because a notice of proposed rulemaking and an opportunity for public participation are not required, *see* 5 U.S.C. 553(a)(2), the analytical requirements of the Regulatory Flexibility Act (5 U.S.C. 601 *et seq.*) do not apply. *See Or. Trollers Ass’n v. Gutierrez*, 452 F.3d 1104, 1123–24 (9th Cir. 2006) (noting that the RFA does not apply when an agency validly invokes an exception to the public comment requirements of 5 U.S.C. 553). Further, the Department, in accordance with 5 U.S.C. 605(b), has reviewed these regulations and certifies that the rule’s changes will not have a significant economic impact on a substantial number of small entities, in large part because these regulatory changes do not impose any new substantive obligations on Federal funding recipients. The rule amends and clarifies existing regulations that are required by Title VI. The rule merely brings the Department into compliance with the Equal Protection Clause and harmonizes the scope of its regulations to conform with the scope of Title VI, which does not prohibit conduct having an unintentional disparate impact. All Federal funding recipients have been bound by the existing standards that

will remain in place after this rule since their initial promulgation. Accordingly, no regulatory flexibility analysis is required, and none has been prepared.

F. Executive Order 12250

Pursuant to Executive Order 12250, the DOJ has the responsibility to “review . . . proposed rules . . . of the Executive agencies” implementing nondiscrimination statutes such as Title VI “in order to identify those which are inadequate, unclear or unnecessarily inconsistent.” Additionally, Executive Order 12250 delegated the President’s responsibility to approve Title VI regulations to the Attorney General. *See* 42 U.S.C. 2000d–1. The DOJ has reviewed and approved this rule.

G. Unfunded Mandates Reform Act of 1993

The Unfunded Mandates Reform Act of 1995 (UMRA), 15 U.S.C. 1532, requires agencies to prepare several analytic statements before proposing any rule that may result in annual expenditures of \$100 million by state, local, tribal governments, or the private sector. Section 4(2) of the UMRA, however, excludes from the Act’s coverage any proposed or final Federal regulation that “establishes or enforces any statutory rights that prohibit discrimination on the basis of race, color, religion, sex, national origin, age, handicap, or disability.” Accordingly, this rulemaking is not subject to the provisions of the UMRA.

H. Congressional Review Act

This rule is not a “major rule” as defined by the Congressional Review Act, 5 U.S.C. 804(2). This rule will not result in an annual effect on the economy of \$100 million or more; a major increase in costs or prices; or significant adverse effects on competition, employment, investment, productivity, innovation, or the ability of companies based in the United States to compete with foreign-based companies in domestic and export markets. The rule merely narrows the scope of the Department’s Title VI regulations to conform them to the scope of Title VI and the Equal Protection Clause. Doing so does not impose any new obligations on any recipients of Federal funding.

I. 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 in 15 CFR Part 8

Administrative practice and procedure, Civil rights, Equal employment opportunity, Government contracts, Grant programs, Grants administration.

Dated: April 13, 2026.

Paul Dabbar,

Deputy Secretary of Commerce.

Accordingly, for the reasons set forth above, part 8 of title 15 of the Code of Federal Regulations is amended as follows:

PART 8—NONDISCRIMINATION IN FEDERALLY ASSISTED PROGRAMS OF THE DEPARTMENT OF COMMERCE—EFFECTUATION OF TITLE VI OF THE CIVIL RIGHTS ACT OF 1964

■ 1. The authority citation for part 8 continues to read as follows:

Authority: Sec. 602, Civil Rights Act of 1964 (42 U.S.C. 2000d–1).

■ 2. Amend § 8.4 by revising paragraphs (b) and (c) to read as follows:

§ 8.4 Discrimination prohibited.

* * * * *

(b) *Specific discriminatory acts prohibited.* (1) A recipient of Federal financial assistance, or other party subject to this part, shall not participate, directly or through contractual or other arrangements, in any act or course of conduct which, on the ground of race, color, or national origin:

(i) Denies to a person any service, financial aid, or other benefit provided under the program;

(ii) Provides any service, financial aid, or other benefit, to a person which is different, or is provided in a different manner, from that provided to others under the program;

(iii) Subjects a person to segregation or separate or other discriminatory treatment in any matter related to his receipt (or nonreceipt) of any such service, financial aid, property, or other benefit under the program.

(iv) Restricts a person in any way in the enjoyment of services, facilities, or any other advantage, privilege, property, or benefit provided to others under the programs;

(v) Treats a person differently from others in determining whether he satisfies any admission, enrollment, quota, eligibility, membership, or other requirement or condition which persons must meet in order to be provided any service, financial aid, or other benefit provided under the program;

(vi) Denies a person an opportunity to participate in the program through the

provision of property or services or otherwise, or affords him an opportunity to do so which is different from that afforded others under the program (including the opportunity to participate in the program as an employee but only to the extent set forth in paragraph (c) of this section);

(vii) Denies a person the same opportunity or consideration given others to be selected or retained or otherwise to participate as a contractor, subcontractor, or subgrantee;

(viii) Denies a person the opportunity to participate as a member of a planning or advisory body which is an integral part of the program.

(2) [Reserved]

(3) In determining the site or location of facilities, a recipient or other party subject to this part may not make selections with the purpose of excluding persons from, denying them the benefits of, or subjecting them to discrimination under any program to which this part applies, on the grounds of race, color or national origin; or with the purpose of defeating or substantially impairing the accomplishment of the objectives of the Act or this part.

(4) As used in this section, the services, financial aid, or other benefits provided under a program receiving Federal financial assistance shall be deemed to include any service, financial aid, or other benefit provided or made available in or through or utilizing a facility provided with the aid of Federal financial assistance.

(5) The enumeration of specific forms of prohibited discrimination in this paragraph and paragraph (c) of this section does not limit the generality of the prohibition in paragraph (a) of this section.

(c) *Employment practices.* Where a primary objective of the Federal financial assistance to a program to which this part applies is to provide employment, a recipient or other party subject to this part shall not, directly or through contractual or other arrangements, subject a person to discrimination on the ground of race, color, or national origin in its employment practices under such program (including recruitment or recruitment advertising, hiring, firing, upgrading, promotion, demotion, transfer, layoff, termination, rates of pay or other forms of compensation or benefits, selection for training or apprenticeship, use of facilities, and treatment of employees). The requirements applicable to construction employment under any such program shall be in addition to those specified in or pursuant to Part III of Executive Order 11246 or any Executive order

which supersedes it. Federal financial assistance to programs under laws funded or administered by the Department that has as a primary objective the providing of employment include those set forth in appendix A II of this part.

[FR Doc. 2026-07477 Filed 4-15-26; 8:45 am]

BILLING CODE 3510-BP-P

DEPARTMENT OF COMMERCE

15 CFR Parts 8 and 20

[Docket No. 260107-0012]

RIN 0605-AA76

Removing Outdated Language From Regulatory Definitions of “United States”

AGENCY: Office of Civil Rights, Department of Commerce.

ACTION: Final rule.

SUMMARY: By this rule, the Department of Commerce (Department) amends the definition of the term “United States” set forth in two of its regulations. Specifically, this rule removes references to “the Canal Zone,” which is no longer part of the United States, and makes other minor edits to ensure that the two definitions are identical. This action is necessary to ensure that the Department’s regulations are accurate, up-to-date, and consistent. The intended effect is to eliminate outdated language, reduce inconsistencies across the Department’s regulations, and minimize the possibility of confusion.

DATES: Effective April 16, 2026.

FOR FURTHER INFORMATION CONTACT: Daniel Sweeney, Senior Counsel, Office of the General Counsel, at (202) 482-1395.

SUPPLEMENTARY INFORMATION:

I. Background

The Department originally published the regulations at 15 CFR part 8 and 15 CFR part 20 in final rules on July 5, 1973 (38 FR 17938), and August 13, 1986 (51 FR 28926), respectively. The regulations at 15 CFR part 8 were promulgated to effectuate Section 602 of the Civil Rights Act of 1964 (42 U.S.C. 2000d-1), which directs each Federal department and agency to issue regulations implementing the statutory prohibition on discrimination on the basis of race, color, or national origin. Similarly, the regulations at 15 CFR part 20 were promulgated to effectuate the Age Discrimination Act of 1975, as amended (42 U.S.C. 6101 *et seq.*), and the corresponding government-wide regulations at 45 CFR part 90, which

establish a general prohibition against discrimination on the basis of age. Both 15 CFR part 8 and 15 CFR part 20 include a regulation defining the term “United States” to include “the Canal Zone”—a reference to the Panama Canal Zone. *See* 15 CFR 8.3(c); 15 CFR 20.3(o). As relevant for 15 CFR part 20, the government-wide regulations at 45 CFR part 90 likewise set forth a definition of “United States” that includes “the Canal Zone.” 45 CFR part 90.4.

The Panama Canal Zone was an exclusive concession of the United States from 1903 to 1979. Thereafter, the Canal was jointly controlled by the United States and the country of Panama until 1999. Then, on December 31, 1999, the United States officially transferred full control of the Canal to Panama. The regulatory definitions of the term “United States” set forth in 15 CFR 8.3(c) and 15 CFR 20.3(o) have not been updated to reflect these historical developments and still indicate that the Canal Zone is part of the United States.

II. Discussion

By this rule, the Department is updating the definitions of the term “United States” set forth in 15 CFR 8.3(c) and 15 CFR 20.3(o) to accurately reflect the current scope of the United States and its territories and possessions. In particular, the Department is removing from both §§ 8.3(c) and 20.3(o) references to the Panama Canal Zone, as that Zone is no longer considered part of the United States. This removal will promote not only accuracy but also consistency across the Department’s regulations, as 15 CFR 801.2(a), for instance, does not define “United States” to include the Canal Zone. *See* 15 CFR 801.2(a) (defining the term “United States,” “when used in a geographic sense,” to mean “the several States, the District of Columbia, the Commonwealth of Puerto Rico, and all territories and possessions of the United States.”). This removal will, however, create some inconsistency between the Department’s age discrimination regulations (15 CFR part 20) and the government-wide age discrimination regulations (45 CFR part 90), since “United States” is defined in 45 CFR 90.4 to include the Canal Zone. The Department nevertheless finds it appropriate to amend §§ 8.3(c) and 20.3(o) to ensure the accuracy of—and consistency throughout—the Department’s own regulations.

The Department also finds it appropriate to make two other minor amendments to ensure that §§ 8.3(c) and 20.3(o) are identical. Specifically, the Department is (i) ensuring that both definitions explicitly mention the

Northern Mariana Islands, and (ii) adopting uniform language for the reference to the States (“the fifty States”).

III. Classification

A. Administrative Procedure Act

Pursuant to 5 U.S.C. 553(a)(2), the provisions of the APA requiring notice of proposed rulemaking and the opportunity for public participation are inapplicable to this rule because it relates to “agency management or personnel or to public property, loans, grants, benefits, or contracts.” This rule modifies definitions set forth in 15 CFR parts 8 and 20, both of which establish nondiscrimination requirements in connection with Federal assistance. Additionally, pursuant to 5 U.S.C. 553(b)(B), the Department finds good cause to waive notice of proposed rulemaking and the opportunity for public participation because public participation would be unnecessary. This rule only removes an outdated definition of the United States that no longer aligns with its current boundaries and territories. Public participation would not affect the legal and accurate definition of the United States.

B. Executive Orders 12866, 14192, 13132

The Office of Management and Budget has determined this rule is not significant pursuant to 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(a)(2), 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. Executive Order 12250

Pursuant to Executive Order 12250, the Department of Justice has the responsibility to “review . . . proposed rules . . . of the Executive agencies” implementing nondiscrimination statutes such as Title VI in order to identify those which are inadequate, unclear or unnecessarily inconsistent.” The Department of Justice has reviewed and approved this rule.

E. 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 in 15 CFR Part 8

Administrative practice and procedure, Civil rights, Equal employment opportunity, Government contracts, Grant programs, Grants administration.

15 CFR Part 20

Administrative practice and procedure, Civil rights, Grant programs, Public assistance programs.

Dated: April 13, 2026.

Paul Dabbar,

Deputy Secretary of Commerce.

Accordingly, for the reasons set forth above, parts 8 and 20 of title 15 of the Code of Federal Regulations are amended as follows:

PART 8—NONDISCRIMINATION IN FEDERALLY ASSISTED PROGRAMS OF THE DEPARTMENT OF COMMERCE—EFFECTUATION OF TITLE VI OF THE CIVIL RIGHTS ACT OF 1964

- 1. The authority citation for part 8 continues to read as follows:

Authority: Sec. 602, Civil Rights Act of 1964 (42 U.S.C. 2000d–1).

- 2. Amend § 8.3 by revising paragraph (c) to read as follows:

§ 8.3 Definitions

* * * * *

(c) *United States* means the fifty States, the District of Columbia, Puerto Rico, the Virgin Islands, American Samoa, Guam, Wake Island, the Northern Mariana Islands, and the territories and possessions of the United States.

* * * * *

PART 20—NONDISCRIMINATION ON THE BASIS OF AGE IN PROGRAMS OR ACTIVITIES RECEIVING FEDERAL FINANCIAL ASSISTANCE

- 3. The authority citation for part 20 continues to read as follows:

Authority: Age Discrimination Act of 1975, as amended, 42 U.S.C. 6101 *et seq.* and the government-wide regulations implementing the Act, 45 CFR part 90.

- 4. Amend § 20.3 by revising paragraph (o) to read as follows:

§ 20.3 Definitions.

* * * * *

(o) *United States* means the fifty States, the District of Columbia, Puerto Rico, the Virgin Islands, American Samoa, Guam, Wake Island, the Northern Mariana Islands, and the

territories and possessions of the United States.

[FR Doc. 2026–07427 Filed 4–15–26; 8:45 am]

BILLING CODE 3510–BP–P

DEPARTMENT OF COMMERCE

15 CFR Part 28

[Docket No. 260311–0068]

RIN 0605–AA73

Removing Redundant, Obsolete, and Inefficient Provisions From the Regulations Governing Restrictions on Lobbying

AGENCY: Office of the Secretary, Department of Commerce (Commerce).

ACTION: Final rule.

SUMMARY: By this rule, Commerce is amending its regulations governing restrictions on lobbying. Specifically, Commerce is amending said regulations by removing two redundant and unnecessary compliance provisions and by removing two reporting requirements that are obsolete and unwarranted. The intended effects of this action are to eliminate redundancy, promote administrative efficiency, and update Commerce’s lobbying regulations to properly reflect and implement the underlying statutory authority in its current form.

DATES: The rule is effective May 18, 2026.

FOR FURTHER INFORMATION CONTACT:

Daniel Sweeney, Senior Counsel, Office of the General Counsel, at (202) 482–1395.

SUPPLEMENTARY INFORMATION: Commerce is amending its regulations at 15 CFR part 28, “New Restrictions on Lobbying.” These regulations implement section 319 of Public Law 101–121 (31 U.S.C. 1352), which established government-wide restrictions on the use of appropriated funds for lobbying activities in connection with federal contracts, grants, loans, and cooperative agreements. The primary purpose of part 28 is to ensure transparency and accountability by requiring certification and disclosure of lobbying activities intended to influence federal executive or legislative branch officials regarding such federal awards.

Commerce, along with numerous other executive branch agencies, originally established these regulations through a government-wide interim final rule published on February 26, 1990 (55 FR 6735, 6748).

On January 15, 2026, Commerce issued a proposed rule to amend part 28

by removing §§ 28.405 and 28.410, because they merely restate 31 U.S.C. 1352(c)(3) and 31 U.S.C. 1352(f), and by removing 28.600 and 28.605, because they establish reporting requirements that are no longer statutorily required or warranted (91 FR 1724). As stated in the proposed rule, these removals are intended to streamline part 28, eliminate regulatory clutter, reduce the possibility of confusion, and promote administrative efficiency.

Public Comment

Commerce requested comment on the proposed rule. The comment period closed on February 17, 2026. No comments were received during the public comment period, and no changes were made from the proposed rule.

Classification

Executive Order 12866

This rule has been determined to be not significant for the purposes of Executive Order 12866.

Executive Order 14192

This rule is an Executive Order 14192 deregulatory action.

Regulatory Flexibility Act (RFA)

The Chief Counsel for Regulation of the Department of Commerce certified to the Chief Counsel for Advocacy of the Small Business Administration (SBA) that this rule will not have a significant economic impact on a substantial number of small entities. The factual basis for the certification was published in the proposed rule and is not repeated here. No comments were received regarding this certification. As a result, a regulatory flexibility analysis was not required, and none was prepared.

Paperwork Reduction Act

This rule contains no new information collection requirements under the Paperwork Reduction Act of 1995.

List of Subjects in 15 CFR Part 28

Administrative practice and procedure, Government contracts, Grant programs, Grants administration, Loan programs, Lobbying, Penalties, Reporting and recordkeeping requirements.

Dated: April 13, 2026.

Paul Dabbar,

Deputy Secretary of Commerce.

Accordingly, for the reasons set forth above, part 28 of title 15 of the Code of Federal Regulations is amended as follows:

PART 28—NEW RESTRICTIONS ON LOBBYING

■ 1. The authority citation for part 28 continues to read as follows:

Authority: Sec. 319, Pub. L. 101–121 (31 U.S.C. 1352; 5 U.S.C. 301; Sec. 4, as amended, and sec. 5, Pub. L. 101–410, 104 Stat. 890 (28 U.S.C. 2461 note); Pub. L. 104–134, 110 Stat. 1321, 28 U.S.C. 2461 note.

Subpart D—Penalties and Enforcement

§ 28.405 [Removed and Reserved]

■ 2. Remove and reserve § 28.405.

§ 28.410 [Removed and Reserved]

■ 3. Remove and reserve § 28.410.

Subpart F [Removed and Reserved]

■ 4. Remove and reserve subpart F. [FR Doc. 2026–07431 Filed 4–15–26; 8:45 am]

BILLING CODE 3510–DT–P

SECURITIES AND EXCHANGE COMMISSION

17 CFR Part 232

[Release Nos. 33–11411; 34–105011; 39–2562; IC–36018]

Adoption of Updated EDGAR Filer Manual

AGENCY: Securities and Exchange Commission.

ACTION: Final rule.

SUMMARY: The Securities and Exchange Commission (“Commission”) is adopting amendments to Volumes I and II of the Electronic Data Gathering, Analysis, and Retrieval system Filer Manual (“EDGAR Filer Manual” or “Filer Manual”) and related rules and forms. EDGAR Release 26.1 was deployed in the EDGAR system on March 16, 2026.

DATES: *Effective date:* April 16, 2026. The incorporation by reference of the revised Filer Manual volumes is approved by the Director of the Federal Register as of April 16, 2026.

FOR FURTHER INFORMATION CONTACT: For questions regarding the amendments to Volume I or II of the Filer Manual, please contact Rosemary Filou, Deputy Director and Chief Counsel, Laurita Finch, Senior Special Counsel, or Dan Chang, Senior Special Counsel, in the EDGAR Business Office at (202) 551–3900. For questions regarding changes to the Fee Exhibit Preparation Tool (FEPT), ACH limits, or filing fee exhibit warnings being changed to suspensions, please contact Luba Dinits, Senior Accountant, Office of Financial

Management, at (202) 551–3839 or Mark W. Green, Senior Special Counsel, Division of Corporation Finance, at (202) 551–3430. For questions regarding Forms 3, 4, or 5 with regards to filing obligations for directors or officers of foreign private issuers or changes to Schedule 13D and 13G filings to support multiple CUSIPs, please contact the Disclosure Management Office in the Division of Corporation Finance at (202) 551–2076. For questions regarding the change to Form X–17A–5 Part III in terms of the oath or affirmation no longer being required to be notarized, please contact Raymond Lombardo, Assistant Director, at (202) 551–5755 or Valentina Deng, Special Counsel, at (202) 551–5778 in the Division of Trading and Markets. For questions regarding the change to Item 6 of Form 13H, please contact Kathleen Gross at (202) 551–5305 in the Division of Trading and Markets.

SUPPLEMENTARY INFORMATION: We are adopting an updated Filer Manual, Volume I: “General Information,” Version 43 (effective March 16, 2026) and Volume II: “EDGAR Filing,” Version 77 (March 16, 2026) and amendments to 17 CFR 232.301, Rule 301 of Regulation S–T. The updated Filer Manual Volumes are incorporated by reference into the Code of Federal Regulations.

I. Background

The Filer Manual contains information needed for filers to make submissions on EDGAR. Filers must comply with the applicable provisions of the Filer Manual in order to assure the timely acceptance and processing of filings made in electronic format.¹ Filers must consult the Filer Manual in conjunction with our rules governing mandated electronic filings when preparing documents for electronic submission.

II. Amendments to Volume I of the Filer Manual

Volume I of the Filer Manual, which sets forth the requirements for becoming an EDGAR filer, was amended to reflect the implementation of technical changes adopted in EDGAR Filer Access and Account Management, Release No. 33–11313 (Sept. 27, 2024) (“EDGAR Next rulemaking”).² Among other things, the EDGAR Next rulemaking eliminated the use of EDGAR access codes such as passwords and passphrases and instead required the use of individual account

¹ See Rule 301 of Regulation S–T.

² EDGAR Filer Access and Account Management, Release No. 33–11313 (Sept. 27, 2024) [89 FR 106168 (December 27, 2024)].

credentials and individual permissions as maintained in the EDGAR Filer Management dashboard. Pursuant to the EDGAR Next rulemaking, these EDGAR access codes were discontinued on December 19, 2025, however, corresponding changes to the EDGAR Filer Manual planned for December 2025 were not implemented due to the impact of the lapse in appropriations from October 1, 2025, through November 12, 2025. Consequently, Section 4 of Volume I related to the use of EDGAR access codes has been removed from the EDGAR Filer Manual and Sections 5 through 9 of Volume I are renumbered as Sections 4 through 8.

Volume I was also amended to clarify the situations in which a cover letter or other supporting information must be included in a Form ID application for access for an existing CIK. Section 3(c) the Filer Manual was amended to clarify that a cover letter is required for all applicants that seek access to an existing EDGAR account, but other supporting information such as official documents from the relevant Secretary or State or Register of Corporations that identify the signatory listed on the Form ID application as an “authorized individual” is only required if applicants assert that they assumed legal control of the filer listed on the existing account but did not receive EDGAR access information from the filer.

III. Amendments to Volume II of the Filer Manual

EDGAR was updated pursuant to EDGAR Release 26.1, and corresponding amendments to Volume II of the Filer Manual were made to reflect those changes, as described below.

Filing Fee Related Changes

Starting March 16, 2026, EDGAR generally will suspend filings rather than issue warnings for incorrect or incomplete structured filing fee-related information for all filers. EDGAR will continue to issue warnings in some instances.

Separately, the ACH limit for filing fees changed from a maximum of \$99,999,999.99 per transaction to \$24,999,999.99 per transaction. Filers that need to exceed that limit may make multiple transactions.

Schedule 13D and 13G

As of March 16, 2026, Schedules 13D and 13G (including associated submission types) have been updated to accommodate up to 20 CUSIP numbers. At least one CUSIP entry is required.

Inline XBRL Guidance

Information regarding the submission of Inline XRL documents was removed from Chapter 5.2.5. That same information has been incorporated into the EDGAR XBRL Guide, which is referenced in Chapter 5.2.5 and which contains additional information and guidance regarding the submission of Inline XBRL documents for EDGAR.

Notarization of Oath or Affirmation in Form X-17A-5 Part III

As of March 24, 2025, Form X-17A-5 Part III no longer requires the oath or affirmation to be notarized. Therefore, the text and checkbox acknowledging notarization of the oath or affirmation have been removed from the submission template for Form X-17A-5 Part III on the EDGAR Filing website and are no longer required in filer-constructed submissions.

Update to Item 6 of Form 13H

On October 3, 2025, the submission template for Form 13H (and associated submission types) on the EDGAR Filing website was updated to allow reordering of entries in Item 6 (List of broker-dealers at which the large trader or its securities affiliates has an account), including additions and deletions in the middle of the list per filer preference. This change does not impact the XML technical specifications for Form 13H.

Forms 3, 4, and 5

Beginning March 18, 2026, each director or officer of a foreign private issuer that has securities registered under Section 12(b) or 12(g) of the Securities Exchange Act of 1934 (“Exchange Act”) must file reports under Section 16(a) of the Exchange Act, pursuant to the Holding Foreign Insiders Accountable Act (enacted December 18, 2025). Starting March 18, 2026, Forms 3, 4, and 5 include a Country field that requires a country name for all reporting persons and a field to provide a Foreign Trading Symbol.

III. Amendments to Rule 301 of Regulation S-T

Along with the adoption of the updated Filer Manual, we are amending Rule 301 of Regulation S-T to provide for the incorporation by reference of the revised Filer Manual into the Code of Federal Regulations. This incorporation by reference is approved by the Director of the Federal Register in accordance with 5 U.S.C. 552(a) and 1 CFR part 51.

The updated EDGAR Filer Manual is available at <https://www.sec.gov/edgar/filer-information/current-edgar-filer-manual>.

IV. Administrative Law Matters

Because the Filer Manual and rule amendments relate solely to agency procedures or practice and do not substantially alter the rights and obligations of non-agency parties, publication for notice and comment is not required under the Administrative Procedure Act (“APA”).³ It follows that the amendments do not require analysis under requirements of the Regulatory Flexibility Act⁴ or a report to Congress under the Small Business Regulatory Enforcement Fairness Act of 1996.⁵

The Office of Management and Budget has determined that this action is not a significant regulatory action as defined in Executive Order 12866, as amended, and therefore it was not subject to Executive Order 12866 review.

The updated Filer Manual became operational on March 16, 2026, when EDGAR Release 26.1 was deployed in the EDGAR system. The effective date for use of the updated Filer Manual and the related rule amendments is April 16, 2026. In accordance with the APA,⁶ we find that there is good cause to establish an effective date less than 30 days after publication of these rules. The Commission believes that establishing an effective date less than 30 days after publication of these rules is necessary to coordinate the effectiveness of the updated Filer Manual with the related system upgrades.

V. Statutory Basis

We are adopting the amendments to Regulation S-T under the authority in sections 6, 7, 8, 10, and 19(a) of the Securities Act of 1933,⁷ sections 3, 12, 13, 14, 15, 15B, 23, and 35A of the Securities Exchange Act of 1934,⁸ section 319 of the Trust Indenture Act of 1939,⁹ and sections 8, 30, 31, and 38 of the Investment Company Act of 1940.¹⁰

List of Subjects in 17 CFR Part 232

Incorporation by reference, Reporting and recordkeeping requirements, Securities.

Text of the Amendments

In accordance with the foregoing, title 17, chapter II of the Code of Federal Regulations is amended as follows:

³ 5 U.S.C. 553(b)(A).

⁴ 5 U.S.C. 601 through 612.

⁵ 5 U.S.C. 804(3)(c).

⁶ 5 U.S.C. 553(d)(3).

⁷ 15 U.S.C. 77f, 77g, 77h, 77j, and 77s(a).

⁸ 15 U.S.C. 78c, 78l, 78m, 78n, 78o, 78o-4, 78w, and 78ll.

⁹ 15 U.S.C. 77sss.

¹⁰ 15 U.S.C. 80a-8, 80a-29, 80a-30, and 80a-37.

PART 232—REGULATION S—T— GENERAL RULES AND REGULATIONS FOR ELECTRONIC FILINGS

■ 1. The general authority citation for part 232 continues to read as follows:

Authority: 15 U.S.C. 77c, 77f, 77g, 77h, 77j, 77s(a), 77z–3, 77sss(a), 78c(b), 78l, 78m, 78n, 78n–1, 78o(d), 78w(a), 78ll, 80a–6(c), 80a–8, 80a–29, 80a–30, 80a–37, 7201 *et seq.*; and 18 U.S.C. 1350, unless otherwise noted.

* * * * *

■ 2. Section 232.301 is revised to read as follows:

§ 232.301 EDGAR Filer Manual.

Filers must prepare electronic filings in the manner prescribed by the EDGAR Filer Manual, promulgated by the Commission, which sets forth the technical formatting requirements for electronic submissions. The requirements for becoming an EDGAR Filer and updating company data are set forth in the EDGAR Filer Manual, Volume I: “General Information,” Version 43 (effective March 16, 2026). The requirements for filing on EDGAR are set forth in the updated EDGAR Filer Manual, Volume II: “EDGAR Filing,” Version 77 (March 16, 2026). All EDGAR material referenced in this paragraph is incorporated by reference into this section with the approval of the Director of the Federal Register under 5 U.S.C. 552(a) and 1 CFR part 51. You must comply with these requirements in order for documents to be timely received and accepted. The EDGAR Filer Manual is available for inspection at the Commission and at the National Archives and Records Administration (NARA). The EDGAR

Filer Manual is available for website viewing and printing in the Commission’s Public Reference Room, 100 F Street NE, Washington, DC 20549; (202) 551–3900; Library@sec.gov, on official business days between the hours of 10 a.m. and 3 p.m. Operating conditions may limit access to the Commission’s Public Reference Room. The EDGAR Filer Manual may also be obtained from <https://www.sec.gov/edgar/filerinformation/current-edgar-filer-manual>. For information on the availability of the EDGAR Filer Manual at NARA, visit www.archives.gov/federal-register/cfr/ibr-locations or email fr.inspection@nara.gov.

By the Commission.

Dated: March 16, 2026.

Vanessa A. Countryman,
Secretary.

[FR Doc. 2026–07474 Filed 4–15–26; 8:45 am]

BILLING CODE 8011–01–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Food and Drug Administration

21 CFR Parts 510, 516, 520, 522, 524, and 558

[Docket No. FDA–2025–N–0002]

New Animal Drugs; Approval of New Animal Drug Applications; Withdrawal of Approval of New Animal Drug Application; Change of Sponsor; Change of Sponsor Address

AGENCY: Food and Drug Administration, HHS.

ACTION: Final rule; technical amendments.

SUMMARY: The Food and Drug Administration (FDA or we) is amending the animal drug regulations to reflect application-related actions for new animal drug applications (NADAs), abbreviated new animal drug applications (ANADAs), and conditionally approved new animal drug applications (CNADAs) during October, November, and December 2025. The animal drug regulations are also being amended to improve their accuracy and readability.

DATES: This rule is effective April 16, 2026.

FOR FURTHER INFORMATION CONTACT:

James Delaney, Center for Veterinary Medicine, Food and Drug Administration, 5001 Campus Dr., College Park, MD 20740.
james.delaney@fda.hhs.gov, 240–402–5677.

SUPPLEMENTARY INFORMATION:

I. Approval of Applications

FDA is amending the animal drug regulations to reflect approval actions for NADAs, ANADAs, and CNADAs during October, November, and December 2025, as listed in table 1. Documentation of environmental review required under the National Environmental Policy Act, summaries of the basis of approval under the Freedom of Information Act (FOIA summaries), and marketing exclusivity and patent information are available at Animal Drugs @FDA: <https://animaldrugsatfda.fda.gov/adafda/views/#/search>.

TABLE 1—ORIGINAL, CONDITIONAL, AND SUPPLEMENTAL APPLICATIONS APPROVED DURING OCTOBER, NOVEMBER, AND DECEMBER 2025

Date of approval	Application No.	Sponsor (drug labeler code ¹)	Product name	Effect of the action	21 CFR sections
October 20, 2025	141–581	Elanco US Inc. (058198)	CREDELIO QUATTRO (lotilaner, moxidectin, praziquantel, and pyrantel chewable tablets).	Supplemental Approval	520.1287
October 21, 2025	200–825	Felix Pharmaceuticals Pvt. Ltd. (086101).	Clomipramine Hydrochloride Tablets.	Original approval as a generic copy of NADA 141–120.	520.455
October 21, 2025	141–574	Pharmgate Inc. (069254)	PENNITRACIN MD 50G (bacitracin methylenedisalicylate Type A medicated article) and MONTEBAN (narasin Type A medicated article).	Original approval	558.363
October 24, 2025	141–494	Elanco US Inc. (058198)	CREDELIO (lotilaner)	Supplemental approval	520.1286
December 5, 2025	200–710	Dechra Veterinary Products LLC (017033).	Maropitant Citrate (maropitant citrate) injectable solution.	Original approval as a generic copy of NADA 141–263.	522.1315
December 17, 2025	141–619	Elanco US Inc. (058198)	CREDELIO QUATTRO CA1 (lotilaner, moxidectin, praziquantel, and pyrantel chewable tablets).	Conditional approval	516.1287
December 18, 2025	141–614	Anivive Lifesciences, Inc. (086121)	LAVERDIA (verdinexor tablets)	Original approval from conditional approval.	520.2700 516.2980
December 19, 2025	141–576	Dechra, Ltd. (043264)	COSACTHEN (cosyntropin injection).	Original approval	522.500
December 19, 2025	141–273	Boehringer Ingelheim Animal Health USA, Inc. (000010).	VETMEDIN (pimobendan)	Supplemental approval	520.1780

TABLE 1—ORIGINAL, CONDITIONAL, AND SUPPLEMENTAL APPLICATIONS APPROVED DURING OCTOBER, NOVEMBER, AND DECEMBER 2025—Continued

Date of approval	Application No.	Sponsor (drug labeler code ¹)	Product name	Effect of the action	21 CFR sections
December 19, 2025	200–823	Dechra Veterinary Products LLC (017033).	Zygolide (pergolide tablets)	Original approval as a generic copy of NADA 141–331.	520.1705
December 22, 2025	200–832	ZyVet Animal Health, Inc. (086117)	Robenacoxib (robenacoxib)	Original approval as a generic copy of NADA 141–320.	520.2075
December 22, 2025	200–834	Felix Pharmaceuticals Pvt. Ltd. (086101).	Praziquantel Tablets (praziquantel tablets).	Original approval as a generic copy of NADA 111–798.	520.1870
December 22, 2025	200–829	Aurora Pharmaceutical, Inc. (051072).	Klentz (florfenicol, terbinafine, mometasone furoate) otic solution.	Original approval as a generic copy of NADA 141–440.	524.957

¹ See 21 CFR 510.600(c) for sponsor addresses.

II. Changes of Sponsor

The sponsors of the approved applications listed in table 2 have

informed FDA that they have transferred ownership of, and all rights and interest in, these applications to another

sponsor. The regulations cited in table 3 are amended to reflect these actions.

TABLE 2—APPLICATIONS FOR WHICH OWNERSHIP WAS TRANSFERRED TO ANOTHER SPONSOR DURING OCTOBER, NOVEMBER, AND DECEMBER 2025

Application No.	Product name	Transferring sponsor (drug labeler code)	New sponsor (drug labeler code)	21 CFR section
039–417	DECCOX ((decoquinat Type A medicated article).	Zoetis (054771)	Phibro (066104)	558.195
040–209	ROFENAID 40 (sulfadimethoxine and ormetoprim Type A medicated article).	Do	Do	558.575
045–348	DECCOX and ALBAC (decoquinat Type A medicated article and bacitracin zinc Type A medicated article).	Do	Do	558.195
097–505	LINCOMIX 20 and LINCOMIX 50 (lincomycin Type A medicated article).	Do	Do	558.325
111–636	LINCOMIX Soluble Powder (lincomycin hydrochloride soluble powder).	Do	Do	520.1263b
138–941	LINCOMIX and BANMINTH (lincomycin Type A medicated article and pyrantel tartrate Type A medicated article).	Do	Do	558.325
140.853	BMD and MONTEBAN (bacitracin methylenedisalicylate Type A medicated article and narasin Type A medicated article).	Do	Do	558.363
140–865	MONTEBAN and BACIFERM or MONTEBAN and ALBAC (narasin Type A medicated article and bacitracin zinc Type A medicated article).	Do	Do	558.363
141–025	CATTLYST (laidlomycin propionate potassium Type A medicated article).	Do	Do	558.305
141–102	DECCOX and BMD (decoquinat Type A medicated article and bacitracin methylenedisalicylate Type A medicated article).	Do	Do	558.1951
141–148	DECCOX and Rumensin (decoquinat Type A medicated article and monensin Type A medicated article).	Do	Do	558.1951
141–149	DECCOX and RUMENSIN and TYLAN (decoquinat Type A medicated article and monensin Type A medicated article and tylosin phosphate Type A medicated article).	Do	Do	558.625
141–191	COBAN and LINCOMIX (monensin Type A medicated article and lincomycin Type A medicated article).	Do	Do	558.325
141–483	DECCOX and LINCOMIX decoquinat Type A medicated article and lincomycin Type A medicated articles to be used in the manufacture of Type C medicated feeds.	Do	Do	558.325
141–484	BIO–COX and LINCOMIX (salinomycin sodium Type A medicated article and lincomycin Type A medicated article).	Do	Do	558.325
141–485	COYDEN and LINCOMIX (clopidol Type A medicated article and lincomycin Type A medicated article).	Do	Do	558.325

TABLE 2—APPLICATIONS FOR WHICH OWNERSHIP WAS TRANSFERRED TO ANOTHER SPONSOR DURING OCTOBER, NOVEMBER, AND DECEMBER 2025—Continued

Application No.	Product name	Transferring sponsor (drug labeler code)	New sponsor (drug labeler code)	21 CFR section
141–489	ZOAMIX and LINCOMIX (zoalene Type A medicated article and lincomycin Type A medicated article).	Do	Do	558.325
200–218	COYDEN and ALBAC (clopidol Type A medicated article and bacitracin zinc Type A medicated article).	Do	Do	558.175
200–548	Actogain (ractopamine hydrochloride)	Do	Do	558.500
200–579	Altrenogest Solution (altrenogest)	Ceva Sante Animale (013744).	Diamond Animal Health, Inc. (053701).	520.48

III. Change of Sponsor Address

Ivaoes Animal Health (drug labeler code 086064 in 21 CFR 510.600(c)), Kinetic Technologies, LLC, (drug labeler code 051031 in 21 CFR 510.600(c)), and Qbiotics Group Ltd., (drug labeler code 086132 in 21 CFR 510.600(c)) have informed FDA that they have changed their address. The entries in § 510.600(c) are amended to reflect these actions.

IV. Technical Amendments

FDA is making the following amendments to improve the accuracy and readability of the animal drug regulations.

- 21 CFR 510.600(c) is amended to remove the entries for Agri Laboratories, Ltd., as the firm is no longer the sponsor of approved applications, and to add an entry for TriviumVet.

- 21 CFR 520.1660d is amended to reflect a 2016 and 2018 change of sponsorship for oxytetracycline powder that did not get recorded in the CFR.

- 21 CFR 520.2345d is amended to reflect a 2018 change of sponsorship for tetracycline powder.

- 21 CFR 522.2100 is revised to clarify the dosage is in pounds of body weight for all species listed.

- 21 CFR 524.1055h is amended to add clarity to the dosage directions for dogs.

- 21 CFR 558.78 is amended to remove inadvertent text.

- 21 CFR 558.500 is amended to present additional language for labeling and to add clarity to indications for use and limitations.

V. Legal Authority

This final rule is issued under section 512(i) of the Federal Food, Drug, and Cosmetic Act (FD&C Act) (21 U.S.C. 360b(i)). Although deemed a rule under the FD&C Act, this document does not meet the definition of “rule” in 5 U.S.C. 804(3)(A) because it is a “rule of particular applicability” and is not subject to the congressional review requirements in 5 U.S.C. 801–808. Likewise, this is not a rule subject to Executive Order 12866.

List of Subjects

21 CFR Part 510

Administrative practice and procedure, Animal drugs, Labeling, Reporting and recordkeeping requirements.

21 CFR Part 516

Administrative practice and procedure, Animal drugs, Confidential business information, Reporting and recordkeeping requirements.

21 CFR Parts 520, 522, and 524

Animal drugs.

21 CFR Part 558

Animal drugs, Animal feeds.

Therefore, under the Federal Food, Drug, and Cosmetic Act and under authority delegated to the Commissioner of Food and Drugs, 21 CFR parts 510, 516, 520, 522, 524, and 558 are amended as follows:

PART 510—NEW ANIMAL DRUGS

■ 1. The authority citation for part 510 continues to read as follows:

Authority: 21 U.S.C. 321, 331, 351, 352, 353, 360b, 371, 379e.

■ 2. In § 510.600:

■ a. In the table in paragraph (c)(1):

■ i. Revise the entries for Ivaoes Animal Health, Kinetic Technologies, LLC, and Qbiotics Group Ltd.,

■ ii Add in alphabetical order an entry for TriviumVet, and

■ iii. Remove the entry for Agri Laboratories, Ltd.

■ b. In the table in paragraph (c)(2), add an entry in numerical order for 086169; remove the entry for 057561, and revise the entries for 051031, 086064, and 086132.

The revisions and additions read as follows:

§ 510.600 Names, addresses, and drug labeler codes of sponsors of approved applications.

*	*	*	*	*
(c)	*	*	*	*
(1)	*	*	*	*

Firm name and address	Drug labeler code
Ivaoes Animal Health, 1200 NW 78th, Suite 200–D, Doral, FL 33126	086064
Kinetic Technologies, LLC, 1700 Albany PI SE, Orange City, IA 51041	051031
Qbiotics Group Ltd., Level 14, 15 Lakes Street, Cairns, Queensland, QLD4870, Australia	086132
TriviumVet, Unit 3A, Cleaboy Business Park, Old Kilmeaden Road, Waterford, Waterford, X91 H5FE, Ireland	086169

Firm name and address						Drug labeler code
*	*	*	*	*	*	*
(2) * * *						
Firm name and address						Drug labeler code
*	*	*	*	*	*	*
051031	.....	Kinetic Technologies, LLC, 1700 Albany Pl SE, Orange City, IA 51041.				*
*	*	*	*	*	*	*
086064	.....	Ivaoes Animal Health, 1200 NW 78th, Suite 200-D, Doral, FL 33126.				*
*	*	*	*	*	*	*
086132	.....	Qbiotics Group Ltd., Level 14, 15 Lakes Street, Cairns, Queensland, QLD4870, Australia.				*
*	*	*	*	*	*	*
086169	.....	TriviumVet, Unit 3A, Cleaboy Business Park, Old Kilmeaden Road, Waterford, Waterford, X91 H5FE, Ireland.				*
*	*	*	*	*	*	*

PART 516—NEW ANIMAL DRUGS FOR MINOR USE AND MINOR SPECIES

■ 3. The authority citation for part 516 continues to read as follows:

Authority: 21 U.S.C. 360ccc–1, 360ccc–2, 371.

■ 4. Add § 516.1287 to read as follows:

§ 516.1287 Lotilaner, moxidectin, praziquantel, and pyrantel.

(a) *Specifications.* Each chewable tablet contains:

(1) 56.25 milligrams (mg) lotilaner, 0.056 mg moxidectin, 14.25 mg praziquantel, and 14.25 mg pyrantel (as pamoate salt);

(2) 112.5 mg lotilaner, 0.113 mg moxidectin, 28.5 mg praziquantel, and 28.5 mg pyrantel (as pamoate salt);

(3) 225 mg lotilaner, 0.225 mg moxidectin, 57 mg praziquantel, and 57 mg pyrantel (as pamoate salt);

(4) 450 mg lotilaner, 0.45 mg moxidectin, 114 mg praziquantel, and 114 mg pyrantel (as pamoate salt); or

(5) 900 mg lotilaner, 0.9 mg moxidectin, 228 mg praziquantel, and 228 mg pyrantel (as pamoate salt).

(b) *Sponsor.* See No. 058198 in § 510.600(c) of this chapter.

(c) *Conditions of use—*

(1) *Amount.* Administer orally at the minimum dosage of 9 mg/pound (mg/lb) (20 mg/kilogram (mg/kg)) lotilaner, 0.009 mg/lb (0.02 mg/kg) moxidectin, 2.28 mg/lb (5 mg/kg) praziquantel, and 2.28 mg/lb (5 mg/kg) pyrantel (as pamoate salt).

(2) *Indications for use.* For the treatment of infestations caused by New World screwworm (*Cochliomyia hominivorax*) larvae (myiasis) in dogs

and puppies 8 weeks of age and older and weighing 3.3 pounds or greater.

(3) *Limitations.* Federal law restricts this drug to use by or on the order of a licensed veterinarian. It is a violation of Federal law to use this product other than as directed in the labeling.

§ 516.2980 [Removed]

■ 5. Remove § 516.2980.

PART 520—ORAL DOSAGE FORM NEW ANIMAL DRUGS

■ 6. The authority citation for part 520 continues to read as follows:

Authority: 21 U.S.C. 360b.

§ 520.48 [Amended]

■ 7. In § 520.48, in paragraph (b)(3), remove the text “No. 013744” and in its place add the text “No. 053701”.

§ 520.455 [Amended]

■ 8. In § 520.455, in paragraph (a), remove the text “Specifications” and in its place add the text “*Specifications*”, and in paragraph (b), remove the text “Nos. 051311 and 086039” and in its place add the text “Nos. 051311, 086039, and 086101”.

■ 9. In § 520.1263b,

■ a. Retitle the section,

■ b. In paragraph (b)(1), remove the text “Nos. 054771 and 061133” and in its place add the text “Nos. 061133 and 066104”, and

■ c. Revise paragraph (d), to read as follows:

§ 520.1263b Lincomycin hydrochloride soluble powder.

* * * * *

(b) * * *

(1) Nos. 061133 and 066104 for use as in paragraph (d) of this section.

* * * * *

(d) * * *

(1) *Swine—*

(i) *Amount.* Administer at a dose rate of 250 milligrams (mg) of lincomycin per gallon of drinking water. In clinical studies, this dose rate provided an average of 3.8 mg of lincomycin per pound of body weight per day. The drug should be administered for a minimum of 5 consecutive days beyond the disappearance of symptoms (bloody stools) up to a maximum of 10 consecutive days. If water treatment is discontinued prior to this time, a lincomycin treatment program may be continued with lincomycin Type A medicated article at 100 grams lincomycin per ton of complete feed as the sole ration according to label directions. A dose of 3.8 mg lincomycin per pound of body weight may be maintained by medicating the drinking water at a concentration of 250 mg per gallon of drinking water when pigs are consuming 1.5 gallons per 100 lb of body weight per day. Under these circumstances the concentration of lincomycin required in medicated water may be adjusted to compensate for variations in age and weight of animals, the nature and severity of disease symptoms, environmental temperature and humidity, each of which affects water consumption. For use in automatic water proportioner to deliver 1 ounce of stock solution per gallon of drinking water. NOTE: After a treatment program is discontinued, a control program for swine dysentery may be followed by feeding lincomycin Type A

medicated article at 40 grams lincomycin per ton of complete feed as the sole ration.

(ii) *Indications for use.* For the treatment of swine dysentery (bloody scours) in swine. Not for use in pregnant swine or swine intended for breeding.

(iii) *Limitations.* Discard medicated drinking water if not used within 2 days. Fresh stock should be prepared daily. Do not use the water treatment and the feed treatment simultaneously. Do not allow rabbits, hamsters, guinea pigs, horses, or ruminants access to water containing lincomycin. Ingestion by these species may result in severe gastrointestinal effects. If clinical signs of bloody scours (watery, mucoid, or bloody stools) have not improved during the first 6 days of medication, discontinue treatment and redetermine the diagnosis. On rare occasions, some pigs may show reddening of the skin, swelling of the anus, and irritable behavior. These conditions have been self-correcting within five to seven days without discontinuing the lincomycin treatment. The safety of lincomycin has not been demonstrated for pregnant swine or swine intended for breeding. Federal law restricts this drug to use by or on the order of a licensed veterinarian.

(2) *Broiler Chickens—*

(i) *Amount.* Administer at a dose rate of 64 mg of lincomycin per gallon of drinking water. Start medication as soon as the diagnosis of necrotic enteritis is determined. The drug should be administered for 7 consecutive days. NOTE: After water medication is discontinued, a control program for necrotic enteritis may be followed by feeding lincomycin Type A medicated article at 2 grams lincomycin per ton of complete feed.

(ii) * * *

(iii) *Limitations.* Not for use in laying hens or breeder chickens. Discard medicated drinking water if not used within 2 days. Fresh stock should be prepared daily. Do not use the water treatment and the feed treatment simultaneously. Do not allow rabbits, hamsters, guinea pigs, horses, or ruminants access to water containing lincomycin. Ingestion by these species may result in severe gastrointestinal effects. Federal law restricts this drug to use by or on the order of a licensed veterinarian.

(3) *Honey bees—*

(i) *Amount.* Administer 100 mg lincomycin per hive once weekly for 3 weeks. Mix 250 mg LINCOMIX Soluble Powder (100 mg lincomycin) with 20 g confectioners' powder sugar and dust over the top bars of the brood chamber.

(ii) *Indications for use.* For the control of American foulbrood (*Paenibacillus larvae*) in honey bees.

* * * * *

■ 10. In § 520.1286, revise paragraph (c)(1)(ii) to read as follows:

§ 520.1286 Lotilaner.

* * * * *

(c) * * *

(1) * * *

(i) * * *

(ii) *Indications for use.* Kills adult fleas, and for the treatment and prevention of flea infestations (*Ctenocephalides felis*), and the treatment and control of tick infestations (*Amblyomma americanum* (lone star tick), *Dermacentor variabilis* (American dog tick), *Ixodes scapularis* (black-legged tick), *Rhipicephalus sanguineus* (brown dog tick), and *Haemaphysalis longicornis* (longhorned tick)) for one month in dogs and puppies 8 weeks of age and older, and weighing 4.4 pounds or greater. For the prevention of *Borrelia burgdorferi* infections as a direct result of killing *Ixodes scapularis* vector ticks.

* * * * *

■ 11. In § 520.1287, revise paragraph (c)(2) to read as follows:

§ 520.1287 Lotilaner, moxidectin, praziquantel, and pyrantel.

* * * * *

(c) * * *

(1) * * *

(2) *Indications for use.* For the prevention of heartworm disease caused by *Dirofilaria immitis* and for the treatment and control of roundworm (immature adult and adult *Toxocara canis* and adult *Toxascaris leonina*), hookworm (fourth stage larvae, immature adult, and adult *Ancylostoma caninum* and adult *Uncinaria stenocephala*), and tapeworm (*Dipylidium caninum*, *Taenia pisiformis*, and *Echinococcus granulosus*) infections. Kills adult fleas and is indicated for the treatment and prevention of flea infestations (*Ctenocephalides felis*) and the treatment and control of tick infestations (*Amblyomma americanum* (lone star tick), *Dermacentor variabilis* (American dog tick), *Ixodes scapularis* (black-legged tick), *Rhipicephalus sanguineus* (brown dog tick), and *Haemaphysalis longicornis* (longhorned tick)) for one month in dogs and puppies 8 weeks of age and older, and weighing 3.3 pounds or greater. For the prevention of *Borrelia burgdorferi* infections as a direct result of killing *Ixodes scapularis* vector ticks.

* * * * *

■ 12. In § 520.1660d,

■ a. Revise paragraph (d)(1)(ii)(A)(3), and

■ b. Revise paragraph (d)(1)(ii)(B)(3) to read as follows:

§ 520.1660d Oxytetracycline powder.

* * * * *

(d) * * *

(1) * * *

(ii) *Turkeys—*

(A) * * *

(3) Do not use in birds producing eggs for human consumption. Withdraw 5 days prior to slaughter those products sponsored by Nos. 054771 and 061133 in § 510.600(c) of this chapter. Withdraw 4 days prior to slaughter those products sponsored by No. 016592. Zero-day withdrawal for those products sponsored by Nos. 016592 and 069254. Federal law restricts this drug to use by or on the order of a licensed veterinarian.

(B) * * *

(3) Do not use in birds producing eggs for human consumption. Withdraw 5 days prior to slaughter those products sponsored by Nos. 054771 and 061133 in § 510.600(c) of this chapter. Withdraw 4 days prior to slaughter those products sponsored by No. 016592. Zero-day withdrawal for those products sponsored by Nos. 016592 and 069254. Federal law restricts this drug to use by or on the order of a licensed veterinarian.

* * * * *

§ 520.1705 [Amended]

■ 13. In § 520.1705, in paragraph (a), remove the text “peroglide (as pergolide mesylate)” and in its place add the text “pergolide (as pergolide mesylate)”, and in paragraph (b), remove the text “No. 000010” and in its place add the text “Nos. 000010 and 017033”.

■ 14. In § 520.1780, revise paragraph (c)(2) to read as follows:

§ 520.1780 Pimobendan tablets.

* * * * *

(c) * * *

(2) *Indications for use.* For the delay of onset of congestive heart failure in dogs with Stage B2 preclinical myxomatous mitral valve disease. Stage B2 preclinical myxomatous mitral valve disease (MMVD) refers to dogs with asymptomatic MMVD that have a moderate or loud mitral murmur due to mitral regurgitation and cardiomegaly. For the management of the signs of mild, moderate, or severe congestive heart failure in dogs due to clinical MMVD or dilated cardiomyopathy (DCM); for use with concurrent therapy for congestive heart failure (e.g.,

furosemide, etc.), as appropriate on a case-by-case basis.

* * * * *

■ 15. In § 520.1870:

■ a. Revise paragraphs (a) introductory text, revise paragraphs (a)(1) and (2), and add paragraph (a)(3); and

■ b. Add paragraph (b)(3).

The revisions and additions read as follows:

§ 520.1870 Praziquantel tablets.

(a) *Specifications.*

(1) Each tablet contains 34 milligrams (mg) praziquantel.

(2) Each tablet contains 11.5 or 23 mg praziquantel.

(3) Each chewable tablet contains 23 mg praziquantel.

(b) * * *

(3) No. 086101 for use of product as described in paragraph (a)(3) of this section as in paragraph (c)(2) of this section.

* * * * *

■ 16. In § 520.2075, revise paragraphs (a) and (b) to read as follows:

§ 520.2075 Robenacoxib.

(a) *Specifications.* Each tablet contains:

(1) 10, 20, or 40 milligrams (mg) robenacoxib for use in dogs; or

(2) 6 mg robenacoxib for use in cats.

(b) *Sponsors.* See sponsors in

§ 510.600(c) of this chapter.
(1) No. 058198 for use of product described in paragraph (a)(1) and (a)(2) of this section as in paragraph (c)(1) and (c)(2) of this section.

(2) No. 086117 for use of product described in paragraph (a)(2) of this section as in paragraph (c)(2) of this section.

* * * * *

§ 520.2345d [Amended]

■ 17. In § 520.2345d, in paragraph (d)(1)(iii), remove the text “for Nos. 016592, 054771, 054925, 057561, and 061133” and in its place add the text “for Nos. 016592, 054771, 054925, and 061133”, and in paragraph (d)(2)(iii), remove the text “for Nos. 016592, 054771, 054925, 057561, and 061133” and in its place add the text “for Nos. 016592, 054771, 054925, and 061133”.

■ 18. Add § 520.2700 to read as follows:

§ 520.2700 Verdinoxor tablets.

(a) *Specifications.* Each tablet contains 2.5, 10, 22.5, or 50 milligrams (mg) verdinoxor.

(b) *Sponsor.* See No. 086121 in § 510.600(c) of this chapter.

(c) *Conditions of use—*

(1) *Amount.* Administer verdinoxor tablets orally at an initial dose of 1.25 mg per kilogram (mg/kg) of body weight twice per week with at least 72 hours between doses. If tolerated after 2 weeks, increase the dose to 1.5 mg/kg twice per week with at least 72 hours between doses.

(2) *Indications for use.* For the treatment of lymphoma in dogs.

(3) *Limitations.* Federal law restricts this drug to use by or on the order of a licensed veterinarian. It is a violation of Federal law to use this product other than as directed in the labeling.

PART 522—IMPLANTATION OR INJECTABLE DOSAGE FORM NEW ANIMAL DRUGS

■ 19. The authority citation for part 522 continues to read as follows:

Authority: 21 U.S.C. 360b.

■ 20. Add § 522.500 to read as follows:

§ 522.500 Cosyntropin injection.

(a) *Sponsor.* See No. 043264 in § 510.600(c) of this chapter.

(b) *Specifications.* Each milliliter (mL) contains 0.25 milligrams (mg) cosyntropin, 1 mg glacial acetic acid, 0.82 mg sodium acetate trihydrate, 8.1 mg sodium chloride, and water for injection (to 100%).

(c) *Conditions of use—*

(1) *Amount.* Administer 0.25 mg (1 mL) per dog weighing 10–110 pounds (4.5–50 kilograms) by intravenous or intramuscular injection.

(2) *Indications for use.* For the evaluation of adrenal function in dogs.

(3) *Limitations.* Federal law restricts this drug to use by or on the order of a licensed veterinarian. It is a violation of Federal law to use this product other than as directed in the labeling.

§ 522.1315 [Amended]

■ 21. In § 522.1315, in paragraph (b), remove the text “No. 054771” and in its place add the text “Nos. 054771 and 017033”.

■ 22. In § 522.2100, revise paragraph (c)(3)(i) to read as follows:

§ 522.2100 Selenium and vitamin E.

* * * * *

(c) * * *

(3) * * *

(i) *Dosage.* Calves: 2.5 to 3.75 milliliters per 100 pounds of body weight. Lambs 2 weeks of age and older: 1 milliliter per 40 pounds of body weight, minimum 1 milliliter. Ewes: 2.5 milliliters per 100 pounds of body weight. Sows: 1 milliliter per 40 pounds of body weight. Weanling pigs: 1 milliliter per 40 pounds of body weight, minimum 1 milliliter.

* * * * *

PART 524—OPHTHALMIC AND TOPICAL DOSAGE FORM NEW ANIMAL DRUGS

■ 23. The authority citation for part 524 continues to read as follows:

Authority: 21 U.S.C. 360b.

§ 524.957 [Amended]

■ 24. In § 524.957, in paragraph (b), remove the text “Nos. 017030 and 058198” and in its place add the text “Nos. 017030, 051072, and 058198”.

■ 25. In § 524.1044h, revise paragraph (c)(1) to read as follows:

§ 524.1044h Gentamicin, mometasone, and clotrimazole otic suspension.

* * * * *

(c) * * *

(1) *Amount.* For dogs weighing less than 30 pounds (lb), instill 4 drops from the 7.5 gram (g), 15 g, or 30 g bottles (2 drops from the 215 g bottle) once daily into the ear canal. For dogs weighing 30 lb or more, instill 8 drops from the 7.5 g, 15 g, or 30 g bottles (4 drops from the 215 g bottle) once daily into the ear canal. Therapy should continue for 7 consecutive days.

* * * * *

PART 558—NEW ANIMAL DRUGS FOR USE IN ANIMAL FEEDS

■ 26. The authority citation for part 558 continues to read as follows:

Authority: 21 U.S.C. 354, 360b, 360ccc, 360ccc–1, 371.

■ 27. In § 558.78, revise paragraph (d)(1)(vii) to read as follows:

§ 558.78 Bacitracin zinc.

* * * * *

(d) * * *

(1) * * *

Bacitracin zinc in grams per ton	Combination in grams/ton	Indications for use	Limitations	Sponsor
(vii) 20 to 40		Growing-finishing swine; improved feed efficiency.		054771

Bacitracin zinc in grams per ton	Combination in grams/ton	Indications for use	Limitations	Sponsor
*	*	*	*	*

* * * * *

§ 558.175 [Amended]

■ 28. In § 558.175, in the table in paragraph (d)(1)(iii), in the Sponsors column, replace the text “054771” and in its place add the text “066104”.

■ 29. In § 558.195,

■ a. In the tables in (e)(1), (e)(2), and (e)(3), in the “Sponsor” column, remove “054771” where it occurs, and in its place add “066104”.

■ b. Revise paragraphs (e)(1)(ii), (e)(1)(iii), and (e)(2)(ii) to read as follows:

§ 558.195 Decoquate.

* * * * *

(e) * * *

(1) *Chickens*—

Decoquate in grams/ton	Combination in grams/ton	Indications for use	Limitations	Sponsor
------------------------	--------------------------	---------------------	-------------	---------

(ii) 27.2	Bacitracin (as bacitracin methylenedisalicylate), 4 to 50.	Broiler chickens: For the prevention of coccidiosis caused by <i>Eimeria tenella</i> , <i>E. necatrix</i> , <i>E. acervulina</i> , <i>E. mivati</i> , <i>E. maxima</i> , and <i>E. brunetti</i> , and for increased rate of weight gain and improved feed efficiency.	Feed as the sole ration. Do not feed to chickens producing eggs for human consumption. Do not use in feeds containing bentonite. Bacitracin methylenedisalicylate as provided by No. 066104 in § 510.600(c) of this chapter.	066104
(iii) 27.2	Bacitracin zinc, 10 to 50	Broiler chickens: For the prevention of coccidiosis caused by <i>Eimeria tenella</i> , <i>E. necatrix</i> , <i>E. acervulina</i> , <i>E. mivati</i> , <i>E. maxima</i> , and <i>E. brunetti</i> ; and for increased rate of weight gain and improved feed efficiency.	Feed as the sole ration. Do not feed to chickens producing eggs for human consumption. Bacitracin zinc as provided by No. 054771 in § 510.600(c) of this chapter.	066104

(2) *Cattle*—

Decoquate in grams/ton	Combination in grams/ton	Indications for use	Limitations	Sponsor
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(ii) 12.9 to 90.8	Monensin, 5 to 30	Growing beef steers and heifers fed in confinement for slaughter: For prevention of coccidiosis caused by <i>Eimeria bovis</i> and <i>E. zuernii</i> ; and for improved feed efficiency.	Feed as the sole ration to provide 22.7 mg of decoquate per 100 lb of body weight per day and 50 to 360 mg of monensin per head per day. Feed at least 28 days during periods of coccidiosis exposure or when experience indicates that coccidiosis is likely to be a hazard. Do not feed to cows producing milk for human consumption. A withdrawal period has not been established for this product in pre-ruminant calves. Do not use in calves to be processed for veal. Also see paragraph (d)(1) of this section and § 558.355(d)(9)(i). Monensin as provided by No. 016592 or 058198 in § 510.600(c) of this chapter.	066104
*	*	*	*	*

* * * * *

■ 30. In § 558.305,

■ a. Retitle the section, and

■ b. Revise paragraphs (d)(1) through (d)(3), (e)(1), (e)(2), and (f), to read as follows:

§ 558.305 Laidlomycin propionate potassium.

* * * * *

(d) * * *

(1) Laidlomycin propionate potassium Type B liquid medicated feeds may be

manufactured from dry laidlomycin propionate potassium Type A medicated articles. The Type B liquid medicated feeds must have a pH of 6.0 to 8.0, dry matter of 62 to 75 percent, and bear appropriate mixing directions as follows:

* * * * *

(2) The expiration date of the Type B liquid medicated feed is 21 days after date of manufacture. The expiration date for the dry Type C medicated feed

made from the Type B liquid medicated feed is 7 days after date of manufacture.

(3) Labeling for all Type B medicated feeds (liquid and dry) and Type C medicated feeds containing laidlomycin propionate potassium shall bear the following statements:

* * * * *

(e) *Conditions of use.* It is used in growing beef steers and heifers fed in confinement for slaughter as follows:

Laidlomycin propionate potassium in grams per ton	Combination in grams/ton	Indications for use	Limitations	Sponsor
(1) 5		For increased rate of weight gain and improved feed efficiency.	Feed as the sole ration Type C medicated feeds to provide 30 to 75 mg laidlomycin propionate potassium per head per day.	066104
(2) 5–10		For improved feed efficiency	Feed as the sole ration Type C medicated feeds to provide 30 to 150 mg laidlomycin propionate potassium per head per day.	066104

(f) Laidlomycin propionate potassium may also be used in combination with chlortetracycline as in § 558.128.

■ 31. In § 558.325, revise paragraphs (a), (b), (d)(3)(i), (d)(4)(i), (d)(4)(ii), (e)(1)(i), (e)(1)(iii), (e)(1)(iv), (e)(1)(vii), (e)(1)(ix), (e)(1)(x), (e)(2)(i), (e)(2)(vii), (e)(2)(xii), and (e)(2)(xiv) to read as follows:

§ 558.325 Lincomycin.

(a) *Specifications.* Type A medicated articles containing 20 or 50 grams of lincomycin (as lincomycin hydrochloride agricultural grade) per pound.

(b) *Sponsor.* See No. 066104 in § 510.600(c) of this chapter.

* * * * *

(d) * * *

(3) * * *

(i) “Do not allow rabbits, hamsters, guinea pigs, horses, or ruminants access to feeds containing lincomycin. Ingestion by these species may result in severe gastrointestinal effects.”

* * * * *

(4) * * *

(i) “Occasionally, swine fed lincomycin may within the first 2 days

after the onset of treatment develop diarrhea and/or swelling of the anus. On rare occasions, some pigs may show reddening of the skin and irritable behavior. These conditions have been self-correcting within 5 to 8 days without discontinuing the lincomycin treatment.”

(ii) “The effects of lincomycin on swine reproductive performance, pregnancy, and lactation have not been determined.”

(e) * * *

(1) *Chickens*—

Lincomycin (as lincomycin hydrochloride agricultural grade) grams/ton	Combination in grams/ton	Indications for use	Limitations	Sponsor
(i) 2 .....	.....	Broiler chickens: For the control of necrotic enteritis caused or complicated by <i>Clostridium</i> spp. or other organisms susceptible to lincomycin.	Feed as the sole ration. Not for use in laying hens, breeder chickens, or turkeys.	066104
*	*	*	*	*
(iii) 2	Clopidol, 113.5	Broiler chickens: As an aid in the prevention of coccidiosis caused by <i>Eimeria tenella</i> , <i>E. necatrix</i> , <i>E. acervulina</i> , <i>E. maxima</i> , <i>E. brunetti</i> , and <i>E. mivati</i> , and for the control of necrotic enteritis caused or complicated by <i>Clostridium</i> spp. or other organisms susceptible to lincomycin.	Feed as the sole ration to broiler chickens. Do not feed to chickens over 16 weeks of age. Not for use in laying hens, breeder chickens, or turkeys. Consult a veterinarian or poultry pathologist if losses exceed 0.5% in a two-day period. Do not allow rabbits, hamsters, guinea pigs, horses, or ruminants access to feeds containing lincomycin. Ingestion by these species may result in severe gastrointestinal effects. Clopidol as provided by No. 016592 in § 510.600 of this chapter.	066104
(iv) 2	Decoquinat, 27.2	Broiler chickens: For the prevention of coccidiosis caused by <i>Eimeria tenella</i> , <i>E. necatrix</i> , <i>E. acervulina</i> , <i>E. maxima</i> , <i>E. brunetti</i> , and for the control of necrotic enteritis caused or complicated by <i>Clostridium</i> spp. or other organisms susceptible to lincomycin.	Feed as the sole ration. Do not feed to chickens producing eggs for human consumption. Do not use in feeds containing bentonite. Not for use in laying hens, breeding chickens, or turkeys. Do not allow rabbits, hamsters, guinea pigs, horses, or ruminants access to feeds containing lincomycin. Ingestion by these species may result in severe gastrointestinal effects. Decoquinat as provided by No. 066104 in § 510.600 of this chapter.	066104
*	*	*	*	*
(vii) 2	Monensin, 90 to 110	Broiler chickens: As an aid in the prevention of coccidiosis caused by <i>Eimeria necatrix</i> , <i>E. tenella</i> , <i>E. acervulina</i> , <i>E. brunetti</i> , <i>E. mivati</i> , and <i>E. maxima</i> , and for the control of necrotic enteritis caused or complicated by <i>Clostridium</i> spp. or other organisms susceptible to lincomycin in broiler chickens up to 16 weeks of age.	Feed as the sole ration. Do not feed to chickens producing eggs for human consumption. Do not feed to chickens over 16 weeks of age. Not for use in laying hens, breeding chickens, or turkeys. Do not allow horses, other equines, mature turkeys, or guinea fowl access to feed containing monensin. Ingestion of monensin by horses and guinea fowl has been fatal. Do not allow rabbits, hamsters, guinea pigs, horses, or ruminants access to feeds containing lincomycin. Ingestion by these species may result in severe gastrointestinal effects. Not for broiler breeder replacement chickens. In the absence of coccidiosis in broiler chickens, the use of monensin with no withdrawal period may limit feed intake, resulting in reduced weight gain. Do not use this medicated feed after 90 days from the date of manufacture. Monensin as provided by No. 058198 in § 510.600 of this chapter.	066104

Lincomycin (as lincomycin hydrochloride agricultural grade) grams/ton	Combination in grams/ton	Indications for use	Limitations	Sponsor
(ix) 2	Salinomycin sodium activity, 40 to 60.	Broiler chickens: For the prevention of coccidiosis caused by <i>Eimeria tenella</i> , <i>E. necatrix</i> , <i>E. acervulina</i> , <i>E. maxima</i> , <i>E. brunetti</i> , and <i>E. mivati</i> , and for the control of necrotic enteritis caused or complicated by <i>Clostridium</i> spp. or other organisms susceptible to lincomycin.	Feed as the sole ration to broiler chickens. Do not feed to chickens producing eggs for human consumption. Not for use in laying hens, breeding chickens, or turkeys. May be fatal if accidentally fed to adult turkeys or horses. Do not allow rabbits, hamsters, guinea pigs, horses, or ruminants access to feeds containing lincomycin. Ingestion by these species may result in severe gastrointestinal effects. Do not use in Type C medicated feeds containing pellet binders. Salinomycin sodium activity as provided by No. 016592 in § 510.600 of this chapter.	066104
(x) 2	Zoalene, 113.5	Broiler chickens: For prevention and control of coccidiosis and for the control of necrotic enteritis caused or complicated by <i>Clostridium</i> spp. or other organisms susceptible to lincomycin in broiler chickens.	Feed as the sole ration from the time chicks are placed in floor pens until slaughtered for meat. Not for use in laying hens, breeding chickens, or turkeys. Consult a veterinarian or poultry pathologist if losses exceed 0.5% in a two-day period. Do not allow rabbits, hamsters, guinea pigs, horses, or ruminants access to feeds containing lincomycin. Ingestion by these species may result in severe gastrointestinal effects. Zoalene as provided by No. 066104 in § 510.600 of this chapter.	066104

(2) Swine—

Lincomycin (as lincomycin hydrochloride agricultural grade) grams/ton	Combination in grams/ton	Indications for use	Limitations	Sponsor
(i) 40		For the control of swine dysentery and the control of porcine proliferative enteropathies (ileitis) caused by <i>Lawsonia intracellularis</i> .	Feed as sole ration. For use in swine on premises with a history of swine dysentery but where symptoms have not yet occurred, or following use of lincomycin at 100 grams (g)/ton for the treatment of swine dysentery and the control of porcine proliferative enteropathies (ileitis).	066104
(vii) 100		For the treatment of swine dysentery and the control of porcine proliferative enteropathies (ileitis) caused by <i>Lawsonia intracellularis</i> .	Feed as a sole ration for 3 weeks or until signs of disease (watery, mucoid, or bloody stools) disappear.	066104
(xii) 100 to 200		For reduction in the severity of the effects of respiratory disease associated with <i>Mycoplasma hyopneumoniae</i> .	Feed as sole ration for 21 days	066104
(xiv) 200	Pyrantel tartrate, 96	For reduction in the severity of the effects of respiratory disease associated with <i>Mycoplasma hyopneumoniae</i> ; to aid in the prevention of migration and establishment of large roundworm (<i>Ascaris suum</i>) infections; and to aid in the prevention of establishment of nodular worm (<i>Oesophagostomum</i> spp.) infections in swine.	Feed as the sole ration for 21 days. Not for use in swine that weigh more than 250 pounds. Withdraw 6 days before slaughter. Lincomycin as provided by No. 066104; pyrantel tartrate as provided by No. 066104 in § 510.600(c) of this chapter.	066104

■ 32. In § 558.363,
 ■ a. Revise paragraph (e)(1)(ii);
 ■ b. Redesignate paragraphs (e)(1)(iii) and (e)(1)(iv) as (e)(1)(v) and (e)(1)(vi) respectively;

■ c. Add new paragraphs (e)(1)(iii) and (e)(1)(iv); and
 ■ d. Revise newly redesignated paragraph (e)(1)(v).
 The revision and addition read as follows:

§ 558.363 Narasin.

* * * * *

(e) * * *

(1) Chickens—

Narasin grams/ton	Combination in grams/ton	Indications for use	Limitations	Sponsors
(ii) 54 to 72	Bacitracin (as feed grade bacitracin methylenedisalicylate), 10 to 50.	Broiler chickens: For the prevention of coccidiosis caused by <i>Eimeria necatrix</i> , <i>E. tenella</i> , <i>E. acervulina</i> , <i>E. brunetti</i> , <i>E. mivati</i> , and <i>E. maxima</i> , and for increased rate of weight gain and improved feed efficiency.	Feed as the sole ration. The narasin concentration should be adjusted to meet the severity of the coccidial challenge, which varies with environmental and management conditions. Do not allow adult turkeys, horses, or other equines access to narasin formulations. Ingestion of narasin by these species has been fatal. Bacitracin methylenedisalicylate as provided by No. 066104 in § 510.600(c) of this chapter.	066104
(iii) 54 to 90	Bacitracin (as feed grade bacitracin methylenedisalicylate), 4 to 50.	Broiler chickens: For increased rate of weight gain and improved feed efficiency, and for the prevention of coccidiosis caused by <i>Eimeria necatrix</i> , <i>E. tenella</i> , <i>E. acervulina</i> , <i>E. brunetti</i> , <i>E. mivati</i> , and <i>E. maxima</i> .	Feed as the sole ration throughout the feeding period. The narasin concentration should be adjusted to meet the severity of the coccidial challenge, which varies with environmental and management conditions. Do not allow adult turkeys, horses, or other equines access to narasin formulations. Ingestion of narasin by these species has been fatal. Bacitracin methylenedisalicylate as provided by No. 069254 in § 510.600(c) of this chapter.	069254
(iv) 54 to 90	Bacitracin (as feed grade bacitracin methylenedisalicylate), 50.	Broiler chickens: For the prevention of mortality caused by necrotic enteritis associated with <i>Clostridium perfringens</i> , and for the prevention of coccidiosis caused by <i>Eimeria necatrix</i> , <i>E. tenella</i> , <i>E. acervulina</i> , <i>E. brunetti</i> , <i>E. mivati</i> , and <i>E. maxima</i> .	Feed as the sole ration for 28 to 35 days, starting from the time chicks are placed for brooding. The narasin concentration should be adjusted to meet the severity of the coccidial challenge, which varies with environmental and management conditions. Do not allow adult turkeys, horses, or other equines access to narasin formulations. Ingestion of narasin by these species has been fatal. Bacitracin methylenedisalicylate as provided by No. 069254 in § 510.600(c) of this chapter.	069254
(v) 54 to 72	Bacitracin (as feed grade bacitracin zinc), 4 to 50.	Broiler chickens: For the prevention of coccidiosis caused by <i>Eimeria necatrix</i> , <i>E. tenella</i> , <i>E. acervulina</i> , <i>E. brunetti</i> , <i>E. mivati</i> , and <i>E. maxima</i> , and for increased rate of weight gain and improved feed efficiency.	Feed as the sole ration. The narasin concentration should be adjusted to meet the severity of the coccidial challenge, which varies with environmental and management conditions. Do not allow adult turkeys, horses, or other equines access to narasin formulations. Ingestion of narasin by these species has been fatal. Bacitracin zinc as provided by No. 054771 in § 510.600(c) of this chapter.	066104
(vi) 54 to 72	Bambermycins, 1 to 2	Broiler chickens: For prevention of coccidiosis caused by <i>Eimeria necatrix</i> , <i>E. tenella</i> , <i>E. acervulina</i> , <i>E. brunetti</i> , <i>E. mivati</i> , and <i>E. maxima</i> , and for increased rate of weight gain and improved feed efficiency.	For broiler chickens only. Feed continuously as sole ration. Do not allow adult turkeys, horses, or other equines access to narasin formulations. Ingestion of narasin by these species has been fatal. Bambermycins as provided by No. 016592 in § 510.600(c) of this chapter.	016592

* * * * *

- 33. In § 558.500,
- a. Revise paragraphs (b)(2), (d)(1), and (d)(2)(i) and (ii),
- b. Add new paragraphs (d)(2)(iii) and (d)(6),
- c. Revise the heading in the first column in (e)(1) through (3),
- d. In the tables in (e)(1) and (e)(2), in the "Sponsor" column, remove "054771" where it occurs, and in its place add "066104", and
- e. Revise paragraphs (e)(1)(i), (e)(2)(i), (e)(2)(iii), (e)(2)(vi), and (e)(3).

The revisions and additions read as follows:

§ 558.500 Ractopamine.

* * * * *

- (b) * * *
- (1) * * *

(2) Nos. 051311 and 066104: Type A medicated articles containing 45.4 g/lb ractopamine hydrochloride.

* * * * *

(d) *Special considerations.*

(1) Labeling of Type A medicated articles and Type B and Type C feeds shall bear the following: "Not for use in animals intended for breeding."

(2) Labeling of Type A medicated articles and Type B and Type C medicated feeds intended for swine shall bear the following:

(i) "No increased benefit has been shown when ractopamine hydrochloride concentrations in the diet are greater than 4.5 g/ton (5 ppm)."

(ii) "Ractopamine hydrochloride use may increase the number of injured, lame, and/or fatigued pigs during marketing. Behavioral signs such as

hyperactivity, anxiety, and aggression have been reported in pigs fed ractopamine hydrochloride."

(iii) "Additional Recommendations: To help mitigate the signs identified in the Animal Safety Warnings section, see the Pork Quality Assurance (PQA Plus) and Transport Quality Assurance (TQA) recommendations for best practices in swine care during handling, transport, and marketing."

* * * * *

(6) Labeling of Type A medicated articles and Type B and Type C medicated feeds intended for cattle feeds shall bear the following:

(i) "Behavioral signs such as agitation and decreased feed consumption have been reported in cattle fed ractopamine hydrochloride."

(ii) “Additional Recommendations: See the Beef Quality Assurance (BQA) recommendations for best practices in cattle care and handling during

ractopamine hydrochloride feeding, transport, and marketing to help mitigate the behavioral signs stated in

the Animal Safety Warnings section above.”

(e) * * *

(1) *Swine*—

Ractopamine hydrochloride in grams/ton	Combination in grams/ton	Indications for use	Limitations	Sponsor
(i) 4.5 to 9.0		For increased rate of weight gain, improved feed efficiency, and increased carcass leanness in finishing swine, weighing at least 150 lb, fed a complete ration containing at least 16% crude protein for the last 45 to 90 lb of gain prior to slaughter.	Not for use in swine intended for breeding. Feed as sole ration.	016592 066104 058198
(ii) Reserved.				

(2) *Cattle*—

Ractopamine hydrochloride in grams/ton	Combination in grams/ton	Indications for use	Limitations	Sponsor
(i) 8.2 to 24.6		For increased rate of weight gain and improved feed efficiency in growing beef steers and heifers fed in confinement for slaughter during the last 28 to 42 days on feed.	Feed as the sole ration to provide 70 to 430 mg of ractopamine hydrochloride per head per day during the last 28 to 42 days on feed. Not for use in cattle intended for breeding.	016592 051311 066104 058198
* * *	* * *	* * *	* * *	
(iii) 9.8 to 24.6		For increased rate of weight gain, improved feed efficiency, and increased carcass leanness in growing beef steers and heifers fed in confinement for slaughter during the last 28 to 42 days on feed.	Feed as the sole ration to provide 90 to 430 mg ractopamine hydrochloride per head per day during the last 28 to 42 days on feed. Not for use in cattle intended for breeding.	016592 051311 066104 058198
* * *	* * *	* * *	* * *	
(vi) 100 to 800		For increased rate of weight gain and improved feed efficiency in growing beef steers and heifers fed in confinement for slaughter during the last 28 to 42 days on feed.	Feed a minimum of 1 lb per head per day of Type C top-dress medicated feed to provide 70 to 400 mg ractopamine hydrochloride per head per day during the last 28 to 42 days on feed. Not for use in cattle intended for breeding.	016592 051311 066104 058198
* * *	* * *	* * *	* * *	

(3) *Turkeys*—

Ractopamine hydrochloride in grams/ton	Combination in grams/ton	Indications for use	Limitations	Sponsor
* * *	* * *	* * *	* * *	

* * *

§ 558.575 [Amended]

■ 34. In § 558.575,

■ a. In paragraph (e)(1)(i) and (ii), in the column “Indications for Use”, remove the text “*Heterakis gallinarum*” and in

its place add the text “*Haemophilus gallinarum*”, and

■ b. In paragraph (e)(1)(i) and (ii), in the column “Sponsor”, remove the text “054771” and in its place add the text “066104”.

■ 35. In § 558.625, revise paragraph (e)(2)(vi) to read as follows:

§ 558.625 Tylosin.

* * *

(e) * * *

(2) *Cattle*—

Tylosin grams/ton	Combination in grams/ton	Indications for use	Limitations	Sponsor
(vi) 8 to 10	Monensin, 5 to 30 plus decoquinatate, 13.6 to 27.2.	Growing beef steers and heifers fed in confinement for slaughter: For the prevention of coccidiosis caused by <i>Eimeria bovis</i> and <i>E. zuernii</i> , for improved feed efficiency, and for the reduction of incidence of liver abscesses associated with <i>Fusobacterium necrophorum</i> and <i>Arcanobacterium pyogenes</i> .	Feed as the sole ration to provide 22.7 mg of decoquinatate per 100 lb. of body weight per day, 50 to 360 mg of monensin per head per day, and 60 to 90 mg tylosin (as tylosin phosphate). Feed for at least 28 days during periods of coccidiosis exposure or when experience indicates that coccidiosis is likely to be a hazard. Do not allow horses or other equines access to feed containing monensin. Ingestion of monensin by horses has been fatal. Monensin medicated cattle feed is safe only for use in cattle. Consumption by unapproved species may result in toxic reactions. Do not exceed the levels of monensin recommended in the feeding directions, as reduced average daily gains may result. If feed refusals containing monensin are fed to other groups of cattle, the concentration of monensin in the refusals and amount of refusals fed should be taken into consideration to prevent monensin overdosing. Do not use in feeds containing bentonite. Do not feed to cows producing milk for food. A withdrawal period has not been established for this product in pre-ruminating calves. Do not use in calves to be processed for veal. Tylosin as provided by No. 016592 or 058198; monensin as provided by No. 016592 or 058198; decoquinatate as provided by No. 058198 in § 510.600(c) of this chapter. See §§ 558.311(d) and 558.355(d).	016592 066104

Grace R. Graham,

Deputy Commissioner for Policy, Legislation,
and International Affairs.

[FR Doc. 2026-07500 Filed 4-15-26; 8:45 am]

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DEPARTMENT OF HEALTH AND HUMAN SERVICES

Food and Drug Administration

21 CFR Part 874

[Docket No. FDA-2026-N-2959]

Medical Devices; Ear, Nose, and Throat Devices; Classification of the Transcutaneous Electrical Nerve Stimulator for the Relief of Congestion

AGENCY: Food and Drug Administration, HHS.

ACTION: Final amendment; final order.

SUMMARY: The Food and Drug Administration (FDA, the Agency, or we) is classifying the transcutaneous electrical nerve stimulator for the relief of congestion into class II (special controls). The special controls that apply to the device type are identified in this order and will be part of the codified language for classification of the transcutaneous electrical nerve stimulator for the relief of congestion. We are taking this action because we have determined that classifying the device into class II will provide a reasonable assurance of safety and effectiveness of the device. We believe this action will also enhance patients'

access to beneficial innovative devices, in part by reducing regulatory burdens.

DATES: This order is effective April 16, 2026. The classification was applicable on March 5, 2021.

FOR FURTHER INFORMATION CONTACT: Shu-Chen Peng, Center for Devices and Radiological Health, Food and Drug Administration, 10903 New Hampshire Ave., Bldg. 66, Rm. 1224, Silver Spring, MD 20993-0002, 301-796-6481, *Shu-Chen.Peng@fda.hhs.gov*.

SUPPLEMENTARY INFORMATION:

I. Background

Upon request, FDA (the Agency or we) has classified the transcutaneous electrical nerve stimulator for the relief of congestion as class II (special controls), which we have determined will provide a reasonable assurance of safety and effectiveness. In addition, we believe this action will enhance patients' access to beneficial innovation, in part by reducing regulatory burdens by placing the device into a lower device class than the automatic class III assignment.

The automatic assignment of class III occurs by operation of law and without any action by FDA, regardless of the level of risk posed by the new device. Any device that was not in commercial distribution before May 28, 1976, is automatically classified as, and remains within, class III and requires premarket approval unless and until FDA takes an action to classify or reclassify the device (21 U.S.C. 360c(f)(1)). We refer to these devices as "postamendments devices" because they were not in commercial

distribution prior to the date of enactment of the Medical Device Amendments of 1976, which amended the Federal Food, Drug, and Cosmetic Act (FD&C Act).

FDA may take a variety of actions in appropriate circumstances to classify or reclassify a device into class I or II. We may issue an order finding a new device to be substantially equivalent under section 513(i) of the FD&C Act (21 U.S.C. 360c(i)) to a predicate device that does not require premarket approval. We determine whether a new device is substantially equivalent to a predicate device by means of the procedures for premarket notification under section 510(k) of the FD&C Act (21 U.S.C. 360(k)) and part 807 (21 CFR part 807).

FDA may also classify a device through "De Novo" classification, a common name for the process authorized under section 513(f)(2) of the FD&C Act (see also part 860, subpart D (21 CFR part 860, subpart D)). Section 207 of the Food and Drug Administration Modernization Act of 1997 (Pub. L. 105-115) established the first procedure for De Novo classification. Section 607 of the Food and Drug Administration Safety and Innovation Act (Pub. L. 112-144) modified the De Novo application process by adding a second procedure. A device sponsor may utilize either procedure for De Novo classification.

Under the first procedure, the person submits a premarket notification (510(k)) for a device that has not previously been classified. After receiving an order from FDA classifying

the device into class III under section 513(f)(1) of the FD&C Act, the person then requests a classification under section 513(f)(2).

Under the second procedure, rather than first submitting a 510(k) and then a request for classification, if the person determines that there is no legally marketed device upon which to base a determination of substantial equivalence, that person requests a classification under section 513(f)(2) of the FD&C Act.

Under either procedure for De Novo classification, FDA is required to classify the device by written order within 120 days. The classification will be according to the criteria under section 513(a)(1) of the FD&C Act. Although the device was automatically placed within class III, the De Novo classification is considered to be the initial classification of the device.

We believe this De Novo classification will enhance patients' access to beneficial innovation, in part by reducing regulatory burdens. When FDA classifies a device into class I or II via the De Novo process, the device can serve as a predicate for future devices of

that type, including for 510(k)s (see section 513(f)(2)(B)(i) of the FD&C Act). As a result, other device sponsors do not have to submit a De Novo request or premarket approval application to market a substantially equivalent device (see section 513(i) of the FD&C Act, defining "substantial equivalence"). Instead, sponsors can use the less burdensome 510(k) process, when necessary, to market their device.

II. De Novo Classification

On February 13, 2020, FDA received Tivic Health Systems Inc.'s request for De Novo classification of the ClearUP Sinus Relief device. FDA reviewed the request in order to classify the device under the criteria for classification set forth in section 513(a)(1) of the FD&C Act.

We classify devices into class II if general controls by themselves are insufficient to provide reasonable assurance of safety and effectiveness, but there is sufficient information to establish special controls that, in combination with the general controls, provide reasonable assurance of the safety and effectiveness of the device for

its intended use (see section 513(a)(1)(B) of the FD&C Act). After review of the information submitted in the request, we determined that the device can be classified into class II with the establishment of special controls. FDA has determined that these special controls, in addition to the general controls, will provide reasonable assurance of the safety and effectiveness of the device.

Therefore, on March 5, 2021, FDA issued an order to the requester classifying the device into class II. In this final order, FDA is codifying the classification of the device by adding 21 CFR 874.6000.¹ We have named the generic type of device "transcutaneous electrical nerve stimulator for the relief of congestion," and it is identified as a device that electrically stimulates the skin overlying the paranasal sinuses to relieve congestion.

FDA has identified the following risks to health associated specifically with this type of device and the measures required to mitigate these risks in table 1.

TABLE 1—TRANSCUTANEOUS ELECTRICAL NERVE STIMULATOR FOR THE RELIEF OF CONGESTION

Identified risks to health	Mitigation measures
Injury from electrical current on face causing one or more of the following: • Skin burn • Skin redness • Skin irritation • Facial muscle twitching • Electrical shock • Pain • Headache • Discomfort or muscle twitching of the eye Nerve and muscle injury	Non-clinical performance testing; Human factors testing; Software verification, validation, and hazard analysis; Electrical safety testing; Electromagnetic compatibility testing; Battery safety testing; and Labeling.
Ineffective treatment leading to worsening congestion	Non-clinical performance testing; Electrical safety testing; and Software verification, validation, and hazard analysis. Labeling.

FDA has determined that special controls, in combination with the general controls, address these risks to health and provide reasonable assurance of safety and effectiveness. For a device to fall within this classification, and thus avoid automatic classification in class III, it would have to comply with the special controls named in this final order. The necessary special controls appear in the regulation codified by this final order.

Under the FD&C Act, submission of a premarket notification under section 510(k) (21 U.S.C. 360(k)) is required to reasonably assure the safety and

effectiveness of class II devices unless FDA determines that the device type should be exempt under section 510(m) of the FD&C Act. At this time FDA has not made this determination for the transcutaneous electrical nerve stimulator for the relief of congestion. This device is therefore subject to premarket notification requirements under section 510(k) of the FD&C Act.

III. Analysis of Environmental Impact

The Agency has determined under 21 CFR 25.34(b) that this action is of a type that does not individually or cumulatively have a significant effect on

the human environment. Therefore, neither an environmental assessment nor an environmental impact statement is required.

IV. Paperwork Reduction Act of 1995

This final order establishes special controls that refer to previously approved collections of information found in other FDA regulations and guidance. These collections of information are subject to review by the Office of Management and Budget (OMB) under the Paperwork Reduction Act of 1995 (44 U.S.C. 3501–3521). The collections of information in part 860,

¹ FDA notes that the "ACTION" caption for this final order is styled as "Final amendment; final order," rather than "Final order." Beginning in December 2019, this editorial change was made to

indicate that the document "amends" the Code of Federal Regulations. The change was made in accordance with the Office of Federal Register's (OFR) interpretations of the Federal Register Act (44

U.S.C. chapter 15), its implementing regulations (1 CFR 5.9 and parts 21 and 22), and the Document Drafting Handbook.

subpart D, regarding De Novo classification have been approved under OMB control number 0910–0844; the collections of information in 21 CFR part 814, subparts A through E, regarding premarket approval have been approved under OMB control number 0910–0231; the collections of information in part 807, subpart E, regarding premarket notification submissions have been approved under OMB control number 0910–0120; the collections of information in 21 CFR part 820 regarding quality management system regulation have been approved under OMB control number 0910–0073; and the collections of information in 21 CFR part 801, regarding labeling have been approved under OMB control number 0910–0485.

List of Subjects in 21 CFR Part 874

Medical devices.

Therefore, under the Federal Food, Drug, and Cosmetic Act and under authority delegated to the Commissioner of Food and Drugs, 21 CFR part 874 is amended as follows:

PART 874—EAR, NOSE, AND THROAT DEVICES

■ 1. The authority citation for part 874 continues to read as follows:

Authority: 21 U.S.C. 351, 360, 360c, 360e, 360j, 360l, 371.

■ 2. Add § 874.6000 to subpart F to read as follows:

§ 874.6000 Transcutaneous electrical nerve stimulator for the relief of congestion.

(a) *Identification.* A transcutaneous electrical nerve stimulator for the relief of congestion is a device that electrically stimulates the skin overlying the paranasal sinuses to relieve congestion.

(b) *Classification.* Class II (special controls). The special controls for this device are:

(1) Non-clinical performance testing must demonstrate that the device performs as intended under anticipated conditions of use, including electrical stimulation parameters that must be specified and verified.

(2) Performance data must demonstrate the electromagnetic compatibility, battery safety, and electrical safety of the device.

(3) Software verification, validation, and hazard analysis must be performed.

(4) The patient-contacting components of the device must be demonstrated to be biocompatible.

(5) Human factors testing must demonstrate that users can successfully use the device in the intended use environment based solely on its labeling and instructions for use.

(6) Labeling must include the following:

(i) Instructions for use, including images that demonstrate how to use the device;

(ii) Device specifications, including the number of channels, output waveform, stimulation peak voltage and current, pulse duration, frequency, maximum current density, maximum phase charge, and power source; and

(iii) Explanations of the user-interface components.

Grace R. Graham,

Deputy Commissioner for Policy, Legislation, and International Affairs.

[FR Doc. 2026–07365 Filed 4–15–26; 8:45 am]

BILLING CODE 4164–01–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Food and Drug Administration

21 CFR Part 888

[Docket No. FDA–2026–N–2887]

Medical Devices; Orthopedic Devices; Classification of the Manual Surgical Instrument for Appropriate Patient Selection for Orthopedic Implant

AGENCY: Food and Drug Administration, HHS.

ACTION: Final amendment; final order.

SUMMARY: The Food and Drug Administration (FDA, the Agency, or we) is classifying the manual surgical instrument for appropriate patient selection for orthopedic implant into class II (special controls). The special controls that apply to the device type are identified in this order and will be part of the codified language for the classification of the manual surgical instrument for appropriate patient selection for orthopedic implant. We are taking this action because we have determined that classifying the device into class II will provide a reasonable assurance of safety and effectiveness of the device. We believe this action will also enhance patients' access to beneficial innovative devices in part by reducing regulatory burdens.

DATES: This order is effective April 16, 2026. The classification was applicable on May 28, 2019.

FOR FURTHER INFORMATION CONTACT:

David Hwang, Center for Devices and Radiological Health, Food and Drug Administration, 10903 New Hampshire Ave., Bldg. 66, Rm. 4568, Silver Spring, MD 20993–0002, 301–796–3217, David.Hwang@fda.hhs.gov.

SUPPLEMENTARY INFORMATION:

I. Background

Upon request, FDA has classified the manual surgical instrument for appropriate patient selection for orthopedic implant as class II (special controls), which we have determined will provide a reasonable assurance of safety and effectiveness for its intended use. In addition, we believe this action will enhance patients' access to beneficial innovation, in part by reducing regulatory burdens by placing the device into the appropriate device class based on risk and the regulatory controls sufficient to provide reasonable assurance of safety and effectiveness.

FDA may classify a device through an accessory classification request under section 513(f)(6) of the Federal Food, Drug and Cosmetic Act (FD&C Act) (21 U.S.C. 360c(f)(6)), established by section 707 of the FDA Reauthorization Act of 2017 (Pub. L. 115–52). The provision allows manufacturers or importers to request classification of an accessory distinct from another device upon written request. The classification is based on the risks of the accessory when used as intended as well as the level of regulatory controls necessary to provide a reasonable assurance of safety and effectiveness, notwithstanding the classification of any other device with which such accessory is intended to be used. Until an accessory is reclassified by FDA, the classification of any accessory distinct from another device by regulation or written order issued prior to December 13, 2016, will continue to apply.

Under section 513(f)(6)(D)(ii) of the FD&C Act, a manufacturer or importer may request appropriate classification of an accessory that has been granted marketing authorization as part of a premarket approval application (PMA), premarket notification (510(k)), or De Novo classification request. FDA must grant or deny the request not later than 85 days after receipt and, if granting, publish a notice in the **Federal Register** within 30 days of announcing the classification.

Alternatively, under section 513(f)(6)(C) of the FD&C Act, a person filing a PMA or 510(k) may include a written request for the proper classification of an accessory that has not been classified distinctly from another device based on the risks of the accessory when used as intended and the level of regulatory controls necessary to provide a reasonable assurance of safety and effectiveness. When the written request is included in a submission for marketing authorization, FDA must grant or deny the request along with the response to

the PMA or 510(k). Upon granting, FDA will publish a notice in the **Federal Register** within 30 days of announcing the classification.

II. Accessory Classification

On March 4, 2019, FDA received Intrinsic Therapeutics Inc.'s request for accessory classification of the Defect Measurement Tool for the Barricaid Anular Closure Device. FDA reviewed the request in order to classify the device under the criteria for classification set forth in section 513(a)(1) of the FD&C Act.

We classify devices into class II if general controls by themselves are insufficient to provide reasonable assurance of safety and effectiveness, but there is sufficient information to

establish special controls that, in combination with the general controls, provide reasonable assurance of the safety and effectiveness of the device for its intended use (see section 513(a)(1)(B) of the FD&C Act). After review of the information submitted in the request, we determined that the device can be classified into class II with the establishment of special controls. FDA has determined that these special controls, in addition to the general controls, will provide reasonable assurance of the safety and effectiveness of the device.

Therefore, on May 28, 2019, FDA issued an order to the requester classifying the device into class II. In this final order, FDA is codifying the

classification of the device by adding 21 CFR 888.4510.¹ We have named the generic type of device “manual surgical instrument for appropriate patient selection for orthopedic implant,” and it is identified as an orthopedic manual surgical instrument used to measure an anatomical feature(s) to determine appropriate patient selection for an orthopedic implant. The characteristics of the instrument are defined by the specifications set for the orthopedic implant in terms of geometry, surgical technique and use of the device.

FDA has identified the following risks to health associated specifically with this type of device and the measures required to mitigate these risks in table 1.

TABLE 1—MANUAL SURGICAL INSTRUMENT FOR APPROPRIATE PATIENT SELECTION FOR ORTHOPEDIC IMPLANT RISKS AND MITIGATION MEASURES

Identified risks to health	Mitigation measures
Adverse tissue reaction	Biocompatibility evaluation.
Infection	Reprocessing validation, and Labeling.
Improper assessment of size of defect	Nonclinical performance testing.
Inadvertently enlarging the size of the defect	Nonclinical performance testing.

FDA has determined that special controls, in combination with the general controls, address these risks to health and provide reasonable assurance of safety and effectiveness. For a device to fall within this classification, and thus avoid automatic classification in class III, it would have to comply with the special controls named in this final order. The necessary special controls appear in the regulation codified by this order.

Section 510(m) of the FD&C Act provides that FDA may exempt a class II device from the premarket notification requirements under section 510(k) if, after notice of our intent to exempt and consideration of comments, we determine that premarket notification is not necessary to provide reasonable assurance of safety and effectiveness of the device. At a future date, we may publish a separate notice in the **Federal Register** announcing our intent to exempt this device type. This device is subject to premarket notification requirements under section 510(k) of the FD&C Act.

III. Analysis of Environmental Impact

The Agency has determined under 21 CFR 25.34(b) that this action is of a type that does not individually or

cumulatively have a significant effect on the human environment. Therefore, neither an environmental assessment nor an environmental impact statement is required.

IV. Paperwork Reduction Act of 1995

This final order establishes special controls that refer to previously approved collections of information found in other FDA regulations and guidance. These collections of information are subject to review by the Office of Management and Budget (OMB) under the Paperwork Reduction Act of 1995 (44 U.S.C. 3501–3521). The collections of information in part 860, subpart D, regarding De Novo classification have been approved under OMB control number 0910–0844; the collections of information in the guidance document “Medical Device Accessories—Describing Accessories and Classification Pathways” have been approved under OMB control number 0910–0823; the collections of information in 21 CFR part 814, subparts A through E, regarding premarket approval have been approved under OMB control number 0910–0231; the collections of information in 21 CFR part 820 regarding quality management system regulation have been approved

under OMB control number 0910–0073; the collections of information in part 807, subpart E, regarding premarket notification submissions have been approved under OMB control number 0910–0120; and the collections of information in 21 CFR part 801 regarding labeling have been approved under OMB control number 0910–0485.

List of Subjects in 21 CFR Part 888

Medical devices.

Therefore, under the Federal Food, Drug, and Cosmetic Act and under authority delegated to the Commissioner of Food and Drugs, 21 CFR part 888 is amended as follows:

PART 888—ORTHOPEDIC DEVICES

- 1. The authority citation for part 888 continues to read as follows:

Authority: 21 U.S.C. 351, 360, 360c, 360e, 360j, 360l, 371.

- 2. Add § 888.4510 to subpart E to read as follows:

§ 888.4510 Manual surgical instrument for appropriate patient selection for orthopedic implant.

(a) *Identification.* This device is an orthopedic manual surgical instrument used to measure an anatomical

¹ FDA notes that the “ACTION” caption for this final order is styled as “Final amendment; final order,” rather than “Final order.” Beginning in December 2019, this editorial change was made to

indicate that the document “amends” the Code of Federal Regulations. The change was made in accordance with the Office of Federal Register’s (OFR) interpretations of the Federal Register Act (44

U.S.C. chapter 15), its implementing regulations (1 CFR 5.9 and parts 21 and 22), and the Document Drafting Handbook.

feature(s) to determine appropriate patient selection for an orthopedic implant. The characteristics of the instrument are defined by the specifications set for the orthopedic implant in terms of geometry, surgical technique and use of the device.

(b) *Classification*. Class II (special controls). The special controls for this device are:

(1) Technical specifications regarding geometry of the instruments must be identified and validated to demonstrate that the instruments accurately measure the critical geometry for patient selection of the intended orthopedic implant.

(2) The use of the instruments is validated to demonstrate that the measurement process does not alter the patient anatomy which is being measured.

(3) The patient contacting components of the device must be demonstrated to be biocompatible.

(4) Labeling must include:

(i) Identification of orthopedic implant(s) and instruments which have been validated for use together; and

(ii) Validated methods and instructions for reprocessing any reusable parts.

Grace R. Graham,

Deputy Commissioner for Policy, Legislation, and International Affairs.

[FR Doc. 2026-07367 Filed 4-15-26; 8:45 am]

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DEPARTMENT OF HEALTH AND HUMAN SERVICES

Food and Drug Administration

21 CFR Part 890

[Docket No. FDA-2020-N-1053]

Physical Medicine Devices; Reclassification of Non-Invasive Bone Growth Stimulators

AGENCY: Food and Drug Administration, HHS.

ACTION: Final amendment; final order.

SUMMARY: The Food and Drug Administration (FDA) is issuing a final order to reclassify non-invasive bone growth stimulators (product codes LOF and LPQ), postamendments class III devices, into class II, subject to premarket notification. FDA is codifying the reclassification of these devices under the new classification regulation, “non-invasive bone growth stimulator.” FDA is also establishing the special controls necessary to provide reasonable assurance of safety and effectiveness of these devices.

DATES: This order is effective May 18, 2026.

ADDRESSES: For access to the docket to read background documents or comments received, go to <https://www.regulations.gov> and insert the docket number found in brackets in the heading of this final rule into the “Search” box and follow the prompts, and/or go to the Dockets Management Staff, 5630 Fishers Lane, Rm. 1061, Rockville, MD 20852, 240-402-7500.

FOR FURTHER INFORMATION CONTACT: John Gomes, Center for Devices and Radiological Health, Food and Drug Administration, 10903 New Hampshire Ave., Bldg. 66, Rm. 4564, Silver Spring, MD 20993, 301-796-5618, John.Gomes@fda.hhs.gov.

SUPPLEMENTARY INFORMATION:

I. Background

The Federal Food, Drug, and Cosmetic Act (FD&C Act), as amended, establishes a comprehensive system for the regulation of medical devices intended for human use. Section 513 of the FD&C Act (21 U.S.C. 360c) established three classes of devices, reflecting the regulatory controls needed to provide reasonable assurance of their safety and effectiveness. The three classes of devices are class I (general controls), class II (special controls), and class III (premarket approval).

Devices that were not introduced or delivered for introduction into interstate commerce for commercial distribution prior to May 28, 1976 (generally referred to as postamendments devices) are automatically classified by section 513(f)(1) of the FD&C Act into class III without any FDA rulemaking process. Those devices remain in class III and require premarket approval, unless and until (1) the Food and Drug Administration (FDA, the Agency, or we) reclassifies the device into class I or II; or (2) FDA issues an order finding the device to be substantially equivalent, in accordance with section 513(i) of the FD&C Act, to a predicate device that does not require premarket approval. FDA determines whether new devices are substantially equivalent to predicate devices using the procedures in section 510(k) of the FD&C Act (21 U.S.C. 360(k)) and our implementing regulations (21 CFR part 807, subpart E).

A postamendments device that has been initially classified into class III under section 513(f)(1) of the FD&C Act may be reclassified into class I or II under section 513(f)(3) of the FD&C Act, which provides that FDA, acting by administrative order, can reclassify the device into class I or II on its own initiative, or in response to a petition

from the manufacturer or importer of the device. To change the classification of the device, the new class must have sufficient regulatory controls to provide reasonable assurance of safety and effectiveness of the device for its intended use.

FDA relies upon “valid scientific evidence,” as defined in section 513(a)(3) of the FD&C Act and 21 CFR 860.7(c)(2), in the classification process to determine the level of regulation for devices. In general, to be considered in the reclassification process, the “valid scientific evidence” upon which the Agency relies must be publicly available and excludes trade secret and/or confidential commercial information, such as the contents of a pending premarket approval application (PMA) (see section 520(c) of the FD&C Act (21 U.S.C. 360j(c)). Section 520(h)(4) of the FD&C Act (the “six-year rule”) provides that FDA may use, for reclassification of a device, certain information in a PMA 6 years after the application has been approved. This includes information from clinical and preclinical tests or studies that demonstrate the safety and effectiveness of the device, but it does not include descriptions of methods of manufacture and product composition and other trade secrets.

Section 510(m) of the FD&C Act provides that FDA may exempt a class II device from the requirements under section 510(k) of the FD&C Act if FDA determines that a premarket notification (510(k)) is not necessary to provide reasonable assurance of the safety and effectiveness of the device.

On August 17, 2020, FDA published in the **Federal Register** a proposed order¹ to reclassify non-invasive bone growth stimulators intended to promote osteogenesis as an adjunct to primary treatments for fracture fixation and spinal fusion or as a treatment for established nonunions or failed fusions² (product codes LOF and LPQ)^{3,4} from class III into class II,

¹ FDA notes that the “ACTION” caption for the proposed order was styled as “Proposed amendment; proposed order; request for comments,” rather than “Proposed order.” Beginning in December 2019, this editorial change was made to indicate that the document “amends” the Code of Federal Regulations. The change was made in accordance with the Office of Federal Register’s (OFR) interpretations of the Federal Register Act (44 U.S.C. chapter 15), its implementing regulations (1 CFR 5.9 and parts 21 and 22), and the Document Drafting Handbook.

² The intended use language adopted in this final order adds “or as a treatment for established nonunions or failed fusions” to the original intended use language presented in section III of the proposed order (85 FR 49986 at 49989).

³ FDA’s Center for Devices and Radiological Health (CDRH) uses product codes to help categorize and ensure consistent regulation of

subject to premarket notification (85 FR 49986 (August 17, 2020), the “proposed order”). FDA has considered the information available to the Agency, including certain information in PMAs in accordance with the six-year rule,⁵ peer-reviewed literature, the deliberations of the Orthopaedic and Rehabilitation Devices Panel of the Medical Devices Advisory Committee convened on September 8–9, 2020 (the “Panel”) to discuss non-invasive bone growth stimulators and the proposed reclassification (as discussed in section II of this final order), as well as comments from the public docket on the proposed order (as discussed in section III of this final order), to determine whether there is sufficient information to establish special controls to effectively mitigate the risks to health (updated, as discussed in section IV of this final order). FDA has also determined based on this information that the special controls, together with general controls, provide a reasonable assurance of safety and effectiveness when applied to these devices.

Therefore, in accordance with section 513(f)(3) of the FD&C Act, FDA, on its own initiative, is issuing this final order⁶ to reclassify non-invasive bone growth stimulators intended to promote osteogenesis as an adjunct to primary treatments for fracture fixation and spinal fusion or as a treatment for established nonunions or failed fusions from class III to class II (special controls). Absent the special controls

medical devices. A product code consists of three characters that are assigned at the time a product code is generated and is unique to a product type. The three characters carry no other significance and are not an abbreviation.

⁴ Invasive bone growth stimulators, designated under product code LOE, are outside the scope of this reclassification final order.

⁵ In support of this reclassification, FDA, on its own initiative, relied on certain data from relevant original PMAs and relevant PMA panel-track supplements, available to FDA with product code of LOF, in accordance with the six-year rule (see section 520(h)(4) of the FD&C Act (21 U.S.C. 360j(h)(4))) (See also, <https://www.fda.gov/regulatory-information/search-fda-guidance-documents/guidance-section-216-food-and-drug-administration-modernization-act-1997-guidance-industry-and-fda>). This includes data from relevant original PMAs and relevant PMA panel-track supplements approved after November 28, 1990, and before Jan 1, 2020, as noted in section VII of the proposed order (85 FR 49986 at 49990). FDA's PMA database can be found at <https://www.accessdata.fda.gov/scripts/cdrh/cfdocs/cfpma/pma.cfm>. For the purpose of this final order, PMA data considered in accordance with section 520(h)(4) include only that data which was submitted to and therefore considered by FDA at the time the PMA was reviewed and approval was issued.

⁶ FDA notes that the “ACTION” caption for this final order is styled as “Final amendment; final order,” rather than “Final order.” (See footnote 1 for explanation of editorial change.)

identified in this final order, general controls applicable to the device type are insufficient to effectively mitigate the risks identified for this device type, and therefore insufficient to provide reasonable assurance of the safety and effectiveness of these devices.

For these class II devices, instead of a PMA, manufacturers may submit a premarket notification and obtain FDA clearance of the devices before marketing them. This action will decrease regulatory burden on industry, as manufacturers will no longer have to submit a PMA for these types of devices but can instead submit a 510(k) to the Agency for clearance prior to marketing their device. A 510(k) typically results in a shorter premarket review timeline compared to a PMA, which ultimately provides patients with more timely access to these types of devices. FDA expects that the reclassification of these devices would enable more manufacturers to develop these types of devices such that patients will benefit from increased access to non-invasive bone growth stimulators for which there is a reasonable assurance of safety and effectiveness.

II. Deliberations of the Panel Meeting

A. Summary of Panel Discussion

On September 8, 2020, the Panel met to discuss and make recommendations regarding the proposed reclassification of non-invasive bone growth stimulators from class III into class II (Ref. 1). At the Panel meeting, FDA presented the regulatory history,⁷ risks to health, mitigations, and special controls described in the proposed order (85 FR 49986).

The Panel generally agreed with the risks to health identified by FDA and provided recommendations to better qualify and define some of the risks to health, as discussed in section II.B of this final order.

The Panel unanimously agreed that general controls alone are not sufficient to provide a reasonable assurance of safety and effectiveness for non-invasive bone growth stimulators. The Panel also

⁷ The regulatory history of these devices includes significant action around a 2005 petition for reclassification that was referred to the Orthopaedic and Rehabilitation Devices Panel of the Medical Devices Advisory Committee. In 2006, that panel met to consider the petition and its recommendations were published in the **Federal Register** on January 17, 2007 (72 FR 1951). The petitioner subsequently withdrew their petition and the action was closed. In 2015, FDA identified non-invasive bone growth stimulators as a potential candidate for reclassification (80 FR 23798) and subsequently proposed to reclassify these devices by administrative order on its own initiative, taking into account the regulatory history of the device type (85 FR 49986).

unanimously agreed that non-invasive bone growth stimulators are not life-supporting or life-sustaining. The Panel generally agreed with FDA that these devices are not of substantial importance in preventing impairment of human health, though one Panel member disagreed on the grounds that if the device failed to work as intended to treat an established nonunion, that failure may have significant health impacts rising to the level of substantial importance in preventing impairment of human health. The Panel unanimously agreed that non-invasive bone growth stimulators do not present a potential unreasonable risk of illness or injury.

The Panel unanimously agreed that sufficient information exists to develop special controls for these devices. The Panel deliberated on whether the special controls proposed by FDA appropriately mitigate the identified risks to health for this device type, and whether additional or different special controls should be considered. The Panel generally agreed with FDA's proposed special controls and recommended additional special controls. The Panel recommended that the special controls include specific requirements to ensure a rigorous clinical data set and postmarket surveillance as a means of assessing longer-term performance. The Panel also recommended that the special controls include measures beyond labeling to address risks related to interference with other electronic devices.

In conclusion, while the Panel recommended revisions to the risks to health and additional special controls (as discussed in section II.B of this final order), it generally agreed that non-invasive bone growth stimulators met each of the criteria that would support FDA's proposed reclassification of these devices from class III into class II, subject to premarket notification and special controls to mitigate the identified risks to health for these devices.

B. FDA Responses to Panel Deliberations and Changes in the Final Order

FDA considered the Panel's comments and recommendations and, as described below, either modified the final order in response to Panel feedback or explained why we disagreed with the Panel.

1. Risks to Health

The Panel recommended that FDA clarify the risk of adverse interactions with other devices and include additional mitigation measures for these risks beyond labeling. Accordingly, FDA

reevaluated the risks to health and mitigation measures for adverse interaction with internal/external fixation devices and electromagnetic interference (EMI). FDA made minor revisions in section IV of this final order to clarify in the identified risks that tissue damage is a result of heating of the fixation device which, in turn, leads to heating (damage) of the tissue. FDA also reconsidered mitigations for this risk to health and concluded that thermal safety is an important consideration, as signal outputs could induce currents in metal implants (for modalities that employ electromagnetic fields) or could cause deep tissue heating (for ultrasound-based devices). We therefore revised the mitigation measures for this risk in section IV of this final order to include non-clinical performance testing, which would include an evaluation of thermal safety and thermal reliability. FDA also revised relevant parts of the non-clinical performance testing special control at 21 CFR 890.5870(b)(2) to clarify that thermal safety and thermal reliability must be verified and validated. This could be demonstrated through non-clinical performance testing, for example, using applicable consensus standards (e.g., IEC 60601 series of standards for the basic safety and essential performance of medical electrical equipment), or other validated methods.

In addition, we revised the EMI risk in section IV of this final order to clarify that patient harms could result from interference between non-invasive bone growth stimulators and electrically powered implanted devices (i.e., non-invasive bone growth stimulators may interfere with implanted devices and vice versa), and also due to interference from electronically powered devices in the environment (such as radio-frequency emitting household electrical equipment). While implanted electrical devices (e.g., pacemakers or nerve stimulators) may have been designed to have immunity to certain electromagnetic fields, there is potential for the electromagnetic fields of non-invasive bone growth stimulators to interfere with implanted devices, or for the electromagnetic fields of implanted devices to cause electromagnetic interference with non-invasive bone growth stimulators. Furthermore, internal/external fixation devices in the proximity of non-invasive bone growth stimulators may similarly interfere with the treatment signal or lead to heating of the fixation device, which could lead to heating and damage of the surrounding tissue. We believe the

mitigation measures (electromagnetic compatibility (EMC) testing and labeling) address these risks, and that no further revisions to the mitigation measures for the EMI risk are necessary. As a potential method of EMC testing to mitigate EMI risks, FDA suggests using FDA-recognized consensus standards⁸ for medical electrical equipment safety and electromagnetic compatibility, including *IEC 60601-1-2 Medical electrical equipment—Part 1-2: General requirements for basic safety and essential performance—Collateral Standard: Electromagnetic disturbances—Requirements and tests* (Ref. 2). Additional collateral standards within the IEC 60601 series of standards may also apply, depending on the technology used in the device. Additionally, the labeling special control requires appropriate warnings for patients with implantable devices. Consistent with aforementioned consensus standards, such warnings in the labeling should specify appropriate separation distances, when applicable.

The Panel recommended that the risk of adverse biological effects either be better defined or otherwise removed from the list of risks to health associated with non-invasive bone growth stimulators. FDA maintains that this risk should be included, given that signals with select characteristics could induce adverse biologic effects outside of thermal risks. We have revised the description of this risk to health in section IV of this final order to address the Panel's recommendation and list the signal characteristics that may lead to adverse biologic effects.

During the Panel's discussion of the risks to health, the Panel Chair summarized an additional concern as "if the signal characteristics themselves need to be defined in a way that characterized safety and efficacy in a way that was independent from the field characteristics" (Ref. 3 at lines 3135–37). FDA does not believe any changes beyond those already detailed in this section are necessary to address this concern. The Panel did not identify a specific risk to health, and the stated concerns are already captured in the risks identified in section IV of this final order such as failure or delay of osteogenesis, adverse interaction with internal/external fixation devices, adverse biologic effects, and burn.

⁸ FDA recognizes certain voluntary consensus standards for medical devices, which are identified in a database available at <https://www.accessdata.fda.gov/scripts/cdrh/cfdocs/cfStandards/search.cfm>.

2. Criteria for Classification

Most of the Panel agreed that non-invasive bone growth stimulators met the criteria for classification into class II. The Panel unanimously agreed that general controls alone are not sufficient to provide reasonable assurance of safety and effectiveness, that non-invasive bone growth stimulators do not present a potential unreasonable risk of illness or injury, and that sufficient information exists to establish special controls for non-invasive bone growth stimulators. All but one Panel member agreed that non-invasive bone growth stimulators are not "life-supporting or life-sustaining, or of substantial importance in preventing impairment of human health." This Panel member disagreed on the grounds that if the device failed to work as intended to treat an established nonunion, that failure may have significant health impacts rising to the level of substantial importance in preventing impairment of human health. Other Panel members responded with the view that the impairment was the nonunion and a failure to heal the nonunion was not itself the cause of the nonunion. We additionally note that FDA identified (and the Panel concurred) that failed or delayed osteogenesis is a risk for this device, but measures such as clinical and non-clinical performance testing would mitigate the risk of failed or delayed osteogenesis and provide a reasonable expectation of the effectiveness of various treatment uses. FDA agrees with the majority of the Panel that this device type meets all of the criteria for regulation as a class II device.

3. Special Controls

The Panel recommended adding a special control for postmarket surveillance to monitor device effectiveness in real-world clinical practice. FDA disagrees. Postmarket surveillance as described by the Panel is not necessary to demonstrate reasonable assurance of safety and effectiveness. The safety profile of non-invasive bone growth stimulators is based on a long history of use of these devices and supports FDA's position that these devices do not pose sufficient safety concerns to warrant postmarket surveillance beyond standard postmarket requirements (i.e., medical device reporting (MDR) requirements). Consistent with this safety profile, none of the non-invasive bone growth stimulator devices currently on the market under an approved PMA has required or relied on post-approval studies. Additionally, FDA's clinical

data special control will help ensure there is sufficient evidence that the device performs as intended without the need to rely upon postmarket data for this determination.

The Panel additionally recommended that the clinical data special control include specific requirements to ensure a rigorous data set, such as specifying imaging modalities and a follow-up study of at least one year to confirm that the device is effective for its intended use. As discussed in more detail in our response to comment 2 in section III of this final order, the clinical data special control sets the expectation that manufacturers will provide robust clinical data to demonstrate that the device performs as intended under the anticipated conditions of use. FDA disagrees that it is necessary to specify prescriptive imaging modalities or the length of follow-up for a premarket clinical study. Appropriate timeframes for follow-up studies depend on the type of fracture and anatomic site being treated, as the timeframes to achieve fusion may vary. As such, the special control for clinical performance data has been purposefully written in a way to allow for flexibility in the endpoints and measures used to demonstrate patient benefits and mitigation of risks for this device type. However, to help ensure that clinical data meets appropriate fusion endpoints for the device's intended use, we added a requirement in the clinical data special control at 21 CFR 890.5870(b)(1) that "[i]maging data must demonstrate fusion at the treatment site."

III. Comments on the Proposed Order

A. Introduction

FDA received comments from fewer than 10 commenters on the proposed order (85 FR 49986) published in the **Federal Register** on August 17, 2020. The comment period on the proposed order closed on October 16, 2020. Comments received by the close of the comment period were from Congressional representatives, a trade organization, an orthopaedic scientist-surgeon, and other interested parties. Some of the comments contained one or more comments on one or more issues. Some comments supported the proposed reclassification, and others recommended against reclassification. Various comments included recommendations for special controls that commenters believed were necessary to establish reasonable assurance of safety and effectiveness.

We describe and respond to the comments in section III.B of this final order. The order of the comments and

responses is purely for organizational purposes and does not signify the comment's value or importance nor the order in which comments were received. To provide organized and efficient responses to similar issues, we grouped comments by similar subject matter, and, in some cases, we treated different subjects presented by the same commenter as distinct comments.

B. Description of Comments and FDA Response

(Comment 1) Various commenters agreed with the proposal to reclassify non-invasive bone growth stimulators into class II. These comments generally spoke to the importance of patient access and the relatively low risk of these devices. They also stated that a lower classification (*i.e.*, class II instead of class III) could expedite bringing new non-invasive bone growth stimulators to market. Two comments, representing multiple interested parties, disagreed with FDA, asserting that non-invasive bone growth stimulators should be retained in class III because class II controls are insufficient to provide reasonable assurance of safety and effectiveness.

(Response 1) FDA agrees with the comments supporting reclassification of non-invasive bone growth stimulators into class II and disagrees that these devices should be retained in class III. Based on publicly available scientific evidence presented in the proposed order and to the Panel, and taking into consideration feedback from the Panel and comments received on the proposed order, FDA has determined that reclassification of non-invasive bone growth stimulators into class II, subject to premarket notification, is appropriate because general controls by themselves are insufficient to provide reasonable assurance of safety and effectiveness and there is sufficient information to establish special controls to provide such assurance. The Panel also unanimously agreed that non-invasive bone growth stimulators met the criteria for classification into class II.

Additionally, class III is inappropriate because FDA has determined, and a large majority of the Panel agreed, that non-invasive bone growth stimulators are not for use in supporting or sustaining human life, are not of substantial importance in preventing impairment of human health, and do not present a potential unreasonable risk of illness or injury.

We also agree with commenters that this reclassification may have a positive impact on bringing new non-invasive bone growth stimulators to market more quickly. As discussed in section I of this

final order, reclassifying non-invasive bone growth stimulators into class II will reduce regulatory burdens on industry because instead of submitting a PMA, manufacturers may submit a less burdensome 510(k) to obtain FDA clearance of the device before marketing it, among other lesser regulatory requirements. We expect that this would, in turn, increase access to safe and effective therapeutics for which there is still a reasonable assurance of safety and effectiveness. The 510(k) pathway is less burdensome and generally more cost-effective for industry and FDA than the PMA pathway, the most stringent type of device marketing application required by FDA. A 510(k) typically results in a shorter premarket review timeline compared to a PMA, which ultimately provides more timely access of these types of devices to patients.

(Comment 2) A couple commenters provided recommendations regarding the quality of clinical performance data that FDA should require to support future marketing submissions for non-invasive bone growth stimulators. One commenter suggested that special controls should require high-quality clinical data without commenting on whether non-invasive bone growth stimulators should be reclassified. Another commenter stated that non-invasive bone growth stimulators should remain a class III device, but if FDA proceeds with reclassification, certain data quality standards should apply. These commenters emphasized the importance of prospective, randomized clinical trials to ensure these submissions include robust clinical evidence. One commenter additionally recommended that future clinical studies employ similar clinical trial design parameters as those used in pivotal studies for currently approved non-invasive bone growth stimulators, using clinically relevant endpoints based on imaging data and clinical measures of a subject's healing or functioning. The commenter also specified that the clinical data should be derived from clinical trials rather than citation of published literature.

(Response 2) While FDA agrees that high-quality clinical data is necessary to support 510(k)s for non-invasive bone growth stimulators, FDA disagrees that the clinical data special control should specifically require prospective, randomized clinical trials to demonstrate the effectiveness of new devices brought to the market. FDA also agrees that imaging data should be required to demonstrate device effectiveness and we have revised the clinical data special control accordingly,

as further described in section II.B.3 of this final order.

We also note that data supporting approved PMAs for non-invasive bone growth stimulators were based on a range of sources that did not always include prospective randomized clinical trials. While a randomized, controlled clinical study is the highest standard for data quality, there are many sources of robust, quality clinical data that meet FDA standards for “valid scientific evidence” (21 CFR 860.7), including non-randomized studies compared to registry data, or other sources of real-world evidence. Therefore, the special controls we are finalizing for non-invasive bone growth stimulators are intentionally flexible and purposefully not intended to limit the types of clinical evidence that may support a 510(k) for these devices.

As discussed in the proposed order, differences in treatment waveform and frequency can have unknown effects on the healing pathway, resulting in significant effects on reported device effectiveness (85 FR 49986 at 49991). Therefore, to demonstrate substantial equivalence, clinical performance data must demonstrate that the device performs as intended in the indicated patient population. FDA recommends that the clinical study be sufficiently robust to adequately support the proposed indications for use for the device. A randomized prospective clinical trial would suffice, however, in certain circumstances, other forms of clinical evidence, such as real-world evidence, would also be adequately robust to support a substantial equivalence determination. Such data should be scientifically valid and include sufficient information to demonstrate a clinically meaningful benefit of the device and describe the expected safety profile, as defined in section 513(a)(3) of the FD&C Act and 21 CFR 860.7(c)(2).

Additionally, to demonstrate that the device performs as intended under anticipated conditions of use, the data should represent the intended patient population and intended anatomic location of the device. The study should include appropriate, clinically relevant endpoints. While the endpoint will depend on the device’s specific indications for use, independent radiographic assessment of bone fusion using a clinically recognized scale and validated assessments of clinical healing are examples of appropriate endpoints. To support a demonstration of substantial equivalence, the study should also include sufficient evidence that the device performs equivalently to a legally marketed predicate device. If

the subject device is not studied in conjunction with the predicate device, we recommend that the study design demonstrate a clinically meaningful and statistically significant improvement compared to an appropriate control (e.g., sham device). A side-by-side study could also be used to demonstrate substantial equivalence in clinically relevant endpoints (e.g., time to radiographic and clinical healing) between the subject device and a legally marketed predicate.

In lieu of using new clinical data to support a 510(k), applicants may be able to rely on clinical data from a legally marketed non-invasive bone growth stimulator with the same intended use and indications for use, if the applicant demonstrates that the critical signal parameters and operational modality of their device are sufficiently similar to those of the legally marketed device. This approach is consistent with leveraging publicly available data to support approval of a PMA.⁹ Further, we revised the labeling special control in this final order to require “a detailed summary of the supporting clinical data” rather than “a detailed summary of the clinical testing” as initially proposed to more accurately represent the sources of data that may be relied upon for a 510(k). As stated above, if the applicant demonstrates that the critical signal parameters of their device are sufficiently similar to those of a legally marketed predicate device, then the “supporting clinical data” may include clinical data sets generated using that predicate device.¹⁰

The special controls for non-invasive bone growth stimulators include controls for clinical data and non-clinical performance testing that could support unique study designs that are appropriate for the specific indications

⁹ Examples of approved PMAs for non-invasive bone growth stimulators that have leveraged publicly available clinical data in their submissions since December 2020, in accordance with the 6-year rule (see section 520(h)(4) of the FD&C Act), include P190030, P210035, P230025, P210016 (Refs. 4–7). While the 6-year rule applies only to PMAs, 510(k)s may be able to leverage clinical information and data from a sufficiently similar predicate device, assuming the sponsor has proper access to such data.

¹⁰ Under 21 CFR 807.92(b)(2), when the determination of substantial equivalence is based in part on an assessment of clinical performance data, the summary should include a brief discussion of the clinical tests submitted, referenced, or relied on in the premarket notification submission for a determination of substantial equivalence. This discussion shall include, where applicable, a description of the subjects upon whom the device was tested, a discussion of the safety or effectiveness data obtained from the testing, with specific reference to adverse effects and complications, and any other information from the clinical testing relevant to a determination of substantial equivalence.

for use and technological characteristics for each device that would be reviewed in a 510(k).¹¹ While every clinical study developed to support a premarket submission for non-invasive bone growth stimulators should be designed to demonstrate that the device performs as intended when used in the intended patient population, the final special controls for these devices allow for customized study designs tailored specifically for each device considering the device technology and indications for use. Reclassification of these devices from class III into class II does not exclude the need for device-specific clinical data and non-clinical performance testing. Rather, the special controls establish requirements for such data and testing that is necessary to support reasonable assurance of safety and effectiveness.

This flexibility is also important for non-clinical performance testing special control requirements, which include validation and verification of thermal safety and thermal reliability, that signal characteristics are within safe physiologic limits, and that device reliability is consistent with the expected use-life. An applicant may validate and verify these safety and performance characteristics in a variety of ways, as discussed in the following paragraphs. Note that the non-clinical performance testing special control also requires validation and verification of critical performance characteristics, which we discuss in our response to comment 4 in this section of the final order.

Given the potential for devices of this type to cause patient harm due to heating from multiple sources, the non-clinical special control requires validation and verification of thermal safety and thermal reliability. First, as the control units are often worn on a patient’s belt and are battery powered, excessive heating of the control unit for prolonged duration may cause thermal damage to the patient’s skin and

¹¹ A manufacturer may seek FDA input on non-clinical or clinical study design by utilizing our Q-Submission program, through which FDA may provide input on device-specific requirements and recommendations for non-clinical and clinical studies intended to support device-specific indications for use. Additional information regarding the Q-Submission program can be found in FDA’s final guidance document entitled “Requests for Feedback and Meetings for Medical Device Submissions: The Q-Submission Program” (Ref. 8). In addition, reclassification does not change the regulatory requirements related to clinical study oversight and investigational device exemptions (IDEs) in 21 CFR part 812 or patient protections in 21 CFR part 50 and 56. FDA may provide specific feedback and study design considerations for clinical studies as a part of an IDE review for significant risk studies.

subdermal tissue. Second, the transducer itself may heat up during use, causing similar injury at the treatment site if it is patient-contacting. Finally, the signal itself may cause heating of deep tissue. This could be due to the electromagnetic fields generated by pulsed electromagnetic field (PEMF) and combined magnetic field (CMF) devices inducing currents in nearby metal implants, current leaks in capacitive coupling (CC) devices causing electrical burns, or low intensity pulsed ultrasound (LIPUS) devices causing deep tissue heating due to the mechanical effects of ultrasound signals. Testing results to appropriate standards (if applicable) to demonstrate that the device does not cause unsafe heating should be included in support of a 510(k). Literature or other scientific evidence can also be used to support the generally accepted thermal safety of the subject device's treatment signal.

Validation and verification that signal characteristics are within safe physiologic limits is required to mitigate the potential for patient harm from the generated signal, which could be due to various factors such as ultrasonic heating or tissue cavitation, excessive electrical current which could damage tissue, or electromagnetic fields which may interfere with biological function. Applicants should provide signal characterization to evaluate the nature of their device and provide scientific evidence and rationale demonstrating that the device generates a physiologically safe signal, which may include non-clinical animal testing,¹² side-by-side bench testing to demonstrate that the device signal falls within the range of a predicate device, or literature to demonstrate that similar signals have a history of safe use.

Validation and verification that device reliability is consistent with the expected use-life of the device is required because these devices are generally used daily by patients for several months and may be exposed to a large amount of physical wear. A 510(k) should provide evidence that the device can perform within specifications throughout its labeled use-life. One form this evidence may take is simulated use testing of the device. Considerations for the reliability testing special control (21 CFR 890.5870 (b)(2)(iv)) should include (as applicable), but not be limited to, continued integrity of all connection

ports, repeated battery connection and disconnection, battery performance after repeated charging/discharging, integrity of all buttons/switches, performance of components after repeated reprocessing, activation of transducer for the full use-life of the device, and environmental exposure (e.g., humidity).

(Comment 3) One commenter expressed concern that, by publishing the proposed order in the **Federal Register** in advance of the Panel meeting, "FDA has already prejudged the outcome" of the meeting and would potentially influence the Panel's recommendations.

(Response 3) FDA complied with all statutory and regulatory requirements in its proposal to reclassify non-invasive bone growth stimulators under section 513(f)(3) of the FD&C Act, which allows, but does not require, FDA to convene a classification panel and does not prescribe when the panel meeting and proposed order must occur in relation to each other. In the preamble to the final rule updating FDA's medical device classification procedures regulations to reflect updates made to the FD&C Act in 2012 by the Food and Drug Administration Safety and Innovation Act (FDASIA) (Pub. L. 122–144), FDA stated its intent to issue a reclassification proposed order under section 513(f)(3) before holding the classification panel meeting (83 FR 64443 at 64451 (December 17, 2018)). FDA's statement was in response to comments from interested parties suggesting that Congress intended this order when they passed FDASIA (83 FR at 64450). Since then, in cases when FDA has elected to convene a classification panel for a potential reclassification action under section 513(f)(3) of the FD&C Act, FDA has generally issued the proposed order before convening the panel.

(Comment 4) More than one commenter noted the wide range of technologies that have been approved as non-invasive bone growth stimulators and expressed concern that class II special controls could not be established to provide reasonable assurance of safety and effectiveness for the generic device type at least in part because of this wide range of technologies.

(Response 4) While we acknowledge that FDA has approved PMAs for non-invasive bone growth stimulators with an array of different technologies (e.g., PEMF, CMF, CC, and LIPUS), we disagree that special controls cannot be established to provide reasonable assurance of safety and effectiveness. Furthermore, as discussed in section II.A of this final order, the Panel also unanimously agreed with FDA's

conclusion that sufficient information exists to establish special controls.

In evaluating whether non-invasive bone growth stimulators should be reclassified into class II, we considered the risks to health and risk mitigations associated with the different technologies of approved devices. As part of this assessment, we evaluated peer-reviewed literature, MDRs, recalls, and additional information (e.g., the Summary of Safety and Effectiveness from PMAs subject to the six-year rule¹³). FDA concluded that the risks to health associated with approved non-invasive bone growth stimulators, and the appropriate mitigations of those risks, are the same across all modalities. For this reason, the special controls provide flexibility while still requiring manufacturers to account for the critical characteristics of their particular technology. While the specific testing necessary to mitigate risks for a particular device may differ by technology, the special controls are written broadly enough to apply to all non-invasive bone growth stimulators, regardless of technology.

For example, the non-clinical performance data special control (21 CFR 890.5870(b)(2)) requires validation and verification of critical performance characteristics to ensure that intended design outputs are delivered to the patient. This particular special control is broadly written to allow for flexibility in terms of which specific design outputs are relevant based upon the modality of the device. To fully describe the specific device and allow for a comparison to the predicate, we suggest providing a full and complete characterization of both the device and the therapeutic signal in the 510(k). We recommend that characterization of the signal waveform include images and a sufficiently detailed description to ensure continued treatment effectiveness. Because of the wide range of signal modalities applicable to non-invasive bone growth stimulators (e.g., PEMF, CMF, CC, and LIPUS), it is not possible to list every treatment signal parameter that should be assessed; however, in general, we recommend including the following (as applicable): output signal shape, magnitude, primary frequency, carrier frequency, duty cycle, focal depth, magnetic flux, effective radiating area, total average power, spatial average-temporal average intensity, beam non-uniformity ratio, and any other measure needed to fully characterize the treatment signal.

¹² FDA supports the principles of the "3Rs," to replace, reduce, and/or refine animal use in testing when feasible. We encourage sponsors to consult with us if they wish to use a non-animal testing method they believe is suitable, adequate, validated, and feasible.

¹³ See footnote 5 for information regarding the PMAs relied on to support this reclassification.

Additionally, different treatment signals will pass through human tissue and bone in different ways. Consequently, while the device may be generating a treatment signal of a specific amplitude or waveform, the treatment site may be receiving a different signal. This could be caused by signal loss from the transducer/air/skin interface, or due to absorption of signal power or certain frequencies as the signal passes through soft and hard tissue. Therefore, we recommend applicants include results from validation testing to assess the signal reaching the treatment site. While it is not possible to consider every treatment attenuation scenario, we recommend applicants demonstrate that the intended treatment parameters are delivered throughout a sufficient volume to encompass the treatment site in the indicated patient population. Examples of testing may include measurement of the signal in an appropriate surrogate (*e.g.*, phantom model).

(Comment 5) One commenter requested that FDA issue a special controls guidance to outline additional detail regarding “key parameters for clinical studies and other data (labeling comprehension and device usability testing) to support marketing of never before-authorized [non-invasive] bone growth stimulator devices.”

(Response 5) While we do not intend to issue a guidance document to accompany the special controls identified in this final order for non-invasive bone growth stimulators at this time, the preamble to this final order has recommendations and examples for how manufacturers may comply with the special controls. In section II.B of this final order, in response to Panel feedback, we provide examples of recognized consensus standards for EMC testing that would mitigate EMI risks to satisfy the performance data special control for EMC. In our responses to comments 2 and 4 in this section of this final order, we provide examples of the different types of clinical data, clinical studies, and non-clinical performance data that could support a 510(k) for non-invasive bone growth stimulators. FDA reviews the non-clinical and clinical data and related valid scientific evidence included in a 510(k) to assess substantial equivalence to a legally marketed predicate device, including, as appropriate, conformance to special controls.

We have also revised the special controls for non-invasive bone growth stimulators to provide more detail and clarity on FDA’s expectations for

clinical data and non-clinical performance testing. Additionally, as discussed in section II.B.3 and in our response to comment 2 in this section of the final order, the clinical data special control now requires imaging data to further support device effectiveness. Non-clinical performance testing now more clearly requires verification and validation of critical performance and safety characteristics, which we discuss in our responses to comments 2 and 4 in this section of the final order.

(Comment 6) One commenter requested that FDA consider adding a requirement for human factors testing and/or a labeling comprehension study to the special controls.

(Response 6) FDA agrees with this comment. Based on literature and clinical data from other sources, FDA concurs that user compliance with the instructions for use is a significant factor in the effectiveness of these devices and maintaining user compliance is a known issue for these devices. These devices are used by patients, and the instructions for use should be clear and easy to follow. Additionally, labeling comprehension testing is currently relied upon to support PMA approvals of non-invasive bone growth stimulators. As such, we have added a special control to require labeling comprehension testing.

(Comment 7) One commenter stated that FDA should conduct premarket clinical and manufacturing inspections for these devices, even if they are reclassified from class III into class II.

(Response 7) FDA generally does not consider premarket clinical and manufacturing inspections to be necessary to provide reasonable assurance of safety and effectiveness for class II devices, including non-invasive bone growth stimulators. Preapproval inspections conducted in the context of a PMA approval allow FDA to assess the firm’s capability to design and manufacture the device as claimed in the PMA and confirm that the firm’s Quality Management System is in compliance with 21 CFR part 820, Quality Management System Regulation. FDA generally does not conduct similar premarket inspections for class II devices or when reviewing a 510(k).

Additionally, the hardware of these devices can generally be characterized with well-established methods and standards. The special controls identified in this final order establish requirements for validating both software and hardware components of these devices premarket, including that testing must verify and validate critical

performance and safety characteristics of the device. The special controls also establish requirements relating to electromagnetic compatibility, electrical and thermal safety, biocompatibility, and software verification, validation, and hazard analysis.

For class II devices, routine and for cause inspections, which may consider compliance with quality management system requirements applicable to the manufacturing of the device, allow for appropriate postmarket oversight. Mechanisms and procedures for reporting safety concerns, such as MDRs and recalls, also provide additional postmarket surveillance to help ensure continued safety for marketed devices.

(Comment 8) One commenter requested that FDA either “retain control over all postmarket [non-invasive bone growth stimulator] modifications” through controls applicable to class III devices, or, if non-invasive bone growth stimulators are reclassified, that FDA include recommendations in guidance to explain which device modifications would be subject to premarket review. The commenter highlighted the importance of regulatory oversight of postmarket changes to ensure that device performance is not negatively impacted, noting that the 2006 Advisory Committee¹⁴ and FDA previously recognized that device modifications that change device output may have unknown impacts on clinical response to treatment.

(Response 8) FDA disagrees that the requirements applicable to modifications of PMA-approved products (*i.e.*, premarket approval or annual reporting of changes as required for class III devices) are necessary for this device type. Consistent with 21 CFR 807.81(a)(3), a new 510(k) is required for any change or modification to a cleared device that could significantly affect the safety or effectiveness of the device, or for a major change or modification in intended use.¹⁵ Changes and modifications that could significantly affect the safety or effectiveness of the device and may require a new 510(k) for

¹⁴ The commenter is referring to a 2006 meeting of the Orthopaedic and Rehabilitation Devices Panel of the Medical Devices Advisory Committee, which considered a petition for reclassification of non-invasive bone growth stimulators. (See footnote 7 for additional information and references.)

¹⁵ In accordance with 21 CFR 807.81(a)(3), a 510(k) is required for significant changes or modifications to a device including: (1) those that “could significantly affect the safety or effectiveness of the device, *e.g.*, a significant change or modification in design, material, chemical composition, energy source, or manufacturing process”; or (2) a “major change or modification in the intended use of the device.”

a non-invasive bone growth stimulator device include:

- Modifications of the therapeutic signal or modifications to the transducer such that there is change to the delivered therapeutic signal.

- Changes to the indicated patient population (age range, anatomic location, fracture or fusion type, etc.).

These examples are not exhaustive. Guidance on when device changes or modifications may require a new 510(k) can be found in “Deciding When to Submit a 510(k) for a Change to an Existing Device” (Ref. 9) and “Deciding When to Submit a 510(k) for a Software Change to an Existing Device” (Ref. 10).

Regardless of whether a new 510(k) is necessary, a modified device must continue to comply with the special controls. Additionally, manufacturers may wish to use predetermined change control plans (PCCPs) as a way to implement future modifications to their devices without needing to submit a new 510(k) for each significant change or modification¹⁶ while continuing to provide reasonable assurance of device safety and effectiveness.¹⁷ FDA reviews a PCCP as part of a marketing submission for a device to ensure the continued safety and effectiveness of the device without necessitating additional marketing submissions for implementing each modification described in the PCCP. When used appropriately, PCCPs authorized by FDA are expected to be least burdensome for manufacturers and FDA.¹⁸

IV. Changes in the Final Order

As described in sections II and III of this final order, FDA has made revisions in this final order in response to Panel feedback and comments submitted to the public docket on the proposed order (85 FR 49986).

¹⁶ For the purpose of this final order reference to “modification” means a significant change or modification that would generally require a new premarket notification under 21 CFR 807.81(a)(3).

¹⁷ Section 3308 of the Food and Drug Omnibus Reform Act of 2022, Title III of Division FF of the Consolidated Appropriations Act, 2023, Public Law 117–328 (“FDORA”), enacted on December 29, 2022, added section 515C “Predetermined Change Control Plans for Devices” to the FD&C Act. Section 515C has provisions regarding PCCPs for devices requiring premarket approval or premarket notification. Under section 515C, supplemental applications (section 515C(a)) and new premarket notifications (section 515C(b)) are not required for a change to a device that would otherwise require a premarket approval supplement or new premarket notification if the change is consistent with a PCCP approved or cleared by FDA.

¹⁸ Sections 513 and 515 of the FD&C Act. See also, FDA’s guidance “The Least Burdensome Provisions: Concept and Principles,” available at <https://www.fda.gov/regulatory-information/search-fda-guidance-documents/least-burdensome-provisions-concept-and-principles>.

Additionally, as noted in footnote 2, FDA has revised the identification language from the proposed order to add the phrase “or as a treatment for established nonunions or failed fusions” to the identification language codified in this final order. (See 21 CFR 890.5780(a)). This language was included in the proposed order as an indication presented to explain the intended use, but FDA has determined that for completeness it belongs in the identification language as part of the intended use. FDA has also moved the clause in the identification language that notes the device is only for prescription use from the second sentence of the identification to the first sentence of the identification. This change was made for consistency with other device types whose classification regulations fall into 21 CFR part 890. This change does not have any substantive effect.

Furthermore, in considering the revisions to the final order, FDA identified and added two additional risks to health: (i) use error or improper device use, and (ii) infection. While the labeling special control in the proposed order included cleaning instructions for reusable components, we recognize that adding the risk of infection clarifies the importance of validated cleaning instructions as a mitigation measure to address this risk to health. Accordingly, we updated the labeling special control to clarify that cleaning instructions must be validated. As discussed in our response to comment 6, FDA added a risk of use error or improper device use because user compliance with the instructions for use is a significant factor in the effectiveness of these devices and maintaining user compliance is a known issue for these devices. Accordingly, we added a special control to require that labeling comprehension testing must demonstrate the patient can correctly use the device based solely on reading the instructions for use.

Based in part on Panel feedback and comments on the proposed order, FDA revised the list of risks to health, the special controls that FDA determined will mitigate these risks, and Table 1, “Risks to Health and Risk Mitigation Measures for Non-Invasive Bone Growth Stimulators”.

FDA has identified the following risks to health associated with the use of non-invasive bone growth stimulators:

- *Failure or delay of osteogenesis.* A patient could receive ineffective treatment, contributing to failure or delay of osteogenesis that may lead to clinical symptoms (e.g., pain) and the need for surgical interventions.

Ineffective treatment could be a result of various circumstances (e.g., inadequate therapeutic signal output or device malfunction).

- *Use error or improper device use.*

Use error or improper device use may result from a device design that is difficult to operate and/or labeling that is difficult to comprehend, leading to misuse of the device resulting in patient harm or ineffective treatment.

- *Burn.* A patient or health care professional could be burned from the use and operation of the device. This could be a result of various circumstances including device malfunction (e.g., electrical fault) or misuse of the device (e.g., use while sleeping).

- *Electrical shock.* A patient or health care professional could be shocked from the use and operation of the device. This could be a result of various circumstances including device malfunction (e.g., electrical fault) or misuse of the device (e.g., use of alternating current source during treatment).

- *Electromagnetic interference (EMI).*

A patient with electrically powered implanted devices (such as cardiac pacemakers, cardiac defibrillators, and neurostimulators) could experience harm due to device malfunction as a result of electromagnetic interference between the implanted device and the non-invasive bone growth stimulator. Electronically powered devices in the environment (such as radiofrequency emitting household electrical equipment), may similarly interfere with the non-invasive bone growth stimulator device.

- *Adverse tissue reaction.* A patient could experience skin irritation and/or allergic reaction associated with the use and operation of the device via the use of non-biocompatible device materials.

- *Infection.* A patient could experience an infection if the patient-contacting components are not properly cleaned between uses.

- *Adverse interaction with internal/external fixation devices.* The signal output could be impacted by certain metallic internal or external fixation devices leading to inadequate treatment signals, device malfunction, or tissue heating and damage as a result of heating of the fixation device.

- *Adverse biologic effects.* A patient may experience adverse biologic effects resulting from prolonged exposure to the treatment signal via biologic interaction with the treatment signal at a cellular level. This could be due to various factors such as ultrasonic heating or tissue cavitation, excessive electrical current which could damage

tissue, or electromagnetic fields which may interfere with biological function.

FDA has determined that the following special controls will mitigate these risks to health, and that these special controls, in addition to general controls, will provide a reasonable assurance of safety and effectiveness for non-invasive bone growth stimulators:

- The risk of failure or delay of osteogenesis can be mitigated by clinical data that demonstrates that the device performs as intended under anticipated conditions of use, including imaging data to demonstrate fusion at the treatment site. This risk can also be mitigated by non-clinical performance testing which additionally demonstrates that the device performs as intended under anticipated conditions of use, specifically through verification and validation of critical performance characteristics of the device. These include ensuring delivery of intended design outputs to the patient, thermal safety and reliability, the signal characteristics are within safe physiologic limits, and reliability of the device is consistent over the expected use-life. Software verification, validation, and hazard analysis will also help mitigate the risk of failure or delay of osteogenesis by ensuring that any device software performs as intended. Finally, labeling will also mitigate this risk by providing appropriate instructions for use (e.g., duration, frequency of use) to the end user.

- The risk of use error or improper device use can be mitigated through labeling, including adequate warnings and instructions for use, and labeling comprehension testing that demonstrates the patient can correctly use the device based solely on reading the instructions for use.
- The risk of burns can be mitigated by non-clinical performance testing of the device to verify and validate critical performance characteristics, which include ensuring thermal safety and reliability, signal characteristics are within safe physiologic limits, and reliability of the device is consistent with its expected use-life. The risk of burns can be further mitigated by electrical safety testing to minimize the risk of thermal burns to the patient, and specific instructions regarding proper usage and specific warnings associated with the risk of burns.
- The risk of electrical shock can be mitigated by electrical safety testing to minimize the risk of shock to the patient. This risk can be further mitigated by labeling that includes instructions on appropriate usage and maintenance, and specific warnings regarding electrical shock.
- The risk of EMI can be mitigated through performance testing that demonstrates the EMC of the device and labeling to minimize the risk of adverse interaction with other electronic devices, such as implanted electronic devices.

- The risk of adverse tissue reaction can be mitigated by a biocompatibility evaluation to ensure that the materials used in patient-contacting components of the device are safe for skin contact and labeling that includes warnings against use on compromised skin or when there are known skin sensitivities, as well as validated instructions on appropriate cleaning of any reusable components.
- The risk of infection can be mitigated by labeling that includes validated instructions for appropriate cleaning of any reusable components.
- The risk of adverse interaction with internal/external fixation devices can be mitigated through labeling that includes appropriate warnings for patients with implanted medical devices, as well as non-clinical performance testing, which would include an evaluation of thermal safety and thermal reliability.
- The risk of adverse biologic effects can be mitigated by non-clinical performance testing to verify and validate critical performance characteristics of the device, which include ensuring thermal safety and reliability, signal characteristics are within safe physiologic limits, and reliability of the device over the expected use-life. The risk of adverse biological effects is further mitigated by software verification, validation, and hazard analysis, which will help ensure the device operates as intended.

TABLE 1—RISKS TO HEALTH AND MITIGATION MEASURES FOR NON-INVASIVE BONE GROWTH STIMULATORS

Identified risk to health	Mitigation measures
Failure or delay of osteogenesis	Clinical performance data. Non-clinical performance testing. Software verification, validation, and hazard analysis. Labeling.
Use error or improper device use	Labeling comprehension testing. Labeling.
Burn	Non-clinical performance testing. Electrical safety testing. Labeling.
Electrical shock	Electrical safety testing. Labeling.
Electromagnetic interference	Electromagnetic compatibility (EMC) testing. Labeling.
Adverse tissue reaction	Biocompatibility evaluation. Labeling.
Infection	Labeling.
Adverse interaction with internal/external fixation devices	Non-clinical performance testing. Labeling.
Adverse biological effects	Non-clinical performance testing. Software verification, validation, and hazard analysis.

V. The Final Order

In this final order, FDA is adopting relevant findings from the August 17, 2020, proposed order (85 FR 49986). FDA has made revisions in this final

order in response to the Panel deliberations (see section II) and comments received (see section III). FDA is issuing this final order to reclassify non-invasive bone growth

stimulators from class III into class II under a new device classification regulation with the name non-invasive bone growth stimulator, and to establish special controls by revising 21 CFR part

890 (adding 21 CFR 890.5870). The identification for § 890.5870(a) has been revised from the proposed order to provide a more accurate description of the devices in this classification regulation.

Further, in this final order, FDA has identified the special controls under section 513(b)(1)(B) of the FD&C Act that, along with general controls, provide a reasonable assurance of the safety and effectiveness for non-invasive bone growth stimulators. In this final order, the Agency has made refinements to the special controls as previously described in the proposed order to further mitigate the risks to health associated with the use of non-invasive bone growth stimulators. Specifically, and among other things, FDA revised certain special controls for clarity, added imaging criteria to demonstrate effectiveness, and added a new special control for labeling comprehension. The clinical data special control now includes a requirement for imaging to demonstrate fusion at the treatment site as evidence that the device performs as intended. There is a new special control for labeling comprehension testing to demonstrate that patients can correctly use the devices based solely on the instructions for use. We made other minor revisions to several of the special controls for clarity.

Under the FD&C Act, 510(k)s are required to reasonably assure the safety and effectiveness of class II devices unless FDA determines that the device type should be exempt under section 510(m).¹⁹ FDA has not made this determination for non-invasive bone growth stimulators and, therefore, this class II device type is not exempt from 510(k) requirements. Thus, under sections 510(k) and 513(f) of the FD&C Act, persons who intend to market this device type must submit a 510(k) containing information on non-invasive bone growth stimulators that they intend to market and must obtain FDA

clearance of the device prior to marketing.

Under this final order, non-invasive bone growth stimulators are prescription use devices under § 801.109 (21 CFR 801.109). Prescription devices are exempt from the requirement for adequate directions for use for the layperson under section 502(f)(1) of the FD&C Act (21 U.S.C. 352(f)(1)) and 21 CFR 801.5, as long as the conditions of § 801.109 are met. The device would continue to be subject to the submission and device clearance requirements of sections 510(k) and 513 of the FD&C Act and of part 807, subpart E of FDA's regulations (21 CFR part 807).

VI. Effective Date

This final order is effective 30 days after the date of its publication in the **Federal Register**.

VII. Analysis of Environmental Impact

The Agency has determined under 21 CFR 25.34(b) that this action is of a type that does not normally have a significant effect on the human environment. Therefore, neither an environmental assessment nor an environmental impact statement is required.

VIII. Paperwork Reduction Act of 1995

This final order refers to previously approved collections of information found in FDA regulations. The previously approved collections of information are subject to review by the Office of Management and Budget (OMB) under the Paperwork Reduction Act of 1995 (44 U.S.C. 3501–3521). The collections of information in 21 CFR part 807, subpart E (Premarket Notification Procedures), have been approved under OMB control number 0910–0120; the collections of information in 21 CFR part 820 (Quality Management System Regulation) have been approved under OMB control number 0910–0073; the collections of information in 21 CFR part 812 (Investigational Device Exemptions) have been approved under OMB control number 0910–0078; the collections of information in 21 CFR part 814, subparts A through E (Premarket Approval of Medical Devices), have been approved under OMB control number 0910–0231; and the collections of information under 21 CFR part 801 (Device Labeling) have been approved under OMB control number 0910–0485.

IX. Codification of Orders

Under section 513(f)(3) of the FD&C Act, FDA may issue final orders to reclassify devices. FDA will continue to

codify classifications and reclassifications in the Code of Federal Regulations (CFR). Changes resulting from final orders will appear in the CFR as newly codified orders. In accordance with section 513(f)(3) of the FD&C Act, we are codifying in this final order the classification of non-invasive bone growth stimulators in the new 21 CFR 890.5870, under which these devices are reclassified from class III into class II.

X. References

The following references marked with an asterisk (*) are on display at the Dockets Management Staff (see **ADDRESSES**) and are available for viewing by interested persons between 9 a.m. and 4 p.m., Monday through Friday; they are also available electronically at <https://www.regulations.gov>. References without asterisks are not on public display at <https://www.regulations.gov> because they have copyright restriction. Some may be available at the website address, if listed. References without asterisks are available for viewing only at the Dockets Management Staff. Although FDA verified the website addresses in this final order, please note that websites are subject to change over time.

- * 1. FDA, Sept. 8–9, 2020, Meeting of the Orthopaedic and Rehabilitation Devices Panel, Meeting Materials: <https://www.fda.gov/advisory-committees/advisory-committee-calendar/september-8-9-2020-orthopaedic-and-rehabilitation-devices-panel-medical-devices-advisory-committee>.
2. International Electrotechnical Commission, IEC 60601–1–2 Medical electrical equipment—Part 1–2: General requirements for basic safety and essential performance—Collateral Standard: Electromagnetic disturbances—Requirements and tests, 2014. (Available at: <https://webstore.iec.ch/en/publication/2590>.)
- * 3. FDA, Sept. 8, 2020, Meeting of the Orthopaedic and Rehabilitation Devices Panel Transcript: <https://www.fda.gov/media/145159/download>.
- * 4. FDA, P190030 Summary of Safety and Effectiveness Data, December 9, 2020. (Available at: <https://www.accessdata.fda.gov/scripts/cdrh/cfdocs/cfpma/pma.cfm?id=P190030>.)
- * 5. FDA, P210035 Summary of Safety and Effectiveness Data, May 3, 2022. (Available at: <https://www.accessdata.fda.gov/scripts/cdrh/cfdocs/cfpma/pma.cfm?id=P210035>.)
- * 6. FDA, P230025 Summary of Safety and Effectiveness Data, February 9, 2024. (Available at: <https://www.accessdata.fda.gov/scripts/cdrh/cfdocs/cfpma/pma.cfm?id=P230025>.)

¹⁹ In considering whether to exempt class II devices from premarket notification, FDA considers whether premarket notification for the type of device is necessary to provide reasonable assurance of safety and effectiveness of the device. FDA generally considers the factors initially identified in 63 FR 3142 (January 21, 1998) and further explained in FDA's guidance "Procedures for Class II Device Exemptions from Premarket Notification," available at www.fda.gov/regulatory-information/search-fda-guidance-documents/procedures-class-ii-device-exemptions-premarket-notification-guidance-industry-and-cdrh-staff, to determine whether premarket notification is necessary for class II devices. FDA also considers that even when exempting devices from the 510(k) requirements, these devices would still be subject to certain limitations on exemptions, for example, the general limitations set forth in 21 CFR 890.9.

- * 7. FDA, P210016 Summary of Safety and Effectiveness Data, January 17, 2025. (Available at: <https://www.accessdata.fda.gov/scripts/cdrh/cfdocs/cfpma/pma.cfm?id=P210016>.)
- * 8. FDA, “Requests for Feedback and Meetings for Medical Device Submissions: The Q-Submission Program; Guidance for Industry and FDA Staff,” May 29, 2025. (Available at: <https://www.fda.gov/regulatory-information/search-fda-guidance-documents/requests-feedback-and-meetings-medical-device-submissions-q-submission-program>.)
- * 9. FDA, “Deciding When to Submit a 510(k) for a Change to an Existing Device; Guidance for Industry and Food and Drug Administration Staff,” October 25, 2017. (Available at: <https://www.fda.gov/regulatory-information/search-fda-guidance-documents/deciding-when-submit-510k-change-existing-device>.)
- * 10. FDA, “Deciding When to Submit a 510(k) for a Software Change to an Existing Device; Guidance for Industry and Food and Drug Staff,” October 25, 2017. (Available at: <https://www.fda.gov/regulatory-information/search-fda-guidance-documents/deciding-when-submit-510k-software-change-existing-device>.)

List of Subjects in 21 CFR Part 890

Medical devices.

Therefore, under the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 321 *et seq.*, as amended) and under authority delegated to the Commissioner of Food and Drugs, 21 CFR part 890 is amended as follows:

PART 890—PHYSICAL MEDICINE DEVICES

- 1. The authority citation for part 890 continues to read as follows:

Authority: 21 U.S.C. 351, 360, 360c, 360e, 360j, 360l, 371.

- 2. Add § 890.5870 to subpart F to read as follows:

§ 890.5870 Non-invasive bone growth stimulator.

(a) *Identification.* A non-invasive bone growth stimulator is a prescription device that provides stimulation through electrical, magnetic, or ultrasonic fields. The device is intended to be used externally to promote osteogenesis as an adjunct to primary treatments for fracture fixation and spinal fusion or as a treatment for established nonunions or failed fusions.

(b) *Classification.* Class II (special controls). The special controls for this device are:

(1) Clinical data must demonstrate that the device performs as intended under anticipated conditions of use. Imaging data must demonstrate fusion at the treatment site.

(2) Non-clinical performance testing must demonstrate that the device performs as intended under anticipated conditions of use. Critical performance and safety characteristics of the device, considering the operational modality of the device, must be verified and validated to ensure:

- (i) Intended design outputs are delivered to the patient;
- (ii) Thermal safety and thermal reliability;
- (iii) Signal characteristics are within safe physiologic limits; and
- (iv) Device reliability is consistent with the expected use-life.

(3) Patient-contacting components of the device must be demonstrated to be biocompatible.

(4) Performance data must demonstrate the electrical safety and electromagnetic compatibility of the device.

(5) Appropriate software verification, validation, and hazard analysis must be performed.

(6) Labeling comprehension testing must demonstrate the patient can correctly use the device based solely on reading the instructions for use.

(7) Labeling for the device must include the following:

- (i) Warning against use on compromised skin or when there are known skin sensitivities;
- (ii) Appropriate warnings for patients with implanted medical devices;
- (iii) A detailed summary of the supporting clinical data, which includes the clinical outcomes associated with the use of the device, and a summary of adverse events and complications that occurred with the device;
- (iv) A clear description of the device;
- (v) Instructions on appropriate usage, duration, and frequency of use;
- (vi) Instructions for maintenance and safe disposal;
- (vii) Validated instructions for appropriate cleaning of any reusable components;
- (viii) Specific warnings regarding user burns, electrical shock, and skin irritation; and
- (ix) The risks and benefits associated with use of the device when used as intended.

Grace R. Graham,

Deputy Commissioner for Policy, Legislation, and International Affairs.

[FR Doc. 2026–07366 Filed 4–15–26; 8:45 am]

BILLING CODE 4164–01–P

DEPARTMENT OF THE TREASURY

Financial Crimes Enforcement Network

31 CFR Part 1010

Imposition of Special Measure Prohibiting Certain Transmittals of Funds Involving CIBanco S.A., Institución de Banca Multiple; Amendment

AGENCY: Financial Crimes Enforcement Network (FinCEN), Treasury.

ACTION: Order; amendment of order.

SUMMARY: FinCEN is issuing notice of an order amending its June 2025 order finding that CIBanco S.A., Institución de Banca Multiple (CIBanco), is a financial institution operating outside of the United States that is of primary money laundering concern in connection with illicit opioid trafficking and imposing a special measure prohibiting certain transmittals of funds involving CIBanco. This amendment allows for certain transmittals of funds to facilitate payments necessary for the Government of Mexico to liquidate CIBanco.

DATES: FinCEN is amending the order published at 90 FR 27770 (June 30, 2025), as amended by 90 FR 30826 (July 11, 2025) and 90 FR 40974 (August 22, 2025), as of April 16, 2026.

FOR FURTHER INFORMATION CONTACT: The FinCEN Resource Center at <http://www.fincen.gov/contact>.

SUPPLEMENTARY INFORMATION:

I. Statutory Authority

In 2024, Congress enacted the FEND Off Fentanyl Act,¹ which, among other things, added 21 U.S.C. 2313a² (section 2313a). Section 2313a grants the Secretary of the Treasury (Secretary) the authority to make a finding that “reasonable grounds exist for concluding” that any of the following is of primary money laundering concern in connection with illicit opioid trafficking:

- (1) One or more financial institutions operating outside of the United States;
- (2) One or more classes of transactions within, or involving, a jurisdiction outside of the United States; or
- (3) One or more types of accounts within, or involving, a jurisdiction outside of the United States.³

Upon making such a finding, the Secretary is authorized to require

¹ The FEND Off Fentanyl Act is Division E of Public Law 118–50 (Apr. 24, 2024).

² Section 2313a codifies section 7213A of the Fentanyl Sanctions Act, as amended by section 3201(a) of the FEND Off Fentanyl Act. The Fentanyl Sanctions Act is Title LXXII of Public Law 116–92 (Dec. 20, 2019).

³ 21 U.S.C. 2313a(a).

domestic financial institutions and domestic financial agencies to take certain “special measures.” Those special measures are safeguards that may be employed to defend the United States financial system from money laundering risks connected to illicit opioid trafficking.⁴ Pursuant to section 2313a, the Secretary may impose one or more of six special measures.⁵ The authority of the Secretary to administer section 2313a has been delegated to FinCEN.⁶

II. Background

On June 25, 2025, FinCEN issued an order (“June 2025 Order”) identifying CIBanco, a Mexico-based commercial bank, as being a financial institution operating outside of the United States of primary money laundering concern in connection with illicit opioid trafficking—specifically, through its provision of financial services that facilitate illicit opioid trafficking by Mexico-based drug trafficking organizations, including the Gulf Cartel, the Beltran-Leyva Organization Cartel, and the Cartel Jalisco Nueva Generación—and imposed a prohibition on certain transmittals of funds involving CIBanco by any covered financial institution.⁷ The June 2025 Order was published in the **Federal Register** on June 30, 2025, and through two subsequent orders, the effective date was extended to October 20, 2025.⁸ The Government of Mexico has intervened in CIBanco’s operations, including taking over management of CIBanco, to safeguard the Mexican financial system. Through this process, the Government of Mexico oversaw the sale of CIBanco’s major assets and has taken steps to ensure that the sales of CIBanco’s assets did not create additional money laundering risks to

the U.S. financial system. To facilitate the Government of Mexico’s efforts to liquidate and dissolve CIBanco, FinCEN finds it appropriate to amend the order to permit certain transmittals of funds. Therefore, FinCEN amends its order, published on June 30, 2025 (as amended by 90 FR 30826 (July 11, 2025) and 90 FR 40974 (August 22, 2025)).

III. Order

A. Definitions

1. The June 25, 2025 Order

This order defines the June 25, 2025 Order as the order published on June 30, 2025 in the **Federal Register**⁹ prohibiting certain transmittals of funds involving CIBanco S.A., Institución De Banca Multiple (as amended by 90 FR 30826 (July 11, 2025) and 90 FR 40974 (August 22, 2025)).

2. Meaning of Other Terms

All terms used but not otherwise defined herein shall have the meaning set forth in 31 CFR Chapter X, 31 U.S.C. 5312, and 21 U.S.C. 2302.

B. Amendment of Order

This order amends Section B (“Prohibition on Transmittals of Funds Involving CIBanco”) of the June 25, 2025 Order to read:

A covered financial institution is prohibited from engaging in any transmittal of funds from or to CIBanco. Effective beginning April 16, 2026, all transmittals of funds prohibited by this order, that are ordinarily incident and necessary for the Government of Mexico to liquidate CIBanco, are authorized, provided that (1) the Government of Mexico’s appointed liquidator has determined that such transmittal of funds is necessary to liquidate CIBanco, and (2) the transmittal of funds is not otherwise prohibited by law.

All other provisions of the June 25, 2025 Order remain unchanged.

Jimmy L. Kirby,

Deputy Director, Financial Crimes Enforcement Network.

[FR Doc. 2026–07416 Filed 4–15–26; 8:45 am]

BILLING CODE 4810–02–P

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 52

[EPA–R09–OAR–2025–0058; FRL–12609–03–R9]

Air Plan Approval; California; Eastern Kern Air Pollution Control District; Portland Cement Kilns

AGENCY: Environmental Protection Agency (EPA).

ACTION: Final rule.

SUMMARY: The Environmental Protection Agency (EPA) is taking final action to approve a revision to the Eastern Kern Air Pollution Control District (EKAPCD or “District”) portion of the California State Implementation Plan (SIP). This revision concerns emissions of oxides of nitrogen (NO_x) from Portland cement kilns. We are approving a local rule that regulates these emission sources under the Clean Air Act (CAA or “Act”).

DATES: This rule is effective May 18, 2026.

ADDRESSES: The EPA has established a docket for this action under Docket ID No. EPA–R09–OAR–2025–0058. All documents in the docket are listed on the <https://www.regulations.gov> website. Although listed in the index, 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 in hard copy form. Publicly available docket materials are available through <https://www.regulations.gov>, or please contact the person identified in the **FOR FURTHER INFORMATION CONTACT** section for additional availability information. If you need assistance in a language other than English or if you are a person with a disability who needs a reasonable accommodation at no cost to you, please contact the person identified in the **FOR FURTHER INFORMATION CONTACT** section. **FOR FURTHER INFORMATION CONTACT:** Elijah Gordon, EPA Region IX, 75 Hawthorne St., San Francisco, CA 94105; telephone number: (415) 972–3158; email address: gordon.elijah@epa.gov.

SUPPLEMENTARY INFORMATION:

Throughout this document, “we,” “us,” and “our” refer to the EPA.

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⁴ See 21 U.S.C. 2313a(a).

⁵ 21 U.S.C. 2313a(a).

⁶ In accordance with Treasury Order 101–05 and 31 U.S.C. 321(b)(2), the authority vested in the Secretary under section 2313a has been delegated to the Director of FinCEN.

⁷ *Imposition of Special Measure Prohibiting Certain Transmittals of Funds Involving CIBanco S.A., Institución De Banca Multiple*, 90 FR 27770 (June 30, 2025).

⁸ *Imposition of Special Measure Prohibiting Certain Transmittals of Funds Involving CIBanco S.A., Institución De Banca Multiple*, 90 FR 27770 (June 30, 2025); *Imposition of Special Measures Prohibiting Certain Transmittals of Funds Involving CIBanco S.A., Institución de Banca Multiple, Intercam Banco S.A., Institución de Banca Multiple, and Vector Casa de Bolsa, S.A. de C.V.; Extension of Effective Date*, 90 FR 30826 (July 11, 2025); *Imposition of Special Measures Prohibiting Certain Transmittal of Funds Involving CIBanco S.A., Institución de Banca Multiple, Intercam Banco S.A., Institución de Banca Multiple, and Vector Casa de Bolsa, S.A. de C.V.; Extension of Effective Date*, 90 FR 40974 (August 22, 2025).

⁹ *Imposition of Special Measure Prohibiting Certain Transmittals of Funds Involving CIBanco S.A., Institución De Banca Multiple*, 90 FR 27770 (June 30, 2025).

IV. Incorporation by Reference
V. Statutory and Executive Order Reviews

I. Proposed Action
On June 4, 2025 (90 FR 23653), the EPA proposed to approve the following rule into the California SIP.

TABLE 1—SUBMITTED RULE

Local agency	Rule No.	Rule title	Amended	Submitted
EKAPCD	425.3	Portland Cement Kilns (Oxides of Nitrogen)	11/13/2024	12/12/2024

We proposed to approve this rule because we determined that it complies with the relevant CAA requirements. Our proposed action contains more information on the rule and our evaluation.

II. Public Comments and EPA Responses

The EPA’s proposed action provided a 30-day public comment period. During this period, we received no comments.

III. EPA Action

No comments were submitted. Therefore, as authorized in section 110(k)(3) of the Clean Air Act, the EPA is approving this rule into the California SIP. The November 13, 2024 version of Rule 425.3 will replace the previously approved version of this rule in the SIP. This approval resolves all deficiencies forming the basis for our previous limited disapproval in 2023 of the prior version of Rule 425.3.¹ The deficiencies, which related to exemptions from NO_x emission limitations, have been remedied by replacing the exemptions during startup and shutdown periods with alternative NO_x emission limits and removing the exemption during breakdown conditions. This action also permanently terminates all sanctions clocks and FIP clocks triggered by our June 5, 2023 limited disapproval action.

IV. Incorporation by Reference

In this rule, the EPA is finalizing regulatory text that includes incorporation by reference. In accordance with requirements of 1 CFR 51.5, the EPA is finalizing the incorporation by reference of EKAPCD Rule 425.3, “Portland Cement Kilns (Oxides of Nitrogen),” amended on November 13, 2024, which regulates emissions of NO_x from Portland cement kilns. Therefore, these materials have been approved by the EPA for inclusion in the SIP, have been incorporated by reference by the EPA into that plan, are fully federally enforceable under sections 110 and 113 of the CAA as of the effective date of the final rule of the EPA’s approval, and will be

incorporated by reference in the next update to the SIP compilation.² The EPA has made, and will continue to make, these documents available through <https://www.regulations.gov> and at the EPA Region IX Office (please contact the person identified in the **FOR FURTHER INFORMATION CONTACT** section of this preamble for more information).

V. Statutory and Executive Order Reviews

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

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

- Is not subject to Executive Order 13045 (62 FR 19885, April 23, 1997) because it approves a state program;
- Is not a significant regulatory action subject to Executive Order 13211 (66 FR 28355, May 22, 2001); and
- Is not subject to requirements of section 12(d) of the National Technology Transfer and Advancement Act of 1995 (15 U.S.C. 272 note) because application of those requirements would be inconsistent with the CAA.

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

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

Under section 307(b)(1) of the Clean Air Act, petitions for judicial review of this action must be filed in the United States Court of Appeals for the appropriate circuit by June 15, 2026. Filing a petition for reconsideration by the Administrator of this final rule does not affect the finality of this action for the purposes of judicial review nor does it extend the time within which a petition for judicial review may be filed, and shall not postpone the effectiveness of such rule or action. This action may not be challenged later in proceedings to enforce its requirements. (See CAA section 307(b)(2).)

List of Subjects in 40 CFR Part 52

Environmental protection, Air pollution control, Incorporation by reference, Intergovernmental relations, Nitrogen oxides, Ozone, Reporting and recordkeeping requirements.

¹ 88 FR 36479 (June 5, 2023). ² 62 FR 27968 (May 22, 1997).

Dated: April 3, 2026.

Michael Martucci,

Acting Regional Administrator, Region IX.

For the reasons stated in the preamble, the Environmental Protection Agency amends part 52, chapter I, title 40 of the Code of Federal Regulations as follows:

PART 52—APPROVAL AND PROMULGATION OF IMPLEMENTATION PLANS

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

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

Subpart F—California

■ 2. Amend § 52.220a, paragraph (c), under the subheading “Table 10—EPA-

Approved Eastern Kern Air Pollution Control District Regulations; Kern County Air Pollution Control District Regulations,” by revising the entry for “425.3,” to read as follows:

§ 52.220a Identification of plan—in part.

* * * * *

(c) * * *

TABLE 10—EPA-APPROVED EASTERN KERN AIR POLLUTION CONTROL DISTRICT REGULATIONS; KERN COUNTY AIR POLLUTION CONTROL DISTRICT REGULATIONS

District citation	Title/subject	State effective date	EPA approval date	Additional explanation
*	*	*	*	*
425.3	Portland Cement Kilns (Oxides of Nitrogen).	November 13, 2024	4/16/2026, 91 FR [INSERT FEDERAL REGISTER PAGE WHERE THE DOCUMENT BEGINS].	Submitted on December 12, 2024.
*	*	*	*	*

* * * * *

[FR Doc. 2026-07398 Filed 4-15-26; 8:45 am]

BILLING CODE 6560-50-P

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 52

[EPA-R09-OAR-2025-0191; FRL-12978-02-R9]

Air Plan Approval; Arizona; Interstate Transport Requirements for the 2012 Fine Particulate Matter National Ambient Air Quality Standards

AGENCY: Environmental Protection Agency (EPA).

ACTION: Final rule.

SUMMARY: The Clean Air Act (CAA) requires each state implementation plan (SIP) to contain adequate provisions prohibiting emissions that will significantly contribute to nonattainment or interfere with maintenance of air quality in other states. The State of Arizona submitted SIP revisions to the Environmental Protection Agency (EPA) to address these requirements for the 2012 fine particulate matter (PM_{2.5}) national ambient air quality standards (NAAQS). The EPA is finalizing approval of Arizona’s SIP submission as meeting the requirement that the Arizona SIP contains adequate provisions to prohibit emissions activity, within the State, from emitting air pollutants in amounts that will significantly contribute to

nonattainment or interfere with maintenance of the 2012 PM_{2.5} NAAQS in any other state.

DATES: This rule is effective May 18, 2026.

ADDRESSES: The EPA has established a docket for this action under Docket ID No. EPA-R09-OAR-2025-0191. All documents in the docket are listed on the <https://www.regulations.gov> website. Although potentially listed in the index, some information is not publicly available, *e.g.*, Confidential Business Information 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 in hard copy form. Publicly available docket materials are available through <https://www.regulations.gov>, or please contact the person identified in the **FOR FURTHER INFORMATION CONTACT** section for additional availability information. If you need assistance in a language other than English or if you are a person with a disability who needs a reasonable accommodation at no cost to you, please contact the person identified in the **FOR FURTHER INFORMATION CONTACT** section.

FOR FURTHER INFORMATION CONTACT: Michael Dorantes, Geographic Strategies and Modeling Section (AIR 2-2), EPA Region IX, 75 Hawthorne Street, San Francisco, CA, telephone number: (415) 972-3934, email address: dorantes.michael@epa.gov.

SUPPLEMENTARY INFORMATION:

Throughout this document, “we,” “us,” and “our” refer to the EPA.

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- IV. Statutory and Executive Order Reviews

I. Summary of Proposed Action

On October 23, 2025, the EPA proposed to approve the SIP revisions submitted by the State of Arizona on December 11, 2015, and on February 10, 2022, (collectively referred to herein as “Arizona’s 2012 PM_{2.5} I-SIP submittals”) with respect to the interstate transport requirements of CAA section 110(a)(2)(D)(i)(I) for the 2012 PM_{2.5} NAAQS.¹ Based on our evaluation summarized in our proposed rulemaking and fully detailed in the accompanying technical support document, we proposed to find that Arizona’s 2012 PM_{2.5} I-SIP submittals contained adequate provisions to prohibit any source or other type of emissions activity within the state from emitting air pollutants in amounts that will significantly contribute to nonattainment of the 2012 PM_{2.5} NAAQS in another state (prong 1) or interfere with maintenance of the 2012 PM_{2.5} NAAQS in another state (prong 2). Additionally, we proposed that Arizona’s 2012 PM_{2.5} I-SIP submittals met the procedural requirements for

¹ 90 FR 48502 (October 23, 2025).

public participation under CAA section 110(a)(2) and 40 CFR 51.102.

II. Public Comments and EPA Responses

The EPA's proposed action provided a 30-day public comment period that ended on November 24, 2025. During this period, the EPA received two comments, one from a private citizen and the other from a private organization.² The comment submission from the private citizen was supportive of our proposed approval of the Arizona's 2012 PM_{2.5} I-SIP submittals with respect to the interstate transport requirements of CAA section 110(a)(2)(D)(i)(I). This supportive comment does not require a response. The comment submittal from the private organization raised several issues in opposition to our proposed action, so we address each one individually in this section.

Comment 1A: First, the commenter references the Regulatory Flexibility Act (RFA) and Small Business Regulatory Flexibility Act (SBREFA) and states that the EPA has done a conclusory certification under 5 U.S.C. 605(b) that the action will not have a significant economic impact on a substantial number of small entities. They state that by approving Arizona's 2012 PM_{2.5} I-SIP submittals, state control measures relied upon by the EPA and the State in its submittal become enforceable under Federal law, materially changing the legal risk for small entities. The commenter states that the EPA should either prepare an initial Federal regulatory flexibility analysis under 5 U.S.C. 603 or supplement the certification with a broader analysis than what was provided in the proposal.

Response 1A: The EPA disagrees with this comment. The regulatory analysis provisions of the RFA are only triggered by a threshold determination by the Agency that this rule will have a significant economic impact on a substantial number of small entities. This action approving Arizona's 2012 PM_{2.5} I-SIP submittals for the interstate transport provisions of CAA section 110(a)(2)(D)(i)(I) will not have a significant economic impact on a substantial number of small entities under the RFA or SBREFA. This action merely approves Arizona's weight of evidence analysis that emissions from sources in Arizona will not significantly contribute to nonattainment or interfere with maintenance of the 2012 PM_{2.5}

NAAQS in any other state, as required by the CAA, and does not impose any additional requirements beyond those already approved into the SIP or otherwise required by State law. Because the Agency has certified this rule will not have a significant economic impact, section 603 of the RFA does not apply to this rulemaking.³

Comment 1B: Citing the Paperwork Reduction Act (PRA) and its implementing regulations at 5 CFR 1320, the commenter asserts that Federal agencies must obtain OMB approval for "collection of information" that an agency "conducts or sponsors," including third-party or state submissions when a Federal agency requires persons to obtain, maintain, or disclose information to third parties." The commenter states that many SIP provisions relied upon by Arizona in its submittal require recordkeeping, plan preparation, and third-party disclosure, such as maintaining dust control logs onsite for inspectors and maintaining vendor records. The commenter states that once these provisions are "federally approved" as part of the EPA's action on Arizona's 2012 PM_{2.5} I-SIP submittals for interstate transport, EPA inspectors can require production of these records. The commenter states that the EPA must clarify whether any SIP recordkeeping or reporting obligations relied upon in Arizona's submittal are subject to the requirements of the PRA and if not, provide a reasoned explanation as to why the recordkeeping and reporting requirements are not collections of information "conducted or sponsored" by the EPA.

Response 1B: The PRA does not apply to this action. The PRA generally provides that every Federal agency must obtain Office of Management and Budget approval before using identical questions to collect information from 10 or more persons.⁴ The EPA is not conducting nor sponsoring the collection of information from 10 or more persons. The EPA is merely approving Arizona's weight of evidence analysis that emissions from sources in Arizona do not significantly contribute to nonattainment or interfere with maintenance of the 2012 PM_{2.5} NAAQS in any other state, as required by the CAA, and does not impose any additional requirements beyond those already approved into the SIP or otherwise required by State law.

Comment 1C: Citing 2 U.S.C. 1532, the commenter states that "the [Unfunded Mandates Reform Act (UMRA)] requires a written statement

for any rule that includes a 'Federal mandate' that may result in expenditures by State, local, and Tribal governments, in the aggregate, or by the private sector, of \$100 million or more in any one year." The commenter asserts that the EPA should either provide an UMRA analysis that shows expenditures from the EPA's approval of Arizona's interstate transport plan will not approach the \$100 million threshold or explain why the proposed approval falls outside the UMRA's definition of a "Federal mandate."

Response 1C: The EPA disagrees that this action triggers any obligations under the UMRA. The EPA has complied by making its own determination that this rule will not result in expenditures of \$100 million or more in any one year, and therefore the Agency does not need to complete a statement under 2 U.S.C. 1532. As previously stated, this action merely approves Arizona's weight of evidence analysis that emissions from sources in Arizona do not significantly contribute to nonattainment or interfere with maintenance of the 2012 PM_{2.5} NAAQS in any other state, as required by the CAA. This action therefore does not impose any Federal mandate on Arizona as that term is defined in the Act. 2 U.S.C. 1555 ("Notwithstanding section 3 of this Act [2 U.S.C. 1502], for purposes of this title [2 U.S.C. 1551 *et seq.*] the term "Federal mandate" means any provision in statute or regulation or any Federal court ruling that imposes an enforceable duty upon State, local, or Tribal governments including a condition of Federal assistance or a duty arising from participation in a voluntary Federal program.").

Comment 1D: The commenter claims that the proposed action "raises novel policy and legal issues in the current administrative law landscape (including post-Loper Bright interpretive standards) and has broad intergovernmental and economic implications by federalizing source-level obligations across a large number of small entities in Arizona." The commenter states that the "novel policy issues" and "intergovernmental implications" of the action warrant review by the Office of Information and Regulatory Affairs (OIRA), pursuant to Executive Order (E.O.) 12866. The commenter states that the EPA should either submit the rulemaking for review by OIRA or explain why "federalizing SIP obligations" does not present novel legal or policy issues and explain why the "intergovernmental implications" are not significant for purposes of E.O. 12866.

² Both comments are available in the docket associated with this rulemaking action at <https://www.regulations.gov>, docket ID No. EPA-R09-OAR-2025-0191.

³ See 5 U.S.C. 605(b).

⁴ See 44 U.S.C. 3502(3); 3507.

Response 1D: The EPA disagrees that a non-significance analysis is required under E.O. 12866. The Agency has complied with E.O. 12866 by determining that this rulemaking is not a significant regulatory action as defined in E.O. 12866. This action is not “federalizing SIP obligations.” As stated above, the EPA is merely approving Arizona’s weight of evidence analysis that emissions from sources in Arizona do not significantly contribute to nonattainment or interfere with maintenance of the 2012 PM_{2.5} NAAQS in any other state, as required by the CAA. This action is consistent with the EPA’s actions on other states’ plans across the country. Accordingly, this action does not raise any novel legal or policy issues but merely concludes that Arizona’s 2012 PM_{2.5} I-SIP submittals meet the requirements of prongs 1 and 2 of CAA section 110(a)(2)(D)(i)(I).

Comment 1E: The commentor notes that Arizona contains numerous Tribal lands that can be affected by the downwind transport of air emissions. Because Tribal governments’ air quality interests are at stake, the commentor asserts that the EPA should clarify whether any consultation was undertaken or provide a reasoned basis for concluding that there are no Tribal implications. The commentor states that the EPA should also revisit E.O. 13132 statement on federalism “in light of the practical enforcement and programmatic effects on counties that administer key SIP measures relied upon in the transport demonstration.”

Response 1E: The EPA has complied with E.O. 13175 relating to consultation with Indian tribes by certifying that the action does not fall under “policies that have Tribal implications” as that term is defined in E.O. 13175. As stated elsewhere, our action merely approves Arizona’s weight of evidence analysis that it does not cause or contribute to nonattainment or interfere with maintenance in any other state, including on downwind Tribal lands. The action also does not incorporate any new rules or control measures into the Arizona SIP for which there might be federalism implications as defined by E.O. 13132.

III. Final Action

For the reasons set forth in our proposed rulemaking and summarized herein, the EPA is taking final action to approve Arizona’s 2012 PM_{2.5} I-SIP submittals for compliance with the 2012 PM_{2.5} NAAQS infrastructure SIP requirements of CAA section 110(a)(2)(D)(i)(I). Specifically, the EPA is finalizing our determination that the Arizona SIP, through the 2012 PM_{2.5} I-

SIP submittals, contains adequate provisions to ensure that emissions from sources in Arizona will not significantly contribute to nonattainment or interfere with the maintenance of the 2012 PM_{2.5} NAAQS in any other state.

IV. Statutory and Executive Order Reviews

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

- Is not a significant regulatory action subject to review by the Office of Management and Budget under Executive Order 12866 (58 FR 51735, October 4, 1993);
- Is not subject to Executive Order 14192 (90 FR 9065, February 6, 2025) because SIP actions are exempt from review under Executive Order 12866;
- Does not impose an information collection burden under the provisions of the Paperwork Reduction Act (44 U.S.C. 3501 *et seq.*);
- Is certified as not having a significant economic impact on a substantial number of small entities under the Regulatory Flexibility Act (5 U.S.C. 601 *et seq.*);
- Does not contain any unfunded mandate or significantly or uniquely affect small governments, as described in the Unfunded Mandates Reform Act of 1995 (Pub. L. 104–4);
- Does not have federalism implications as specified in Executive Order 13132 (64 FR 43255, August 10, 1999);
- Is not subject to Executive Order 13045 (62 FR 19885, April 23, 1997) because it approves a state program;
- Is not a significant regulatory action subject to Executive Order 13211 (66 FR 28355, May 22, 2001); and
- Is not subject to requirements of section 12(d) of the National Technology Transfer and Advancement Act of 1995 (15 U.S.C. 272 note) because application of those requirements would be inconsistent with the CAA.

In addition, the SIP is not approved to apply on any Indian reservation land or in any other area where the EPA or an Indian Tribe has demonstrated that a Tribe has jurisdiction. In those areas of Indian country, the rule does not have Tribal implications and will not impose

substantial direct costs on Tribal governments or preempt Tribal law as specified by Executive Order 13175 (65 FR 67249, November 9, 2000).

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

Under section 307(b)(1) of the Clean Air Act, petitions for judicial review of this action must be filed in the United States Court of Appeals for the appropriate circuit by June 15, 2026. Filing a petition for reconsideration by the Administrator of this final rule does not affect the finality of this action for the purposes of judicial review nor does it extend the time within which a petition for judicial review may be filed, and shall not postpone the effectiveness of such rule or action. This action may not be challenged later in proceedings to enforce its requirements. (See section 307(b)(2).)

List of Subjects in 40 CFR Part 52

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

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

Dated: April 6, 2026.

Michael Martucci,

Acting Regional Administrator, Region IX.

For the reasons stated in the preamble, EPA amends 40 CFR part 52 as follows:

PART 52—APPROVAL AND PROMULGATION OF IMPLEMENTATION PLANS

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

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

Subpart D—Arizona

- 2. In § 52.120, amend table 1 in paragraph (e) by, under the heading “Clean Air Act Section 110(a)(2) State Implementation Plan Elements (Excluding Part D Elements and Plans)”, adding the entry “State Implementation Plan Revision: Clean Air Act Section 110(a)(2) for the 2012 Fine Particulate & 2015 Ozone NAAQS (dated February 2022)” immediately before the entry for “Ordinance No. 1993–128, Section 1, 17.040.190 “Composition” Section 6, 17.24.040 “Reporting for compliance evaluation”” to read as follows:

§ 52.120 Identification of plan

(e) * * *

* * * * *

TABLE 1—EPA-APPROVED NON-REGULATORY AND QUASI-REGULATORY MEASURES

[Excluding certain resolutions and statutes, which are listed in Tables 2 and 3, respectively]¹

Name of SIP provision	Applicable geographic or nonattainment area or title/subject	State submittal date	EPA approval date	Explanation
*	*	*	*	*
The State of Arizona Air Pollution Control Implementation Plan Clean Air Act Section 110(a)(2) State Implementation Plan Elements (Excluding Part D Elements and Plans)				
State Implementation Plan Revision: Clean Air Act Section 110(a)(2) for the 2012 Fine Particulate & 2015 Ozone NAAQS (dated February 2022).	State-wide	February 10, 2022	4/16/2026, 91 FR [IN-SERT FEDERAL REGISTER PAGE WHERE THE DOCUMENT BEGINS].	Adopted by the Arizona Department of Environmental Quality on February 10, 2022. As of 4/16/2026 EPA has approved all elements of the submittal addressing requirements for the 2012 PM _{2.5} NAAQS.
*	*	*	*	*

¹ Table 1 is divided into three parts: Clean Air Act Section 110(a)(2) State Implementation Plan Elements (excluding Part D Elements and Plans), Part D Elements and Plans (other than for the Metropolitan Phoenix or Tucson Areas), and Part D Elements and Plans for the Metropolitan Phoenix and Tucson Areas.

* * * * *

[FR Doc. 2026–07400 Filed 4–15–26; 8:45 am]

BILLING CODE 6560–50–P

ENVIRONMENTAL PROTECTION AGENCY**40 CFR Part 63****[EPA–HQ–OAR–2018–0794; FRL–6716.4–03–OAR]****RIN 2060–AW68****National Emission Standards for Hazardous Air Pollutants: Coal- and Oil-Fired Electric Utility Steam Generating Units: Final Repeal; Correction****AGENCY:** Environmental Protection Agency (EPA).**ACTION:** Final rule; correction.

SUMMARY: The U.S. Environmental Protection Agency (EPA) is correcting a final rule that published in the **Federal Register** (FR) on February 24, 2026, and will become effective on April 27, 2026. The EPA finalized the repeal of specific amendments to the National Emission Standards for Hazardous Air Pollutants (NESHAP) for Coal- and Oil-Fired Electric Utility Steam Generating Units (EGUs), commonly referred to as the Mercury and Air Toxics Standards (MATS), that were promulgated on May 7, 2024 (“MATS NESHAP”). This action corrects inadvertent typographical

errors and minor omitted text in the **Federal Register**. The corrections described in this action do not affect the substantive requirements of the final rule that repeal specific amendments to the MATS NESHAP, promulgated on May 7, 2024.

DATES: The correction is effective April 27, 2026.

FOR FURTHER INFORMATION CONTACT: For information about this final action, contact U.S. EPA, Attn: Christopher Werner, Mail Drop: Industrial Processing and Power Division (D243–01), 109 T.W. Alexander Drive, P.O. Box 12055, Research Triangle Park, North Carolina 27711; telephone number: (919) 541–5133; and email address: werner.christopher@epa.gov.

SUPPLEMENTARY INFORMATION: The EPA is correcting the final rule, National Emission Standards for Hazardous Air Pollutants: Coal- and Oil-Fired Electric Utility Steam Generating Units: Final Repeal, which published in the **Federal Register** at 91 FR 9088, February 24, 2026. Following publication of this document, the EPA discovered inadvertent typographical errors and omitted text in the regulatory text of the MATS NESHAP.

The EPA is correcting the following errors published in **Federal Register** Document Number (FR Doc.) 2026–03638, which do not change the requirements finalized in the MATS NESHAP rule that published on February 24, 2026:

- At 91 FR 9127, fourth column of *Table 5 to Subpart UUUUU of Part 63—Performance Testing Requirements*, the final MATS NESHAP rule amendatory instruction number 18 amended table 5 to subpart UUUUU. The regulatory text in entry 3.e.1(D) is missing part of the Reported Result equation. The EPA corrects this equation to read as: “Reported Result = (Measured Concentration in Stack)/(%R)x100.”
- At 91 FR 9133, third column, *Appendix E to Subpart UUUUU of Part 63—Data Elements*, the final MATS NESHAP rule amendatory instruction number 23 amended section 31.0 of appendix E to subpart UUUUU. The EPA now amends the regulatory text of section 31.0 for clarity, adding the word “data” in front of the third instance of the word “file” in the first sentence in section 31.0 to read: “You must provide each test included in the data file described in this appendix with supporting documentation, in a PDF file submitted concurrently with the data file, such that all the data required to be reported by § 63.7(g) are provided.”

Section 553 of the Administrative Procedure Act provides that when an agency for good cause finds that notice and public procedure are impracticable, unnecessary, or contrary to the public interest, the Agency may issue a rule without providing notice and opportunity for public comment.¹ The

¹ 5 U.S.C. 553(b)(B).

EPA has determined that there is good cause for making this rule final without prior proposal and opportunity for comment because the changes to the rule are minor technical corrections, are noncontroversial in nature, and do not substantively change the requirements of the MATS NESHAP final rule. Rather, the changes correct inadvertent typographical errors and minor omitted text. Additionally, the corrections to the regulatory text match the revisions described in the preamble to the final MATS NESHAP rule. Thus, notice and opportunity for public comment are unnecessary. The EPA finds that this constitutes good cause under 5 U.S.C. 553(b)(B).

Corrections

In FR Doc. 2026–03638 appearing at 91 FR 9088 in the **Federal Register** of Tuesday, February 24, 2026, the following corrections are made:

Table 5 to Subpart UUUU of Part 63—Performance Testing Requirements [Corrected]

1. On page 9127, in the fourth column, the text “(D) The %R value for each compound must be reported in the test report and all field measurements corrected with the calculated %R value for that compound using the following equation: Reported Result = (Measured Concentration in Stack)/(%R)x.” is corrected to read “(D) The %R value for each compound must be reported in the test report and all field measurements corrected with the calculated %R value for that compound using the following equation: Reported Result = (Measured Concentration in Stack)/(%R)x100.”

Appendix E to Subpart UUUU of Part 63—Data Elements [Corrected]

2. On page 9133, in the third column, first sentence of section “31.0 Other Information for Each Test or Test Series”, the text “You must provide each test included in the data file described in this appendix with supporting documentation, in a PDF file submitted concurrently with the file, such that all the data required to be reported by § 63.7(g) are provided.” is corrected to read “You must provide each test included in the data file described in this appendix with supporting documentation, in a PDF file submitted concurrently with the data file, such that all the data required to be reported by § 63.7(g) are provided.”

Dated: April 13, 2026.

Aaron Szabo,

Assistant Administrator, Office of Air and Radiation.

[FR Doc. 2026–07396 Filed 4–15–26; 8:45 am]

BILLING CODE 6560–50–P

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 81

[EPA–R03–OAR–2025–1777; FRL–12985–02–R3]

Air Plan Approval; Pennsylvania; Redesignation Request for the Allegheny County Area for the 2012 Annual Fine Particulate Matter Standard

AGENCY: Environmental Protection Agency (EPA).

ACTION: Final rule.

SUMMARY: The Environmental Protection Agency (EPA) is approving the Commonwealth of Pennsylvania’s request to redesignate the Allegheny County, Pennsylvania nonattainment area (Allegheny County Area) to attainment for the 2012 annual fine particulate matter (PM_{2.5}) national ambient air quality standards (NAAQS or standard). The redesignation request was submitted by the Commonwealth of Pennsylvania Department of Environmental Protection (PADEP or Pennsylvania) on behalf of the Allegheny County Health Department (ACHD). This action is being taken under the CAA.

DATES: This final rule is effective on May 18, 2026.

ADDRESSES: The EPA has established a docket for this action under Docket ID Number EPA–R03–OAR–2025–1777. All documents in the docket are listed on the www.regulations.gov website. Although listed in the index, 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 in hard copy form. Publicly available docket materials are available through www.regulations.gov, or please contact the person identified in the **FOR FURTHER INFORMATION CONTACT** section for additional availability information.

FOR FURTHER INFORMATION CONTACT: Ian Neiswinter, Planning & Implementation Branch (3AD30), Air & Radiation Division, U.S. Environmental Protection

Agency, Region III, 1600 John F. Kennedy Boulevard, Philadelphia, Pennsylvania 19103. The telephone number is (215) 814–2011. Mr. Neiswinter can also be reached via electronic mail at neiswinter.ian@epa.gov.

SUPPLEMENTARY INFORMATION:

Throughout this document, wherever “we,” “us,” or “our” are used, it is intended to refer to the EPA.

I. Background

Fine particulate pollution can be emitted directly from a source (primary PM_{2.5}) or formed secondarily through chemical reactions in the atmosphere involving precursor pollutants emitted from a variety of sources. The main precursors of secondary PM_{2.5} are sulfur dioxide (SO₂), nitrogen oxides (NO_x), ammonia (NH₃), and volatile organic compounds (VOCs).¹ Sulfates are a type of secondary particulate formed from SO₂ emissions from power plants and industrial facilities. Nitrates, another common type of secondary particulate, are formed from combustion emissions of NO_x from power plants, mobile sources, and other combustion sources.

On January 15, 2013 (78 FR 3086), the EPA promulgated a revised primary annual PM_{2.5} NAAQS to provide increased protection of public health from fine particle pollution. In that action, the EPA strengthened the primary annual PM_{2.5} standard from 15.0 micrograms per cubic meter (µg/m³) to 12.0 µg/m³, which is attained when the 3-year average of the annual arithmetic mean does not exceed 12.0 µg/m³. On January 15, 2015 (80 FR 2206), the EPA published air quality designations for the 2012 annual PM_{2.5} NAAQS. In that action, the EPA designated all municipalities in Allegheny County, Pennsylvania as one moderate nonattainment area (Allegheny County Area) for the 2012 annual PM_{2.5} NAAQS. See 40 CFR 81.339. On September 4, 2025 PADEP, on behalf of ACHD, formally submitted a redesignation request for the Allegheny County Area for the 2012 annual PM_{2.5} NAAQS.

Section 107(d)(3)(E) of the CAA allows redesignation of an area to attainment of the NAAQS provided that: (1) the Administrator (EPA) determines that the area has attained the applicable NAAQS; (2) the Administrator has fully approved the applicable implementation plan for the area under section 110(k) of the CAA; (3) the Administrator determines that the improvement in air quality is due to

¹ See 81 FR 58010 (August 24, 2016).

permanent and enforceable reductions in emissions resulting from implementation of the applicable SIP, applicable Federal air pollutant control regulations, and other permanent and enforceable emission reductions; (4) the Administrator has fully approved a maintenance plan for the area as meeting the requirements of section 175A of the CAA; and (5) the State containing the area has met all requirements applicable to the area for purposes of redesignation under section 110 and part D of the CAA.

On November 20, 2025 (90 FR 52319), the EPA published a notice of proposed rulemaking (NPRM) for the Commonwealth of Pennsylvania. In the NPRM, the EPA proposed approval of Pennsylvania's September 4, 2025 request to redesignate the Allegheny County Area to attainment for the 2012 annual PM_{2.5} NAAQS. Notably, the EPA approved the relevant maintenance plan in a previous action. *See* 90 FR 34770 (July 25, 2025).

II. Summary of the EPA Analysis

The EPA reviewed Pennsylvania's redesignation request and found that the requirements for redesignating the Allegheny County Area to attainment for the 2012 annual PM_{2.5} NAAQS have been satisfied pursuant to CAA section 107(d)(3)(E). The EPA is thus approving Pennsylvania's request to change the designation of the Allegheny County Area from nonattainment to attainment for the 2012 annual PM_{2.5} NAAQS. The details of Pennsylvania's request and the rationale for the EPA's now final action are explained in the NPRM and will not be restated here.

III. The EPA's Response to Comments Received

The EPA's November 20, 2025 NPRM (90 FR 52319) opened a 30-day public comment period, which closed on December 22, 2025. The EPA received comments from two commenters. Those comments and the EPA's responses are discussed below. All of the comments received and any submitted attachments are included in the docket for this rule, available at, www.regulation.gov, Docket ID Number EPA-R03-OAR-2025-1777.

On December 22, 2025, Midwest Ozone Group (MOG) submitted comments on the NPRM. In summary, MOG agrees with and supports the EPA's proposed action to redesignate the Allegheny County Area to attainment for the 2012 annual PM_{2.5} NAAQS. The EPA acknowledges and appreciates MOG's comments.

On November 20, 2025, the Citizens Rulemaking Alliance (CRA) submitted comments on the NPRM. The following

is a summary of CRA's comments and the EPA's responses.

Comment: The commenter claimed that the EPA did not comply with multiple statutory requirements, Executive Order 12866, and transportation conformity requirements. The commenter attributes each of these alleged procedural and statutory deficiencies to a claim that this action proposes to approve a CAA section 175A maintenance plan, including motor vehicle emissions budgets ("budgets") for transportation conformity under CAA section 176(c) and 40 CFR part 93. First, the commenter claims that the EPA did not comply with the Regulatory Flexibility Act/Small Business Regulatory Enforcement Fairness Act (RFA/SBREFA) because the approval of budgets will impact transportation conformity determinations within the state, and as a result, impact small entities. The commenter states that the action either lacks a 605(b) certification or provides only a conclusory statement. Second, the commenter claims that the EPA did not comply with the Unfunded Mandates Reform Act (UMRA) because the approval of a maintenance plan and its contingency measures will make them federally enforceable, and budgets immediately impact transportation planning. As a result, local jurisdictions can incur planning, modeling, and project costs. The commenter claims that the EPA did not quantify these expenditures or explain why they are below UMRA thresholds. Third, the commenter claims that the EPA did not comply with the Paperwork Reduction Act (PRA) because the approved maintenance plan may contain recordkeeping, monitoring, and reporting provisions administered by ACHD and local transportation agencies. The commenter states that the EPA should clearly state if there are any information collection requirements and include the relevant Office of Management and Budget (OMB) control number. Fourth, the commenter claims that the EPA did not comply with Executive Order 12866, and that the notice should include a clear statement as to whether the action is a significant regulatory action, and if not, the basis for that determination. The commenter states that given the implication of budgets on a large metropolitan area, the EPA should provide a short explanation regarding the significance demonstration. Fifth, the commenter claims the EPA did not comply with the transportation conformity budgets adequacy process under 40 CFR part 93 because the document and docket do

not appear to include the required adequacy materials or make them available for public comment. Lastly, the commenter states that if this was a direct final rule, the EPA must withdraw the direct final rule and proceed via notice-and-comment if adverse comment is received.

Response: The EPA disagrees with the commenter with respect to each issue raised. This action does not approve a maintenance plan under CAA section 175A or budgets under CAA section 176(c) and 40 CFR part 93. Therefore, the commenter's claims that the EPA did not comply with the RFA/SBREFA, UMRA, PRA, Executive Order 12866, and the transportation conformity budget adequacy process with respect to approval of a maintenance plan or budgets, or due to provisions in the maintenance plan and budgets, are beyond the scope of this action, which is limited to redesignation of the nonattainment area to attainment. The cause of noncompliance cited by the commenter for each statute, Executive Order 12866, and transportation conformity is not part of this rulemaking. The EPA previously approved, in a separate rulemaking, Pennsylvania's maintenance plan for the Allegheny County Area for the 2012 annual PM_{2.5} NAAQS as a revision to the Pennsylvania SIP because it met the requirements of CAA section 175A.² The maintenance plan included 2017, 2026, and 2035 PM_{2.5} and NO_x budgets for the Allegheny County Area for the 2012 annual PM_{2.5} NAAQS. The EPA's analysis of the budgets for the Allegheny County Area can be found in the EPA's budget technical support document (TSD) prepared for that rule, available online at www.regulations.gov, Docket ID: EPA-R03-OAR-2024-0586. The maintenance plan became federally enforceable on August 25, 2025, the effective date of the EPA's approval. ACHD must implement the provisions of the maintenance plan, including budgets and contingency provisions, irrespective of this action, which merely approves Pennsylvania's request to redesignate the Allegheny County Area from nonattainment to attainment for the 2012 annual PM_{2.5} NAAQS. Of note, the EPA did not receive any comments on that action specific to the RFA, UMRA, PRA, Executive Order 12866, or the EPA's adequacy determination and approval of budgets.

Additionally, this action was not a direct final rule. The EPA published a proposed rule on November 20, 2025 (90 FR 52319) which opened a 30-day public comment period that closed on

² *See* 90 FR 34770 (July 25, 2025).

December 22, 2025. In this action, we are finalizing the November 20, 2025 proposed rule. The generic statement from the commenter that if this was a direct final rule, the EPA must withdraw the direct final and proceed via notice-and-comment if adverse comment is received, along with the mistaken claim that this action approves a maintenance plan and budgets, highlights that the commenter seems to have compiled a series of generic comments that were not specific to this action.

IV. Final Action

The EPA is approving Pennsylvania's request to redesignate the Allegheny County Area to attainment for the 2012 annual PM_{2.5} NAAQS. The EPA has evaluated Pennsylvania's redesignation request and determined that ambient air monitoring data demonstrates that the Allegheny County Area has attained the NAAQS and the Area has met the redesignation criteria set forth in section 107(d)(3)(E) of the CAA. The effect of this final action is to change the designation status of the Allegheny County Area from nonattainment to attainment for the 2012 annual PM_{2.5} NAAQS.

IV. Statutory and Executive Order Reviews

Under the CAA, the redesignation of an area to attainment is an action that affects the status of a geographical area and does not impose any additional regulatory requirements on sources beyond those required by state law. A redesignation to attainment does not in and of itself impose any new requirements, but rather results in the application of requirements contained in the CAA for areas that have been redesignated to attainment. For that reason, this action:

- Is not a significant regulatory action subject to review by the Office of Management and Budget under

Executive Order 12866 (58 FR 51735, October 4, 1993);

- Is not subject to Executive Order 14192 (90 FR 9065, February 6, 2025) because this action is exempt from review under Executive Order 12866:

- Does not impose an information collection burden under the provisions of the Paperwork Reduction Act (44 U.S.C. 3501 *et seq.*);

- Is certified as not having a significant economic impact on a substantial number of small entities under the Regulatory Flexibility Act (5 U.S.C. 601 *et seq.*);

- Does not contain any unfunded mandate or significantly or uniquely affect small governments, as described in the Unfunded Mandates Reform Act of 1995 (Pub. L. 104–4);

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

- Is not an economically significant regulatory action based on health or safety risks subject to Executive Order 13045 (62 FR 19885, April 23, 1997);

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

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

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

This action is subject to the Congressional Review Act, and the EPA will submit a rule report to each House

of the Congress and to the Comptroller General of the United States. This action is not a “major rule” as defined by 5 U.S.C. 804(2).

Under section 307(b)(1) of the Clean Air Act, petitions for judicial review of this action must be filed in the United States Court of Appeals for the appropriate circuit by June 15, 2026. Filing a petition for reconsideration by the Administrator of this final rule does not affect the finality of this action for the purposes of judicial review nor does it extend the time within which a petition for judicial review may be filed, and shall not postpone the effectiveness of such rule or action. This action may not be challenged later in proceedings to enforce its requirements. (See section 307(b)(2).)

List of Subjects in 40 CFR Part 81

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

Amy Van-Blarcom Lackey,

Regional Administrator, Region III.

For the reasons stated in the preamble, the EPA amends 40 CFR part 81 as follows:

PART 81—DESIGNATION OF AREAS FOR AIR QUALITY PLANNING PURPOSES

- 1. The authority citation for part 81 continues to read as follows:

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

- 2. In § 81.339, amend the table “Pennsylvania—2012 Annual PM_{2.5} NAAQS” by revising the entry for “Allegheny County, PA” to read as follows:

§ 81.339 Pennsylvania.

* * * * *

PENNSYLVANIA—2012 ANNUAL PM_{2.5} NAAQS

[Primary]

Designated area ¹	Designation		Classification	
	Date ²	Type	Date ²	Type
Allegheny County, PA: Allegheny County	5/18/2026	Attainment.		
* * * * *				

¹ Includes areas of Indian country located in each county or area, except as otherwise specified.

² This date is April 15, 2015, unless otherwise noted.

* * * * *

[FR Doc. 2026-07399 Filed 4-15-26; 8:45 am]

BILLING CODE 6560-50-P

FEDERAL COMMUNICATIONS COMMISSION

47 CFR Parts 1, 6, 7, 14, 43, 51, 53, 54, 61, 64, 65, 68, and 69

[GN Docket No. 25-133; FCC 25-68; FR ID 341024]

Deleting Obsolete and Duplicative Wireline Rules

AGENCY: Federal Communications Commission.

ACTION: Direct final rule.

SUMMARY: In this document, the Federal Communications Commission (the Commission) continues its efforts to modernize its regulatory framework by rescinding facially obsolete provisions of its rules.

DATES: These rules are effective June 15, 2026, without further action, unless adverse comment is received by May 6, 2026. If adverse comment is received, the Commission will publish a timely withdrawal of the rule in the **Federal Register**.

FOR FURTHER INFORMATION CONTACT: For further information, please contact, Edward Krachmer, Competition Policy Division, Wireline Competition Bureau, at Edward.Krachmer@fcc.gov or 202-418-1525.

SUPPLEMENTARY INFORMATION: This is a summary of the Commission's Direct Final Rule in GN Docket No. 25-133; FCC 25-68, adopted on September 30, 2025, and released on September 30, 2025. The full text of this document is available at the following internet address: <https://www.fcc.gov/document/deleting-obsolete-and-duplicative-wireline-rules-0>.

I. Introduction

1. The *Direct Final Rule* continues the Commission's efforts to modernize its regulatory framework by rescinding facially obsolete provisions of its rules. In the proceeding, the Commission has undertaken a sweeping review aimed at eliminating outdated rules, reducing unnecessary regulatory burdens, accelerating infrastructure deployment, promoting network modernization, and spurring innovation. The Commission's objective is to streamline, simplify, and smartly deregulate across multiple fronts simultaneously to better serve the public and support technological progress.

2. In initiating this proceeding, the Commission generally sought to identify rules that are obsolete, outdated, unlawful, anticompetitive, or otherwise no longer in the public interest. In the item, the Commission specifically focuses on the repeal of certain rules managed by the Consumer and Governmental Affairs Bureau (CGB) and the Wireline Competition Bureau (WCB) in Parts 1, 6, 7, 14, 43, 51, 53, 54, 61, 64, 65, 68, and 69 for which prior notice and comment are unnecessary, but for which the Commission elects to provide an opportunity for input on that assessment. Absent any significant adverse comments in response to the *Direct Final Rule*, these rules will be repealed.

II. Discussion

3. *Good Cause to Forgo Notice and Comment.* Under the Administrative Procedure Act, when an agency for good cause finds that notice and public comment "are impracticable, unnecessary, or contrary to the public interest," it need not follow notice and comment procedures before modifying or repealing rules. Prior notice and comment are "unnecessary" when "the administrative rule is a routine determination, insignificant in nature and impact, and inconsequential to the industry and to the public."

4. The Commission has identified 89 rule provisions, including 386 rules and requirements, that plainly no longer serve the public interest because they regulate obsolete technology, are no longer used in practice by the Commission or carriers, or are otherwise outdated or unnecessary. Applying the "good cause" standard discussed in this document, the Commission concludes that prior notice and comment are unnecessary before repealing the rules identified in the following.

5. *Direct Final Rule Process.* In the *Direct Final Rule*, the Commission follows the processes previously outlined regarding direct final rules, which it briefly summarizes here. At times when the Commission has found prior notice and comment unnecessary before modifying or repealing rules, it simply adopted the relevant rule change without any additional process. Although the Commission reserves the right to proceed in that manner, it elects in this decision to proceed using what is known as a "direct final rule" process. By proceeding through a direct final rule, the Commission chooses to provide *expanded* opportunities for public comment when it is not legally required to do so under the "good cause" standard. Under a direct final rule process, rule changes are adopted

without prior notice and comment, but are accompanied by an opportunity for the public to file comments—and if the Commission concludes that significant adverse comments have been filed, the relevant rule changes would not take effect until after a full notice and comment process.

6. In particular, the Commission will publish the item adopting direct final rules in the **Federal Register**, and allow for comment from interested parties within 20 days of **Federal Register** publication. Until 20 days after **Federal Register** publication, this shall be a "permit-but-disclose" proceeding for purposes of the Commission's *ex parte* rules. Because the comment process is directed toward the discrete objective of the direct final rule process, and to avoid unwarranted delay in that process, the Commission prohibits filings addressing the rule changes contemplated in the *Direct Final Rule* more than 20 days after **Federal Register** publication, absent further direction from the Commission published in the **Federal Register**. This both accords with the purpose of the comment process for direct final rules, and is similar (though not identical) to actions the Commission has taken in other contexts to provide a defined end-point for public filings to enable the Commission to focus its attention on the submissions already before it.

7. The direct final rules will be effective 60 days after **Federal Register** publication. To the extent that the Commission receives comments on these direct final rules, it will evaluate whether they are significant adverse comments that warrant further procedures before changing the rules. In the Commission's assessment, it plans to be guided by the Administrative Conference of the United States's recommendation that "[a]n agency should consider any comment received during direct final rulemaking to be a significant adverse comment if the comment explains why: a. The [direct final] rule would be inappropriate, including challenges to the rule's underlying premise or approach; or b. The [direct final] rule would be ineffective or unacceptable without a change."

8. In the event that the Commission concludes that significant adverse comments have been filed, WCB and/or CGB will publish a timely withdrawal in the **Federal Register** so that this *Direct Final Rule* does not become effective until any appropriate additional procedures have been followed. If significant adverse comments are filed only with respect to particular amendments within this

Direct Final Rule, WCB and/or the CGB, as appropriate, will withdraw the amendatory instructions that were subject to significant adverse comments. For example, if a significant adverse comment is filed regarding a single amendatory instruction within a direct final rule that contains multiple amendatory instructions, the Commission will publish a withdrawal addressing only that instruction.

9. In the event that no comments are filed in response to this *Direct Final Rule*, the Commission does not anticipate publishing a confirmation of the effective date in the **Federal Register**, but simply will allow the rule changes to take effect as originally specified. Where comments are filed but none of the comments are significant adverse comments, where warranted by the record WCB and/or the CGB will issue a Public Notice that will briefly explain why any comments filed were not determined to be significant adverse comments.

III. Procedural Matters

A. Paperwork Reduction Act

10. This document does not contain new or modified information collections subject to the Paperwork Reduction Act of 1995 (PRA), 44 U.S.C. 3501–3521. In addition, therefore, it does not contain any new or modified information collection burden for small business concerns with fewer than 25 employees, pursuant to the Small Business Paperwork Relief Act of 2002, 44 U.S.C. 3506(c)(4).

B. Congressional Review Act

11. The Commission has determined, and the Administrator of the Office of Information and Regulatory Affairs, Office of Management and Budget concurs, that this rule is “non-major” under the Congressional Review Act, 5 U.S.C. 804(2). The Commission will send a copy of this Direct Final Rule to Congress and the Government Accountability Office pursuant to 5 U.S.C. 801(a)(1)(A).

C. Filing Requirements

12. Interested parties may file comments on or before the date indicated on the first page of this document. Comments may be filed using the Commission’s Electronic Comment Filing System (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 overnight mail (other than U.S. Postal Service Express Mail and Priority Mail) 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 CGB at (202) 418–0530 or TTY: 202–418–0432.

IV. Ordering Clauses

13. Accordingly, *it is ordered* that, pursuant to sections 4(i), 4(j), and 303(r) of the Communications Act, 47 U.S.C. 154(i), 154(j), and 303(r), the *Direct Final Rule is adopted*. Except as specified in paragraph 8, the *Direct Final Rule* shall be effective upon **Federal Register** publication of the rule changes set forth in the following, which shall also serve as the date of public notice of that action.

14. *It is further ordered* that the amendments of the Commission’s rules as set forth in the following shall be effective 60 days after **Federal Register** publication. In the event that significant adverse comments are filed, WCB and/or the CGB shall publish a timely document in the **Federal Register** withdrawing the rule so that the rule change does not become effective until any additional procedures have been followed. In the event that significant adverse comments are filed with respect to only particular amendments, the Commission directs WCB and/or CGB, as appropriate, to publish a timely document in the **Federal Register** withdrawing only such amendatory instructions, so that those amendments do not become effective until any additional procedures have been followed.

List of Subjects

47 CFR Part 1

Administrative practice and procedure, Civil rights, Claims, Communications, Communications common carrier, Communications equipment, Cuba, Drug abuse, Environmental impact statements, Equal access to justice, Equal employment opportunity, Federal buildings and facilities, Government employees, Historic preservation, Income taxes, Indemnity payments, Individuals with disabilities, internet, Investigations, Lawyers, Metric system, Organization and function (Government agencies), Penalties, Radio, Reporting and recordkeeping requirements, Satellites, Security measures, Telecommunications, Telephone, Television, Wages.

47 CFR Parts 6 and 7

Communications equipment, Individuals with disabilities, Telecommunications.

47 CFR Part 14

Communications, Individuals with disabilities, Reporting and recordkeeping requirements.

47 CFR Part 43

Communications common carriers, Reporting and recordkeeping requirements.

47 CFR Part 51

Communications, Communications common carrier, Telecommunications, Telephone.

47 CFR Part 53

Accounting, Communications common carriers, Reporting and recordkeeping requirements, Telephone.

47 CFR Part 54

Communications common carriers, Health facilities, Infants and children, Internet, Libraries, Puerto Rico, Reporting and recordkeeping requirements, Schools, Telecommunications, Telephone, Virgin Islands.

47 CFR Part 61

Communications common carriers, Radio, Reporting and recordkeeping requirements, Telegraph, Telephone.

47 CFR Part 64

Communications, Communications common carriers, Communications equipment, Computer technology, Individuals with disabilities, Prisoners, Reporting and recordkeeping requirements, Security measures,

Telecommunications, Telephone, Waivers.

47 CFR Part 65

Administrative practice and procedure, Communications common carriers, Reporting and recordkeeping requirements, Telephone.

47 CFR Part 68

Administrative practice and procedure, Communications common carriers, Communications equipment, Labeling, Reporting and recordkeeping requirements, Telecommunications, Telephone.

47 CFR Part 69

Communications common carriers, Reporting and recordkeeping requirements, Telephone.

Federal Communications Commission.

Marlene Dortch,
Secretary.

Final Rules

For the reasons discussed in the preamble, the Federal Communications Commission amends 47 CFR parts 1, 6, 7, 14, 43, 51, 53, 54, 61, 64, 65, 68, and 69 as follows:

PART 1—PRACTICE AND PROCEDURE

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

Authority: 47 U.S.C. chs. 2, 5, 9, 13; 28 U.S.C. 2461 note; 47 U.S.C. 1754, unless otherwise noted.

Subpart E—Complaints, Applications, Tariffs, and Reports Involving Common Carriers

§ 1.785 [Amended]

- 2. Section 1.785 is amended by removing and reserving paragraphs (a) and (b).

PART 6—ACCESS TO TELECOMMUNICATIONS SERVICE, TELECOMMUNICATIONS EQUIPMENT AND CUSTOMER PREMISES EQUIPMENT BY PERSONS WITH DISABILITIES

- 3. The authority citation for part 6 continues to read as follows:

Authority: 47 U.S.C. 151–154, 208, 255, and 303(r).

Subpart D—[Removed and Reserved]

- 4. Remove and reserve subpart D, consisting of §§ 6.15 and 6.16.

PART 7—ACCESS TO VOICEMAIL AND INTERACTIVE MENU SERVICES AND EQUIPMENT BY PEOPLE WITH DISABILITIES

- 5. The authority citation for part 7 continues to read as follows:

Authority: 47 U.S.C. 151–154, 208, 255, and 303(r).

Subpart D—[Removed and Reserved]

- 6. Remove and reserve subpart D, consisting of §§ 7.15 and 7.16.

PART 14—ACCESS TO ADVANCED COMMUNICATIONS SERVICES AND EQUIPMENT BY PEOPLE WITH DISABILITIES

- 7. The authority citation for part 14 continues to read as follows:

Authority: 47 U.S.C. 151–154, 255, 303, 403, 503, 617, 618, 619 unless otherwise noted.

Subpart A—Scope

- 8. Revise § 14.1 to read as follows:

§ 14.1 Applicability.

Except as provided in §§ 14.2, 14.3, and 14.5 of this chapter, the rules in this part apply to:

(a) Any manufacturer of equipment used for advanced communications services, including end user equipment, network equipment, and software, that such manufacturer offers for sale or otherwise distributes in interstate commerce; and

(b) Any provider of advanced communications services that such provider offers in or affecting interstate commerce.

§ 14.4 [Removed and Reserved]

- 9. Remove and reserve § 14.4.

PART 43—REPORTS OF COMMUNICATION COMMON CARRIERS, PROVIDERS OF INTERNATIONAL SERVICES AND CERTAIN AFFILIATES

- 10. The authority citation for part 43 continues to read as follows:

Authority: 47 U.S.C. 35–39, 154, 211, 219, 220; sec. 402(b)(2)(B), (c), Pub. L. 104–104, 110 Stat. 129.

- 11. Amend § 43.01 by revising paragraph (c) to read as follows:

§ 43.01 Applicability

* * * * *

(c) Carriers becoming subject to the provisions of §§ 43.21 and 43.43 for the first time, because their annual operating revenues equal or exceed the indexed revenue threshold for a given

year, shall begin collecting data pursuant to such provisions in the calendar year following the publication of that indexed revenue threshold in the **Federal Register**. With respect to such initial filing of reports by any carrier, pursuant to the provisions of § 43.21(e) the carrier is to begin filing data for the calendar year following the publication of that indexed revenue threshold in the **Federal Register** by April 1 of the second calendar year following publication of that indexed revenue threshold in the **Federal Register**.

§ 43.21 [Amended]

- 12. Section 43.21 is amended by removing and reserving paragraphs (a) through (d), (e)(2) and (3), and (f) through (k).

PART 51—INTERCONNECTION

- 13. The authority citation for part 51 continues to read as follows:

Authority: 47 U.S.C. 151–55, 201–05, 207–09, 218, 225–27, 251–52, 271, 332 unless otherwise noted.

Subpart F—Pricing of Elements

- 14. Amend § 51.505 by revising paragraph (d)(2) to read as follows:

§ 51.505 Forward-looking economic cost.

* * * * *

(d) * * *

(2) *Retail costs.* Retail costs include the costs of marketing, billing, collection, and other costs associated with offering retail telecommunications services to subscribers who are not telecommunications carriers;

* * * * *

Subpart G—Resale

§§ 51.605 through 51.609 [Removed and Reserved]

- 15. Remove and reserve §§ 51.605 through 51.609.

§§ 51.613 and 51.615 [Removed and Reserved]

- 16. Remove and reserve §§ 51.613 and 51.615.

Subpart H—Reciprocal Compensation for Transport and Termination of Telecommunications Traffic

§ 51.705 [Amended]

- 17. Section 51.705 is amended by removing and reserving paragraphs (c)(1) through (3).

Subpart J—Transitional Access Service Pricing

§ 51.911 [Amended]

- 18. Section 51.911 is amended by removing and reserving paragraph (b).

PART 53—[REMOVED AND RESERVED]

- 19. Under the authority of Sections 4(i), 4(j), and 303(r) of the Communications Act of 1934, as amended, 47 U.S.C. 154(i), 154(j), 303(r), remove and reserve part 53, consisting of §§ 53.1 through 53.501.

PART 54—UNIVERSAL SERVICE

- 20. The authority citation for part 54 continues to read as follows:

Authority: 47 U.S.C. 151, 154(i), 155, 201, 205, 214, 219, 220, 229, 254, 303(r), 403, 1004, 1302, 1601–1609, and 1752, unless otherwise noted.

Subpart D—Universal Service Support for High Cost Areas

§ 54.303 [Amended]

- 21. Section 54.303 is amended by removing and reserving paragraph (a)(6):

§ 54.304 [Amended]

- 22. Section 54.304 is amended by removing and reserving paragraph (c).

§ 54.307 [Amended]

- 23. Amend § 54.307 by:
■ a. Removing and reserving paragraph (a); and
■ b. Revising paragraphs (e) introductory text and (e)(5).

The revisions read as follows:

§ 54.307 Support to a competitive eligible telecommunications carrier.

* * * * *

(e) *Support beginning January 1, 2012.* Competitive eligible telecommunications carriers will, beginning January 1, 2012, receive support based on the methodology described in this paragraph (e).

* * * * *

(5) *Eligibility for interim support before 5G Fund Phase I auction.* Beginning the first day of the month following December 28, 2020, a competitive eligible telecommunications carrier that receives support pursuant to paragraph (e)(2) of this section shall no longer receive such support and shall instead receive support as described in this paragraph (e)(5).

(i) A competitive eligible telecommunications carrier that is not a mobile competitive eligible telecommunications carrier, as that term is defined in § 54.5, shall no longer receive monthly baseline support.

(ii) Until the first day of the month following the release of the first public notice by the Office of Economics and Analytics and Wireline Competition Bureau announcing the authorization of support for any area eligible for support in the 5G Fund Phase I auction as described in paragraph (e)(6) of this section, a mobile competitive eligible telecommunications carrier that receives support pursuant to paragraph (e)(2) of this section shall receive support at the same level described in paragraph (e)(2)(iii) of this section.

* * * * *

§ 54.309 [Amended]

- 24. Section 54.309 is amended by removing and reserving paragraph (a)(1).

§ 54.312 [Removed and Reserved]

- 25. Remove and reserve § 54.312.
■ 26. Amend § 54.313 by:
■ a. Removing and reserving paragraph (b); and
■ b. Revising paragraphs (c) and (m).
The revisions read as follows:

§ 54.313 Annual reporting requirements and quarterly performance reporting for high-cost recipients.

* * * * *

(c) In addition to the information and certifications in paragraph (a) of this section, price cap carriers that receive frozen high-cost support shall provide a certification that all frozen-high cost support the company received in the previous year was used to build and operate broadband-capable networks used to offer the provider's own retail broadband service in areas substantially unserved by an unsubsidized competitor. Recipients of frozen high-cost support under § 54.1504(b), for annual reports due July 1, 2024, 2025, and 2026, shall certify that such support received after June 1, 2023, was used for resiliency and redundancy measures and to maintain their network footprint for voice and broadband services as of June 1, 2023.

* * * * *

(m) Any price cap carrier or fixed competitive eligible telecommunications carrier that elects to continue receiving support pursuant to § 54.307(e)(2)(iii), shall provide certifications, starting July 1, 2020, and for each subsequent year they receive

such support, that all such support the company received in the previous year was used to provide voice service throughout the high-cost and extremely high-cost census blocks where they continue to have the federal high-cost eligible telecommunications carrier obligation to provide voice service pursuant to § 54.201(d) at rates that are reasonably comparable to comparable offerings in urban areas. Any price cap carrier or fixed competitive eligible telecommunications carrier that solely receives support pursuant to § 54.307(e)(2)(iii) in its designated service area shall not be subject to reporting requirements in any other paragraphs in this section for such support.

* * * * *

§ 54.315 [Amended]

- 27. Section 54.315 is amended by removing and reserving paragraphs (a) and (b).

§ 54.316 [Amended]

- 28. Section 54.316 is amended by removing and reserving paragraph (b)(1).

§ 54.317 [Amended]

- 29. Section 54.317 is amended by removing and reserving paragraph (h).

§ 54.322 [Amended]

- 30. Section 54.322 is amended by removing and reserving paragraphs (c)(1), (2), and (4).

Subpart F—Universal Service Support for Schools and Libraries

§ 54.502 [Amended]

- 31. Section 54.502 is amended by removing and reserving paragraphs (b) and (c).

- 32. Amend § 54.505 by:
■ a. Revising paragraph (c); and
■ b. Removing and reserving paragraph (d).

The revision reads as follows:

§ 54.505 Discounts.

* * * * *

(c) *Matrices.* Except as provided in paragraphs (f) and (g) of this section, the Administrator shall use the following matrices to set discount rates to be applied to eligible category one and category two services purchased by eligible schools, school districts, libraries, or consortia based on the institution's level of poverty and location in an "urban" or "rural" area.

TABLE 1 TO PARAGRAPH (c)

% of students eligible for national school lunch program	Category one schools and libraries discount matrix		Category two schools and libraries discount matrix	
	Discount level		Discount level	
	Urban discount	Rural discount	Urban discount	Rural discount
<1	20	25	20	25
1–19	40	50	40	50
20–34	50	60	50	60
35–49	60	70	60	70
50–74	80	80	80	80
75–100	90	90	85	85

* * * * *

Subpart J—Rural Digital Opportunity Fund**§ 54.801 [Removed and Reserved]**

■ 33. Remove and reserve § 54.801.

§ 54.804 [Amended]

■ 34. Section 54.804 is amended by removing and reserving paragraphs (a) and (b).

Subpart O—Uniendo a Puerto Rico Fund and Connect USVI Fund**§ 54.1502 [Removed and Reserved]**

■ 35. Remove and reserve § 54.1502.

§ 54.1503 [Amended]

■ 36. Section 54.1503 is amended by removing and reserving paragraphs (a) and (b).

§ 54.1505 [Removed and Reserved]

■ 37. Remove and reserve § 54.1505.

§§ 54.1509 and 54.1510 [Removed and Reserved]

■ 38. Remove and reserve §§ 54.1509 and 54.1510.

■ 39. Amend § 54.1516 by revising paragraphs (b) and (d) to read as follows:

§ 54.1516 Uniendo a Puerto Rico Fund and the Connect USVI Fund—Transitional support for mobile service.

* * * * *

(b) *Election of support.* Facilities-based mobile carriers that are recipients of mobile support from Stage 2 of the Uniendo a Puerto Rico Fund and the Connect USVI Fund as of May 1, 2023, shall have a one-time option to elect to receive transitional mobile support from the Uniendo a Puerto Rico Fund and the Connect USVI Fund for the eligible service area. To participate, an eligible carrier must submit an election to participate within 15 days following publication in the **Federal Register** of the order adopting transitional mobile

support of the Uniendo a Puerto Rico Fund and the Connect USVI Fund. Each carrier must submit its election to receive transitional support to the Commission through the Commission's Electronic Comment Filing System as well as by emailing a copy of its election to ConnectAmerica@fcc.gov.

* * * * *

(d) *Return of unused support.* Each eligible mobile carrier that elects to receive transitional support from the Uniendo a Puerto Rico Fund or the USVI Connect Fund will receive monthly installments of its pro rata share of mobile support over the support period provided in paragraphs (a) and (c) of this section. A mobile carrier that fails to use all its eligible transitional mobile support within one year of the end of the support term shall return an amount equal to the unused amount of transitional support to the Administrator within 30 days following the end of the term of support under paragraph (a) of this section.

§ 54.1517 [Removed and Reserved]

■ 40. Remove and reserve § 54.1517.

PART 61—TARIFFS

■ 41. The authority citation for part 61 continues to read as follows:

Authority: 47 U.S.C. 151, 154(i), 154(j), 201–205, 403, unless otherwise noted.

Subpart E—General Rules for Dominant Carriers

■ 42. Amend § 61.48 by:

■ a. Removing and reserving paragraph (l); and

■ b. Revising paragraphs (m)(1)(ii)(A) and (B).

The revisions read as follows:

§ 61.48 Transition rules for price cap formula calculations.

* * * * *

(m) * * *

(1) * * *

(ii) * * *

(A) For a price cap holding company's predominantly non-rural filing entities (*i.e.*, filing entities within which more than 50% of all lines are operated by telephone companies other than those that as of December 31, 1999 were certified to the Commission as rural telephone companies), the amount of the additional reductions to Average Traffic Sensitive Charge rates, to the extent such reductions exceed 25% of the Local Switching element revenues (measured in terms of June 30, 2000 rates times 1999 base period demand); and

(B) For a price cap holding company's predominantly rural filing entities (*i.e.*, filing entities with greater than 50% of lines operated by telephone companies that as of December 31, 1999 were certified to the Commission as rural telephone companies), the amount of the additional reductions to Average Traffic Sensitive Charge rates.

* * * * *

§ 61.50 [Amended]

■ 43. Section 61.50 is amended by removing and reserving paragraphs (l)(1) and (2).

Subpart K—Detariffing of Business Data Services**§ 61.201 [Amended]**

■ 44. Section 61.201 is amended by removing and reserving paragraph (b).

§ 61.203 [Amended]

■ 45. Section 61.203 is amended by removing and reserving paragraph (b).

PART 64—MISCELLANEOUS RULES RELATING TO COMMON CARRIERS

■ 46. 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.

Subpart F—Telecommunications Relay Services and Related Customer Premises Equipment for Persons With Disabilities

§ 64.607 through 64.610 [Removed and Reserved]

- 47. Remove and reserve §§ 64.607 through 64.610.

Subpart G—Furnishing of Enhanced Services and Customer-Premises Equipment by Bell Operating Companies; Telephone Operator Services

§ 64.702 [Removed and Reserved]

- 48. Remove and reserve § 64.702.

Subpart H—[Removed and Reserved]

- 49. Remove and reserve subpart H, consisting of §§ 64.801 through 64.804.

Subpart O—Interstate Pay-Per-Call and Other Information Services

§ 64.1508 [Amended]

- 50. Section 64.1508 is amended by removing and reserving paragraph (a)(1).

Subpart P—Calling Party Telephone Number; Privacy

§ 64.1603 [Removed and Reserved]

- 51. Remove and reserve § 64.1603.

§ 64.1605 [Removed and Reserved]

- 52. Remove and reserve § 64.1605.

Subpart T—[Removed and Reserved]

- 53. Remove and reserve subpart T, consisting of §§ 64.1901 through 64.1903.

Subpart V—Rural Call Completion

§ 64.2103 [Removed and Reserved]

- 54. Remove and reserve § 64.2103.

§ 64.2107 [Removed and Reserved]

- 55. Remove and reserve § 64.2107.

PART 65—INTERSTATE RATE OF RETURN PRESCRIPTION, PROCEDURES, AND METHODOLOGIES

- 56. The authority citation for part 65 continues to read as follows:

Authority: 47 U.S.C. 151, 154(i), 155, 201, 205, 214, 219, 220, 254, 303(r), 403, and 1302 unless otherwise noted.

Subpart A—General

§ 65.1 [Amended]

- 57. Amend § 65.1 by removing and reserving paragraph (b)(2).

Subpart D—[Removed and Reserved]

- 58. Remove and reserve subpart D, consisting of § 65.500.

Subpart E—Rate of Return Reports

§ 65.600 [Amended]

- 59. Section 65.600 is amended by removing and reserving paragraphs (c) and (d).

PART 68—CONNECTION OF TERMINAL EQUIPMENT TO THE TELEPHONE NETWORK

- 60. The authority citation for part 68 continues to read as follows:

Authority: 47 U.S.C. 154, 303, 610.

Subpart A—General

- 61. Amend § 68.2 by revising paragraph (a) to read as follows:

§ 68.2 Scope.

(a) Except as provided in paragraphs (b) and (c) of this section, and excluding subpart F of this part, which applies only to ACS telephonic CPE, the rules and regulations of this part apply to direct connection of all terminal equipment to the public switched telephone network for use in conjunction with all services other than party line services. Sections 68.4, 68.5, 68.6, 68.160, 68.162, 68.316, and 68.317, and other sections to the extent they are made applicable by subpart F of this part, also apply to ACS and ACS telephonic CPE that is manufactured in the United States or imported for use in the United States on or after February 28, 2020.

* * * * *

§ 68.4 [Amended]

- 62. Amend § 68.4 by removing and reserving paragraph (a)(2).

Subpart B—Conditions on Use of Terminal Equipment

§ 68.112 [Removed and Reserved]

- 63. Remove and reserve § 68.112.

Subpart C—Terminal Equipment Approval Procedures

§ 68.218 [Amended]

- 64. Section 68.218 is amended by removing and reserving paragraph (b)(2).

§ 68.224 [Removed and Reserved]

- 65. Remove and reserve § 68.224.

Subpart D—Conditions for Terminal Equipment Approval

§ 68.324 [Amended]

- 66. Section 68.324 is amended by removing and reserving paragraph (f).

§ 68.354 [Amended]

- 67. Section 68.354 is amended by removing and reserving paragraph (e).

Subpart E—Complaint Procedures

- 68. Revise § 68.414 to read as follows:

§ 68.414 Hearing aid-compatibility: Enforcement.

Enforcement of § 68.4 is hereby delegated to those states which adopt those sections and provide for their enforcement. The procedures followed by a state to enforce those sections shall provide a 30-day period after a complaint is filed, during which time state personnel shall attempt to resolve a dispute on an informal basis. If a state has not adopted or incorporated § 68.4, or failed to act within 6 months from the filing of a complaint with the state public utility commission, the Commission will accept such complaints. A written notification to the complainant that the state believes action is unwarranted is not a failure to act.

- 69. Revise § 68.415 to read as follows:

§ 68.415 Hearing aid-compatibility and volume control informal complaints.

Persons with complaints under § 68.4 that are not addressed by the states pursuant to § 68.414, and all other complaints regarding rules in this part pertaining to hearing aid compatibility and volume control, may bring informal complaints as described in §§ 68.416 through 68.420. All responsible parties of terminal equipment are subject to the informal complaint provisions specified in this section.

Subpart F—ACS Telephone CPE

- 70. Amend § 68.501 by revising paragraph (c) to read as follows:

§ 68.501 Authorization procedures.

* * * * *

(c) *Supplier's Declaration of Conformity.* The requirements of §§ 68.320 through 68.350 shall apply to the use of the Supplier's Declaration of Conformity procedure to establish that ACS telephonic CPE is hearing aid compatible.

* * * * *

■ 71. Amend § 68.502 by revising paragraph (c)(2)(ii) to read as follows:

§ 68.502 Labeling, warranty, instructions, and notice of revocation of approval.

* * * * *

(c) * * *

(2) * * *

(ii) A list of such locations.

* * * * *

Subpart G—Administrative Council for Terminal Attachments

§ 68.610 [Amended]

■ 72. Section 68.610 is amended by removing and reserving paragraph (d).

PART 69—ACCESS CHARGES

■ 73. The authority citation for part 69 continues to read as follows:

Authority: 47 U.S.C. 154, 201, 202, 203, 205, 218, 220, 254, 403.

Subpart B—Computation of Charges

§ 69.104 [Amended]

■ 74. Amend § 69.104 by removing and reserving paragraphs (c) through (e).

§ 69.105 [Removed and Reserved]

■ 75. Remove and reserve § 69.105.

§ 69.108 [Removed and Reserved]

■ 76. Remove and reserve § 69.108.

■ 77. Amend § 69.110 by revising paragraphs (b)(1) and (2) to read as follows:

§ 69.110 Entrance facilities.

* * * * *

(b)(1) For telephone companies subject to price cap regulation, initial entrance facilities charges based on special access channel termination rates for equivalent voice grade, DS1, and DS3 services as of September 1, 1992, adjusted for changes in the price cap index calculated for the July 1, 1993, annual filing for telephone companies subject to price cap regulation, generally shall be presumed reasonable. Entrance facilities charges may be distance-sensitive. Distance shall be measured as airline kilometers between the point of demarcation and the serving wire center.

(2) For telephone companies not subject to price cap regulation, entrance facilities charges based on special access channel termination rates for equivalent voice grade, DS1, and DS3 services generally shall be presumed reasonable. Entrance facilities charges may be distance-sensitive. Distance shall be measured as airline kilometers between the point of demarcation and the serving wire center.

* * * * *

■ 78. Amend § 69.111 by revising paragraphs (g)(1) through (4) to read as follows:

§ 69.111 Tandem-switched transport and tandem charge.

* * * * *

(g)(1) The tandem switching charge imposed pursuant to paragraph (a)(1) or (a)(2)(ii) of this section, as applicable, shall be set to recover twenty percent of the annual part 69 interstate tandem revenue requirement plus one third of the portion of the tandem switching revenue requirement being recovered through the interconnection charge recovered by §§ 69.153 and 69.155, excluding multiplexer and dedicated port costs recovered in accordance with paragraph (l) of this section.

(2) Beginning January 1, 1999, the tandem switching charge imposed pursuant to paragraph (a)(2)(ii) of this section shall be set to recover the amount prescribed in paragraph (g)(1) of this section plus one half of the remaining portion of the tandem switching revenue requirement then being recovered through the interconnection charge recovered by §§ 69.153 and 69.155, excluding multiplexer and dedicated port costs recovered in accordance with paragraph (l) of this section.

(3) Beginning January 1, 2000, the tandem switching charge imposed pursuant to paragraph (a)(2)(ii) of this section shall be set to recover the entire interstate tandem switching revenue requirement, including that portion formerly recovered through the interconnection charge recovered in §§ 69.153 and 69.155, and excluding multiplexer and dedicated port costs recovered in accordance with paragraph (l) of this section.

(4) A local exchange carrier that is subject to price cap regulation as that term is defined in § 61.3(x) of this chapter shall calculate its tandem switching revenue requirement as used in this paragraph by dividing the tandem switching revenue requirement that was included in the original interconnection charge by the original interconnection charge, and then multiplying this result by the annual revenues recovered through the interconnection charge, as of June 30, 1997. A local exchange carrier that is subject to price cap regulation as that term is defined in § 61.3(x) of this chapter shall then make downward exogenous adjustments to the service band index for the interconnection charge service category (defined in § 61.42(e)(2)(vi) of this chapter) and corresponding upward adjustments to the service band index for the tandem-

switched transport service category (defined in § 61.42(e)(2)(v) of this chapter) at the times and in the amounts prescribed in paragraphs (g)(1) through (3) of this section.

* * * * *

■ 79. Amend § 69.112 by revising paragraphs (b)(1) and (2) to read as follows:

§ 69.112 Direct-trunked transport.

* * * * *

(b)(1) For telephone companies subject to price cap regulation, initial direct-trunked transport charges based on the interoffice charges for equivalent voice grade, DS1, and DS3 special access services as of September 1, 1992, adjusted for changes in the price cap index calculated for the July 1, 1993, annual filing for telephone companies subject to price cap regulation, generally shall be presumed reasonable. Direct-trunked transport charges may be distance-sensitive. Distance shall be measured as airline kilometers between customer-designated points.

(2) For telephone companies not subject to price cap regulation, initial direct-trunked transport charges based on the interoffice charges for equivalent voice grade, DS1, and DS3 special access services generally shall be presumed reasonable. Direct-trunked transport charges may be distance-sensitive. Distance shall be measured as airline kilometers between customer-designated points.

* * * * *

■ 80. Amend § 69.113 by revising paragraph (a) to read as follows:

§ 69.113 Non-premium charges for MTS—WATS equivalent services.

(a) Charges that are computed in accordance with this section shall be assessed upon interexchange carriers or other persons that receive access that is not deemed to be premium access in lieu of carrier charges that are computed in accordance with §§ 69.106, 69.118, and 69.127.

* * * * *

■ 81. Revise § 69.118 to read as follows:

§ 69.118 Traffic sensitive switched services.

Notwithstanding §§ 69.4(b), 69.106, 69.109, 69.110, 69.111, and 69.112 telephone companies subject to the BOC ONA Order, 4 FCC Rcd 1 (1988) shall, and other telephone companies may, establish approved Basic Service Elements as provided in Amendments of part 69 of the Commission's rules relating to the Creation of Access Charge Subelements for Open Network Architecture, Report and Order, 6 FCC

Rcd 4524 (1991), 56 FR 33879 and 800 data base subelements, as provided in Provision of Access for 800 Service, 8 FCC Rcd 907, CC Docket 86–10, FCC 93–53 (1993), 58 FR 7867. Moreover, all customers that use basic 800 database service shall be assessed a charge that is expressed in dollars and cents per query. Telephone companies shall take into account revenues from the relevant Basic Service Element or Elements and 800 Database Service Elements in computing rates for the Local Switching, Entrance Facilities, Tandem-Switched Transport, Direct-Trunked Transport, Interconnection Charge, and/or Information elements.

■ 82. Amend § 69.123 by revising paragraphs (f)(1) and (2) to read as follows:

§ 69.123 Density pricing zones for special access and switched transport.

* * * * *

(f)(1) An incumbent local exchange carrier that establishes density pricing zones under this section must reallocate additional amounts recovered under the interconnection charge to facilities-based transport rates, to reflect the higher costs of serving lower density areas. Each incumbent local exchange carrier must reallocate costs from the interexchange charge each time it increases the ratio between the prices in its lowest-cost zone and any other zone in that study area.

(2) Any incumbent local exchange carrier that has already deaveraged its

rates on January 1, 1998, must reallocate an amount equivalent to that described in paragraph (f)(1) of this section from the interconnection charge.

* * * * *

§ 69.124 [Removed and Reserved]

■ 83. Remove and reserve § 69.124.

Subpart D—Apportionment of Net Investment

§ 69.307 [Amended]

■ 84. Section 69.307 is amended by removing and reserving paragraph (c)(1).

§ 69.311 [Amended]

■ 85. Section 69.311 is amended by removing and reserving paragraph (b).

Subpart E—Apportionment of Expenses

§ 69.416 [Amended]

■ 86. Section 69.416 is amended by removing and reserving paragraph (b).

Subpart F—Segregation of Common Line Element Revenue Requirement

§ 69.501 [Amended]

■ 87. Section 69.501 is amended by removing and reserving paragraphs (b), (c), and (e).

Subpart G—Exchange Carrier Association

■ 88. Amend § 69.605 by revising paragraph (d) to read as follows:

§ 69.605 Reporting and distribution of pool access revenues.

* * * * *

(d) The residue shall be disbursed to telephone companies that are not average schedule companies in accordance with §§ 69.609 and 69.610.

* * * * *

■ 89. Amend § 69.606 by revising paragraph (a) to read as follows:

§ 69.606 Computation of average schedule company payments.

(a) Payments shall be made in accordance with a formula approved or modified by the Commission. Such formula shall be designed to produce disbursements to an average schedule company that simulate the disbursements that would be received by a company that is representative of average schedule companies.

* * * * *

§§ 69.607 and 69.608 [Removed and Reserved]

■ 90. Remove and reserve §§ 69.607 and 69.608.

Subpart H—Pricing Flexibility

§ 69.705 [Removed and Reserved]

■ 91. Remove and reserve § 69.705.

[FR Doc. 2026–07343 Filed 4–15–26; 8:45 am]

BILLING CODE 6712–01–P

Proposed Rules

Federal Register

Vol. 91, No. 73

Thursday, April 16, 2026

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

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 71

[Docket No. FAA-2026-3860; Airspace
Docket No. 26-ASW-7]

RIN 2120-AA66

Establishment of Class E Airspace; Freer, TX

AGENCY: Federal Aviation
Administration (FAA), DOT.

ACTION: Notice of proposed rulemaking
(NPRM).

SUMMARY: This action proposes to establish Class E airspace at Freer, TX. The FAA is proposing this action to support new instrument procedures and instrument flight rule (IFR) operations.

DATES: Comments must be received on or before June 1, 2026.

ADDRESSES: Send comments identified by FAA Docket No. FAA-2026-3860 and Airspace Docket No. 26-ASW-7 using any of the following methods:

* *Federal eRulemaking 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, 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.

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, 600 Independence Avenue SW, Washington, DC 20597; 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, OH 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 would establish Class E airspace extending upward from 700 feet above the surface at Silverhorn Ranch Airport, Freer, TX, to support IFR operations at this airport.

Comments Invited

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

comments if comments are filed in writing.

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

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

Availability of Rulemaking Documents

An electronic copy of this document may be downloaded through the internet at www.regulations.gov. Recently published rulemaking documents can also be accessed through the FAA's web page at www.faa.gov/air_traffic/publications/airspace_amendments/.

You may review the public docket containing the proposal, any comments received, and any final disposition in person in the Dockets Office (see the **ADDRESSES** section for the address, phone number, and hours of operation). An informal docket may also be examined during normal business hours at the Federal Aviation Administration, Air Traffic Organization, Central Service Center, Operations Support Group, 10101 Hillwood Parkway, Fort Worth, OH 76177.

Incorporation by Reference

Class E airspace is 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 proposes to amend the current version of that order, FAA Order JO 7400.11K, dated August 4, 2025, and effective September 15, 2025. These updates would be published subsequently 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.

The Proposal

The FAA is proposing an amendment to 14 CFR part 71 that would establish Class E airspace extending upward from 700 feet above the surface to within a 6.8-mile radius of Silverhorn Ranch Airport, Freer, TX.

This action is the result of instrument procedures being developed for this airport to support IFR operations.

Regulatory Notices and Analyses

The FAA has determined that this proposed regulation only involves an established body of technical regulations for which frequent and routine amendments are necessary to keep them operationally current. It, therefore: (1) is not a “significant regulatory action” under Executive Order 12866; (2) is not a “significant rule” under DOT Order 2100.6B, “Policies and Procedures for Rulemakings” (March 10, 2025); and (3) does not warrant preparation of a regulatory evaluation as the anticipated impact is so minimal. Since this is a routine matter that will only affect air traffic procedures and air navigation, it is certified that this proposed rule, when promulgated, will not have a significant economic impact on a substantial number of small entities under the criteria of the Regulatory Flexibility Act.

Environmental Review

This proposal will be subject to an environmental analysis in accordance with FAA Order 1050.1G, “FAA National Environmental Policy Act Implementing Procedures” prior to any FAA final regulatory action.

List of Subjects in 14 CFR Part 71

Airspace, Incorporation by reference, Navigation (air).

The Proposed Amendment

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

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

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

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

§ 71.1 [Amended]

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

Paragraph 6005 Class E Airspace Areas Extending Upward From 700 Feet or More Above the Surface of the Earth.

* * * * *

ASW TX E5 Freer, TX [Establish]

Silverhorn Ranch Airport, TX
(Lat. 27°55′46″ N, long. 98°32′02″ W)

That airspace extending upward from 700 feet above the surface within a 6.8-mile radius of Silverhorn Ranch Airport.

* * * * *

Issued in Fort Worth, Texas, on April 14, 2026.

Jerry J. Creedy,

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

[FR Doc. 2026–07417 Filed 4–15–26; 8:45 am]

BILLING CODE 4910–13–P

FEDERAL TRADE COMMISSION

16 CFR Chapter I

RIN 3084–AB88

Rule on Unfair or Deceptive Fees in Online Food Delivery Services

AGENCY: Federal Trade Commission.

ACTION: Advance notice of proposed rulemaking; request for public comment.

SUMMARY: The Federal Trade Commission (“Commission”) proposes to commence a rulemaking proceeding to address certain unfair or deceptive acts or practices relating to fees and charges for food and grocery items ordered through online delivery platforms. The Commission is soliciting written comment, data, and argument concerning the need for such a rulemaking to prevent persons, entities, and organizations from engaging in such unfair or deceptive acts or practices.

DATES: Comments must be received on or before May 18, 2026.

ADDRESSES: Members of the public may file a comment online or on paper by following the instructions in the Comment Submissions part of the **SUPPLEMENTARY INFORMATION** below. Write “Food Delivery Fees ANPRM (Project No. P267101)” on your comment and file your comment online at <https://www.regulations.gov>. If you prefer to file your comment on paper, write “Food Delivery Fees ANPRM (Project No. P267101)” on your

comment and on the envelope, and mail it to the following address: Federal Trade Commission, Office of the Secretary, 600 Pennsylvania Avenue NW, Mail Stop H–144 (Annex F), Washington, DC 20580.

FOR FURTHER INFORMATION CONTACT:

Alan Bakowski (abakowski@ftc.gov; 404–656–1363); Christopher Gleason (cgleason@ftc.gov; 404–656–1352), Attorneys, Southeast Region, Federal Trade Commission.

SUPPLEMENTARY INFORMATION:

I. General Background Information

The Commission publishes this advance notice of proposed rulemaking (“ANPRM”) pursuant to section 18 of the Federal Trade Commission Act (“FTC Act”), 15 U.S.C. 57a, the provisions of part 1, subpart B, of the Commission’s Rules of Practice, 16 CFR 1.7–1.20, and 5 U.S.C. 553. This authority permits the Commission to promulgate, modify, and repeal rules that define with specificity acts or practices that are unfair or deceptive in or affecting commerce within the meaning of section 5(a)(1) of the FTC Act, 15 U.S.C. 45(a)(1).

II. Objectives the Commission Seeks To Achieve and Possible Regulatory Alternatives

A. Description of the Area of Inquiry

Over the last ten years, consumers’ use of online food delivery platforms has skyrocketed.¹ The number of households who order meals delivered from restaurants more than doubled from 2019 to 2024, and about one third of American adults (and more than half of those under 45) now say they order delivery from restaurants at least once a week.² Over 138 million Americans (more than half of American adults) bought groceries online in 2024, with average sales over \$9 billion each month, the majority of which is spent on delivery orders.³ The market for online food and grocery delivery

¹ For purposes of this ANPRM, the term “online food delivery platforms” is used to describe online services that enable consumers to order food and beverage items from restaurants, grocery stores, and other retailers to be delivered to consumers’ homes, businesses, or other designated locations.

² See Ellen Cushman, *The Innovation That’s Killing Restaurant Culture*, *The Atlantic* (Oct. 27, 2025), <https://www.theatlantic.com/culture/2025/10/food-delivery-america/684700/>; Priya Krishna, *Freedom With a Side of Guilt: How Food Delivery Is Reshaping Mealtime*, *N.Y. Times* (Jan. 30, 2026), <https://www.nytimes.com/2026/01/30/dining/food-delivery-apps-doordash-uber.html>.

³ See CapitalOne Shopping, *Online Grocery Shopping Statistics* (Dec. 11, 2025), <https://capitaloneshopping.com/research/online-grocery-shopping-statistics/>.

services is expected to continue growing over the next several years.⁴

As online food delivery platforms have grown, so have consumer complaints, especially about prices and fees. One study found that consumers ordering food from an online delivery platform paid nearly 80% more on average than they would pay picking up the same order directly from a restaurant, and others have reported total costs ranging from 25% to over 90% higher, depending on the platform.⁵ Grocery delivery has proven to be similarly costly: at least one report found that ordering groceries through an online delivery platform resulted in total costs that were 30–50% higher than shopping in-store for the same groceries.⁶

One factor contributing to these inflated costs—which is not always apparent to consumers—is that the prices of items on food delivery platforms are frequently higher than the prices paid for those items at the restaurant or grocery store.⁷ Media reports indicate that meal prices on delivery platforms can be over 20% higher than prices at the restaurant, while grocery items sold through delivery platforms can be on average 10% higher than in-store prices, before taking into account the fees charged by the platforms.⁸ And though some retailers may offer in-store pricing on delivery apps, there are other factors that can lead to different (and often higher) in-app prices, including whether a store's loyalty program (and accompanying discounts) can be linked in the delivery app or whether the app

syncs with weekly or daily changes in in-store pricing.⁹ Perhaps most importantly, consumers are not always made aware that prices are marked up or that they would need to parse through disclosures to understand the various ways in which prices may vary between a restaurant or grocery store and a delivery platform. Additionally, there is evidence that food delivery platforms—like other online retailers—are sometimes charging different prices to different consumers for the same goods and services.¹⁰ These pricing practices may not be fully disclosed to consumers and could pose problems for consumers seeking to effectively comparison shop across delivery platforms.

In addition to price markups, online food delivery platforms have been charging consumers increasingly higher fees to have their food and groceries delivered.¹¹ Often, the existence and cost of these fees are not disclosed until checkout, if at all, meaning that consumers frequently do not learn the true cost of getting their food delivered until the very end of the transaction.¹² These hidden fees force consumers to either abandon their order (thus wasting the time they spent preparing it) or pay unanticipated costs that sometimes exceed the amount they were prepared to spend. Indeed, research suggests that when consumers face these kinds of pricing practices, they frequently underestimate the total cost of the transaction¹³ and are reluctant to restart

their search due to the perceived futility of doing so.¹⁴

In addition to hidden or inadequately disclosed fees, consumers must also contend with other potentially unfair and deceptive fee practices. For example, as food delivery platforms compete for cost-conscious consumers, they have increasingly opted for advertising low-fee or no-fee delivery options.¹⁵ But while platforms may purport to offer “free delivery” or “\$0 delivery,” they often tack on non-optional charges for delivery orders such as “service fees,” “small order fees,” or other mandatory fees that consumers do not expect to be charged. Some delivery platforms charge both “delivery” fees and “service” fees, leading many consumers to wonder what “service” they are paying for besides delivery. And delivery platforms routinely ask consumers to provide tips for delivery workers, but the manner in which those tips are solicited—especially when consumers are being charged separate fees to pay for delivery—often leaves consumers confused about how delivery workers are being paid, whether tips are being paid to drivers, and what level of tip is appropriate.¹⁶

These potentially deceptive and misleading practices harm consumers and competition. Practices that obscure the true price until the end of a transaction tend to harm consumers in two ways. First, seemingly lower prices artificially increase prices and lead some consumers to complete purchases at higher prices. Second, search costs increase when some consumers backtrack to find lower-price alternatives or forgo a purchase altogether.¹⁷ Thus, when the cost of various fees is obscured or not clearly disclosed upfront, consumers are disadvantaged in understanding the true

⁹ See Vachon, *supra* note [6].

¹⁰ See Ben Casselman, *Same Product, Same Store, but on Instacart, Prices Might Differ*, N.Y. Times (Dec. 9, 2025), <https://www.nytimes.com/2025/12/09/business/instacart-algorithmic-pricing.html>; Jay L. Zagorsky, *What Is Personalized Pricing, and How Do I Avoid It?*, *The Conversation* (July 31, 2025), <https://theconversation.com/what-is-personalized-pricing-and-how-do-i-avoid-it-262195>.

¹¹ See Justine Fisher, *Food Delivery Fees Are Rising, and Everyone's Feeling the Pinch*, CNBC (July 27, 2024), <https://www.cnbc.com/2024/07/27/food-delivery-fees-are-rising.html>.

¹² See, e.g., Instacart Help Center, <https://www.instacart.com/help/section/360007902791/360039164252> (last visited Mar. 6, 2026) (stating that delivery fees, service fees, and priority fees are all shown “at checkout” and that some regulatory response fees may appear on a customer's receipt or “in the order summary”); Groupon, *DoorDash Fees Explained—and How to Avoid Them* (Jan. 7, 2026), <https://www.groupon.com/coupons/blog/door-dash-fees-and-how-to-avoid-them> (suggesting that consumers seeking to avoid fees on DoorDash should “[c]ompare 2–3 restaurants at cart stage—pick lower total fees”); see also Deanna Nila, *Deception by Delivery Fees: Demanding Consumer Protections and Transparency in the Face of Deceptive Fee Practices*, 30 Ill. Bus. L.J. 92, 93 (2005).

¹³ See Alexander Rasch et al., *Drip Pricing and Its Regulation: Experimental Evidence*, 176 J. Econ. Behav. & Org. 353, 362–63 (2020).

¹⁴ See Shelle Santana et al., *Consumer Reactions to Drip Pricing*, 39 Mktg. Sci. 188, 207 (2020), <https://doi.org/10.1287/mksc.2019.1207>.

¹⁵ Notably, food delivery platform Grubhub placed a high-profile advertisement starring actor George Clooney during the 2026 Super Bowl to tell consumers they would not be charged delivery fees or service fees on restaurant orders over \$50. See Dianna Dilworth, *Behind Grubhub's First-Ever Super Bowl Ad* (Feb. 2, 2026), <https://brand-innovators.com/behind-grubhubs-first-ever-super-bowl-ad/>.

¹⁶ See, e.g., Lauren Jackson, *Tipping Confusion*, N.Y. Times (April 9, 2023), <https://www.nytimes.com/2023/04/09/briefing/tipping-confusion-food-delivery-apps.html>.

¹⁷ See, e.g., David Adam Friedman, *Regulating Drip Pricing*, 31 Stan. L. & Pol'y Rev. 51, 55 & n.13 (2020); cf. Mary Sullivan, *Fed. Trade Comm'n, Economic Analysis of Hotel Resort Fees 25–28* (2017), https://www.ftc.gov/system/files/documents/reports/economic-analysis-hotel-resort-fees/p115503_hotel_resort_fees_economic_issues_paper.pdf.

⁴ See *id.*; DoorDash Merchant Blog: *Understanding the Rise of Food Delivery Services* (May 30, 2024), <https://merchants.doordash.com/en-us/blog/rise-in-food-delivery-and-why-it-is-popular>; cf. Coggins et al., McKinsey & Co., *State of the Consumer 2025: When Disruption Becomes Permanent* (June 9, 2025), <https://www.mckinsey.com/industries/consumer-packaged-goods/our-insights/state-of-consumer>.

⁵ See Matt Schulz, *The Price of Lazy: Nearly 4 in 10 Americans Get Delivery Weekly—and It's Costing Them Nearly 80% More Than Pickup*, LendingTree (Oct. 28, 2025), <https://www.lendingtree.com/credit-cards/study/delivery-pickup/>; Brian X. Chen, *Up to 91% More Expensive: How Delivery Apps Eat Up Your Budget*, N.Y. Times (Feb. 26, 2020), <https://www.nytimes.com/2020/02/26/technology/personaltech/ubereats-door-dash-postmates-grubhub-review.html>; Josh Koebert, *Food Delivery App Comparison: How Much Can Pick-Up Save You at Popular Chains?* [2026], FinanceBuzz (Jan. 23, 2026), <https://financebuzz.com/compare-costs-food-delivery-apps>.

⁶ See Pamela Vachon, *We Did the Math: How Much More Expensive Is Grocery Shopping With Instacart, Really?*, CNET (Jan. 30, 2025), <https://www.cnet.com/home/kitchen-and-household/we-did-the-math-how-much-more-expensive-is-grocery-shopping-with-instacart-really/>.

⁷ See, e.g., Chen, *supra* note [5].

⁸ See *id.*; Vachon, *supra* note [6].

cost of the transaction and whether a better option exists. Relatedly, insofar as businesses that employ these deceptive practices are perceived as having lower prices, they gain an unfair advantage in the market over those who more transparently represent the costs of their goods or services.

As discussed further below, these pricing practices have been the subject of investigations and enforcement actions by the Commission and State and local government agencies, and numerous State and local governments have adopted laws or regulations to address these practices.

1. Past Commission Actions

The Commission has brought several enforcement actions to address unfair and deceptive practices on food delivery platforms. In *FTC v. Grubhub Inc.*, No. 1:24-cv-12923 (N.D. Ill. Stipulated Final Order entered Dec. 31, 2024), the Commission alleged that Grubhub, one of the largest online food delivery platforms in the United States, violated section 5 of the FTC Act by, among other things, deceiving consumers about how much its services cost.¹⁸ Specifically, the FTC alleged that Grubhub initially advertised a single, low-cost (or sometimes no-cost) charge for delivery to entice consumers to place an order and then charged additional undisclosed fees at checkout that significantly raised the price paid to use Grubhub's services.¹⁹ The FTC also alleged that Grubhub violated section 4 of the Restore Online Shoppers' Confidence Act ("ROSCA"), 15 U.S.C. 8403, by, among other things, failing to clearly and conspicuously disclose all fees applicable to orders placed by consumers who enrolled in its Grubhub+ subscription plan. Specifically, the FTC alleged that Grubhub advertised "free delivery" or "\$0 delivery fees" for Grubhub+ members without adequately disclosing that Grubhub still charged so-called "service" and "small order" fees on orders placed by Grubhub+ members and "delivery" fees on orders from restaurants that did not participate in Grubhub+.²⁰ Grubhub was prohibited from misrepresenting material facts, including about the amount a consumer will pay in connection with a delivery

order, the existence or amount of any fees, the nature and purpose of any fee, and whether a consumer will receive free delivery or delivery for a nominal fee. Grubhub also was ordered to change its practices to clearly and conspicuously disclose, on any page referencing the cost to place a delivery order at a particular restaurant, the amount or percentage (or range of amounts or percentages) of any additional fees that consumers must pay to place a delivery order (excluding government charges and optional tips). And Grubhub was ordered to clearly and conspicuously disclose all fees that consumers will incur based on selections they make on the Grubhub platform, including the nature and purpose of each fee, the amount of each fee, and the total amount a consumer must pay based on the selections.²¹

In *FTC v. Maplebear Inc. d/b/a Instacart*, No. 4:25-cv-10783 (N.D. Cal. Stipulated Final Order entered Jan. 13, 2026), the Commission alleged that Instacart, one of the largest online grocery delivery platforms in the United States, violated section 5 of the FTC Act by, among other things, falsely advertising "free delivery" on certain orders.²² Specifically, the Commission alleged that Instacart waived its "delivery fees" on orders advertised to feature "free delivery" but still charged consumers mandatory "service fees" and sometimes additional fees to have their order delivered. The FTC also alleged that Instacart violated section 4 of ROSCA by failing to clearly and conspicuously disclose all material terms of its Instacart+ subscription membership program, which offered members reduced fees on certain orders.²³ Instacart was ordered to change its fee practices to clearly and conspicuously disclose the existence of other fees that apply whenever it advertises free delivery or delivery for a nominal or otherwise discounted fee. Instacart also was ordered to clearly and conspicuously disclose all material terms of its Instacart+ membership

program before obtaining consumers' billing information.²⁴

In *In re Amazon, Inc.*, No. C-4746 (FTC June 9, 2021), the Commission alleged that Amazon violated section 5 of the FTC Act in connection with its "Amazon Flex" program, in which Amazon hired drivers to make same-day deliveries to customers, including groceries and restaurant meals, and gave customers the option to tip the drivers for certain deliveries.²⁵ The Commission alleged that Amazon misrepresented that 100% of tips would be passed on to drivers, when in fact Amazon withheld nearly a third of customers' tips to subsidize its own payments to the drivers.²⁶ The Commission ordered Amazon to change its practices and prohibited, among other things, misrepresentations that any charge a customer pays is a "tip" for delivery drivers or about how tips are paid to drivers.²⁷

In *FTC v. Walmart Inc.*, No. 3:26-cv-01655 (N.D. Cal. Stipulated Final Order entered Mar. 3, 2026), the Commission alleged that Walmart violated section 5 of the FTC Act in connection with its Spark Driver program in which Walmart hired drivers to make same-day deliveries to customers, including groceries and other items, and gave customers the option to tip the drivers for certain deliveries.²⁸ Among other things, the Commission alleged that Walmart deceptively stated that 100% of tips would be passed on to drivers, when in fact Walmart sometimes failed to provide paid tips to drivers.²⁹ Walmart was enjoined from misrepresenting that the customers' tips would be paid to drivers.³⁰

²⁴ See Stipulated Order, *FTC v. Maplebear Inc. d/b/a Instacart*, No. 4:25-cv-10783 (N.D. Cal. Jan. 13, 2026).

²⁵ See Press Release, Fed. Trade Comm'n, *FTC Returns Nearly \$60 Million to Drivers Whose Tips Were Illegally Withheld by Amazon* (Nov. 2, 2021), <https://www.ftc.gov/news-events/news/press-releases/2021/11/ftc-returns-nearly-60-million-drivers-whose-tips-were-illegally-withheld-amazon>.

²⁶ See Complaint ¶¶ 6–9, 26–34, 50–52, *In re: Amazon.com, Inc.*, No. C-4746 (FTC June 9, 2021).

²⁷ See Decision and Order, *In re: Amazon.com, Inc.*, No. C-4746 (FTC June 9, 2021).

²⁸ See Press Release, Fed. Trade Comm'n, *Walmart Agrees to \$100 Million Judgment to Settle FTC, States' Charges Over Deceptive Earnings Claims Related to the Company's Spark Driver Delivery Service* (Feb. 26, 2026), <https://www.ftc.gov/news-events/news/press-releases/2026/02/walmart-agrees-100-million-judgment-settle-ftc-states-charges-over-deceptive-earnings-claims-related>.

²⁹ See Complaint ¶¶ 13, 18, 102–07, 123–25, *FTC v. Walmart Inc.*, No. 3:26-cv-1655 (N.D. Cal. Feb. 26, 2026).

³⁰ See Stipulated Order, *FTC v. Walmart Inc.*, No. 3:26-cv-1655 (N.D. Cal. Mar. 3, 2026).

¹⁸ See Press Release, Fed. Trade Comm'n, *FTC, Illinois Attorney General Take Action Against Grubhub for Harming Diners, Workers, and Small Businesses* (Dec. 17, 2024), <https://www.ftc.gov/news-events/news/press-releases/2024/12/ftc-illinois-attorney-general-take-action-against-grubhub-harming-diners-workers-small-businesses>.

¹⁹ See Complaint ¶¶ 4, 7, 34–57, *FTC v. Grubhub Inc.*, No. 1:24-cv-12923 (N.D. Ill. Dec. 17, 2024).

²⁰ See *id.* ¶¶ 58–77.

²¹ See Stipulated Order, *FTC v. Grubhub Inc.*, No. 1:24-cv-12923 (N.D. Cal. Dec. 31, 2024).

²² See Press Release, Fed. Trade Comm'n, *Instacart to Pay \$60 Million in Consumer Refunds to Settle FTC Lawsuit Over Allegations it Engaged in Deceptive Tactics* (Dec. 18, 2025), <https://www.ftc.gov/news-events/news/press-releases/2025/12/instacart-pay-60-million-consumer-refunds-settle-ftc-lawsuit-over-allegations-it-engaged-deceptive>.

²³ See Complaint ¶¶ 3, 14–34, *FTC v. Maplebear Inc. d/b/a Instacart*, No. 3:25-cv-10783 (N.D. Cal. Dec. 18, 2025).

2. State and Local Laws and Regulations

States and municipalities have enacted various laws and regulations related to food delivery platforms, including with respect to how such platforms advertise and disclose pricing and fee information. Perhaps most notably, several States have recently enacted³¹—and others have considered or are considering enacting³²—statutes and regulations requiring advertised prices to represent the total price of a good or service, inclusive of mandatory fees and other seller-imposed charges.³³ Most of these laws include industry- or business-specific provisions applicable to delivery platforms (including food and grocery delivery platforms), as well as to restaurants, grocery stores, and other food- or beverage-service facilities such as hotels or bars.

i. Requirements and Exceptions for Food and Grocery Delivery Platforms

States that have recently enacted “total price” or “price transparency” laws and regulations have generally included exceptions or separate requirements applicable to food and grocery delivery platforms. For example, two States have laws delineating particular disclosure requirements for food delivery platforms;³⁴ other States impose specific requirements for

“delivery platform[s]” and “delivery network compan[ies]” (both of which would include food and grocery delivery platforms, along with other delivery platforms);³⁵ and at least one State imposes a limited exception that applies to food and grocery delivery platforms only.³⁶ Despite slight variations across jurisdictions, these approaches highlight that tailored pricing and disclosure requirements may be appropriate for third-party food and grocery delivery platforms given that such platforms typically serve as intermediaries between consumers and the primary seller or maker of the ordered goods. Indeed, some States expressly distinguish between pricing and fee disclosure requirements for third-party food delivery platforms versus pricing disclosure requirements for food- and beverage-service facilities like restaurants, bars, and hotels.³⁷

For States that have pricing and fee disclosure requirements that are applicable to food and grocery delivery platforms (and other delivery platforms), at least two requirements are common: (1) the platform must clearly and conspicuously disclose upfront any mandatory fees or charges the consumer must pay as part of the transaction and, in some cases, the amount or percentage of any such fees; and (2) prior to checkout, the platform must provide the consumer with an itemized breakdown of the costs of the good or services in addition to the costs of any fees or surcharges.³⁸ Some States impose

additional requirements, including that the amount, nature, purpose, or recipient(s) of charged fees be disclosed at the point when a consumer is shown pricing information or selects either a vendor or items for purchase.³⁹ At least one State also requires that food and grocery delivery platforms display the maximum mandatory charges or fees a consumer must pay to complete a transaction whenever pricing information is displayed.⁴⁰ Additionally, some States expressly prohibit various misrepresentations, including with respect to the total price; the nature, purpose, or amounts of mandatory fees; the refundability of any amounts charged; and the recipient(s) of any amounts charged.⁴¹

ii. Requirements for Price-Variable Goods and Services

In addition to having pricing and disclosure requirements that apply to food delivery platforms, some States’ total price statutes also include tailored requirements for price-variable goods and services—that is, goods or services for which the total price is at least partly based on consumer selections or other factors like distance and time.⁴² For the jurisdictions that have adopted this approach, entities providing price-variable goods or services typically must

itemized cost breakdown” of certain costs, including but not limited to “the purchase price of the food and beverage” and “[e]ach fee, commission, and any other cost charged to the customer by the food delivery platform”).

³⁹ See, e.g., Colo. Rev. Stat. 6–1–737(c)(D)(A)–(B) (2026) (requiring disclosure of, among other things, the amount or percentage of fees as well as an accurate description of the purpose and recipients of such fees); Minn. Stat. 325D.44 Subd. 1a(c)(1) (2025) (requiring disclosure of amount or percentage of additional fees); see also 940 Mass. Code Regs. 38.04(2)(a), (3)(b) (2025) (requiring all entities, not just delivery platforms or food and grocery delivery platforms, to disclose, among other things, the nature, purpose, and amount of fees or other charges imposed on a transaction).

⁴⁰ 940 Mass. Code Regs. 38.04 (2025) (“Food delivery or grocery delivery platforms must display Clearly and Conspicuously the maximum mandatory charges or fees that a consumer must pay to complete a transaction on their user interface any time any pricing information is displayed.”).

⁴¹ See 940 Mass. Code Regs. 38.04(1)–(3) (2025) (prohibiting misrepresentation of, among other things, the total price, as well as the nature, purpose, and amount of fees and charges); Colo. Rev. Stat. 6–1–737(3)(a) (2026) (prohibiting misrepresentation of, among other things, the refundability of any amounts charged, the identity of goods or services for which a consumer is charged; the recipient of an amount charged for a good or service; and the actual price of a good or service for which an amount is charged). In both cases, these requirements apply to delivery platforms, including food and grocery delivery platforms.

⁴² See, e.g., Va. Code Ann. 59.1–607 (2025) (“‘Price-variable supplier’ means a supplier that offers services the total price of which is determined by consumer selections or preferences or dependent on distance or time.”).

³¹ See Cal. Civ. Code 1770(a)(29) (2026); Colo. Rev. Stat. 6–1–737 (2026); 940 Mass. Code Regs. 38.00 *et seq.* (2025); Minn. Stat. 325D.44 *et seq.* (2025); Va. Code Ann. 59.1–607 *et seq.* (2025).

³² See, e.g., S.B. 180, 33rd Leg. Reg. Sess. (Alaska 2023–2024); S.B. 363, 2025–2026 Gen. Assemb. (N.Y. 2025); S.B. 986, 2025 Reg. Sess. (Okla. 2025); S.B. 430, 2025 Reg. Sess. (Or. 2025).

³³ In most cases, “total price” excludes government-imposed charges like taxes, as well as shipping and postage fees. See, e.g., 940 Mass. Code Regs. 38.03 (2025). Some jurisdictions impose additional requirements, including that the total price be displayed more prominently than other pricing information and that information about charges not included within the total price be clearly and conspicuously disclosed to consumers. See 940 Mass. Code Regs. 38.04(6) (2025); Colo. Rev. Stat. 6–1–737(2)(a) (2026).

³⁴ Virginia’s Fair Food Delivery Act, Va. Code Ann. 59.1–586 (2025) *et seq.*, sets pricing and disclosure requirements for “food delivery platform[s],” and its requirements are expressly incorporated into Virginia’s recently enacted total price statute. See Va. Code Ann. 59.1–608(I) (2025). California likewise has a separate statutory provision detailing various requirements for food delivery platforms. See Cal. Bus. & Prof. 22598 (2025) *et seq.* Though California’s total price provision includes an exception that allows restaurants, bars, food concessions, grocery stores, and grocery delivery services to display mandatory fees or charges separately (so long as such fees or charges are clearly and conspicuously disclosed), that exception does not apply to “third-party food delivery platform[s]” or “any other food delivery platform[.]” meaning that, under California law, third-party food delivery platforms would likely have different disclosure requirements than grocery delivery platforms. See Cal. Civ. Code 1770(a)(29)(D)(i)–(iv) (2026).

³⁵ See Minn. Stat. 325D.44 Subd. 1a(c) (2025); Colo. Rev. Stat. 6–1–737(2)(c) (2026).

³⁶ See 940 Mass. Code Regs. 38.04 (2025) (permitting a food delivery platform or grocery delivery platform “to Advertise the price of menu items set by a food store, restaurant, or grocery store” but requiring such platforms to “display Clearly and Conspicuously the maximum mandatory charges or fees that a consumer must pay to complete a transaction on their user interface any time any pricing information is displayed”).

³⁷ See, e.g., Minn. Stat. 325D.44 Subd. 1a(c), 1(a)(h) (2025) (setting out different compliance standards for “delivery platform[s]” and “food or beverage service establishment[s], including [] hotel[s]”); see also Office of the Minnesota Attorney General, *Frequently Asked Questions About Minnesota’s New Price Transparency Law* (January 1, 2025), https://www.ag.state.mn.us/Price-Transparency/PriceTransparencyLaw_FAQ.pdf (providing that, under the Minnesota price transparency law, a pizza restaurant delivers its own pizzas is not a “delivery platform” for purposes of the law “because it makes itself the goods being delivered [sic] and sets the price of the goods being delivered”).

³⁸ See, e.g., Minn. Stat. 325D.44 Subd. 1a(c)(1)–(2) (2025); Va. Code Ann. 59.1–587(B)(1)–(2) (2025); Colo. Rev. Stat. 6–1–737(2)(c) (2026). In Massachusetts, these same requirements are broadly applicable and not specific to delivery platforms. See 940 Mass. Code Regs. 38.04(2)–(3) (2025); see also Cal. Bus. & Prof. 22599.1(b)(1)–(4) (2026) (requiring food delivery platforms to provide customers with “an accurate, clearly identified, and

clearly and conspicuously disclose (1) any fees or charges that are variable and will factor into determining the total price; (2) the existence of any mandatory fees associated with the transaction; and (3) the fact that the total price of the good or service may vary.⁴³ Many food and grocery delivery platforms currently charge variable fees, and the total price of a transaction typically varies based on a consumer's selections, as well as on other factors such as the size of an order or the distance and time it will take to deliver the order. Indeed, at least one State expressly requires that, insofar as a food delivery platform is also a price-variable supplier, that platform must also comply with the disclosure requirements for price-variable suppliers.⁴⁴

3. State, Municipal, and Private Party Lawsuits

In addition to the Commission's enforcement actions discussed above, States and municipalities have brought lawsuits alleging unfair and deceptive practices by food and grocery delivery platforms. In *City of Chicago v. DoorDash, Inc.*, No. 1:21-cv-5162 (N.D. Ill. dismissed pursuant to joint stipulation Nov. 19, 2025), the City of Chicago alleged that delivery platform DoorDash violated city regulations by, among other things, misrepresenting, concealing, or failing to disclose or disclose adequately: (1) DoorDash's delivery fee, including by advertising "free delivery" when the true price of delivery service was higher; (2) the full extent and amount of service fees; (3) that its "Chicago Fee" was imposed by the City of Chicago as opposed to DoorDash; (4) terms and conditions related to promotional discounts; (5) that DoorDash had an authorized business relationship with certain restaurants; (6) information about how tips paid by consumers on the DoorDash platform were used with respect to driver pay; and (7) that the prices shown on DoorDash's platform contained

markups from the prices available on restaurants' own menus.⁴⁵ Under the terms of the settlement resolving the case, DoorDash agreed to pay \$18 million, which included payments (or credits being made available) to eligible restaurants, DoorDash users, and drivers.⁴⁶

In *District of Columbia v. Grubhub Holdings, Inc.*, No. 2022 CA 001199 B (D.C. Super. Ct. Consent Judgment and Order entered Jan. 4, 2023), the District of Columbia alleged that Grubhub violated D.C. law by, among other things, misrepresenting or failing to disclose: (1) its business relationship with certain restaurants listed on the Grubhub app; (2) that the "delivery fee" was the only fee consumers would have to pay for orders on the Grubhub platform; (3) that Grubhub+ users would receive "free delivery" when they in fact had to pay a "service fee" on delivery orders; (4) the existence of "service fees" and "small order fees" that Grubhub charged, and that such charges were separate from taxes; (5) that Grubhub's "order online for free" representations were only applicable to pickup orders; and (6) that the prices shown on Grubhub's platform were in fact higher for certain items than on restaurants' own menus.⁴⁷ Grubhub was ordered to pay \$2.7 million to affected consumers and \$800,000 to the District of Columbia.⁴⁸ Grubhub also was ordered to, among other things: (1) prominently disclose that additional fees may apply to a consumer's order and provide information about such fees on the same page or via a hyperlink or similar method; (2) list the names and amounts of fees as separate line items at checkout; (3) stop the practice of combining taxes and fees as a single line item on the Grubhub platform; (4) stop representing that Grubhub+ users receive "free delivery" and disclose that other fees may apply; and (5) stop displaying and charging prices on the Grubhub platform that are higher than those offered directly from a restaurant's menu unless Grubhub clearly and

conspicuously discloses, both on the platform menu and at checkout, that prices on the Grubhub platform may be higher than those offered directly from restaurants.⁴⁹

In *District of Columbia v. Mapbear, Inc. d/b/a Instacart*, No. 2020 CA 003777B (D.C. Super. Ct. Consent Judgment and Order entered Aug. 22, 2022), the District of Columbia alleged that Instacart violated D.C. law by misleading Instacart users, through a variety of misrepresentations and material omissions, into believing that an optional service fee was a tip that would be paid to Instacart delivery workers, when, in fact, the money collected from these fees was used to pay Instacart's operating expenses and was not paid to workers.⁵⁰ Instacart was ordered to pay \$1.8 million and was enjoined from, among other things, making any misrepresentations or omissions of material fact regarding the nature and purpose of any fees applied by Instacart.⁵¹ In a similar case, the New York State Attorney General investigated DoorDash for allegedly misleading consumers and delivery workers about how tips were paid to workers, including by using tips to subsidize delivery workers' pay (that is, using tips to offset workers' base pay instead of paying the full tips to workers). DoorDash was required to pay \$16.75 million as part of a settlement resolving the investigation.⁵²

Private parties also have brought lawsuits aimed at allegedly deceptive acts and practices by food and grocery delivery platforms. For example, in *Hecox v. DoorDash, Inc.*, No. 1:23cv1006 (D. Md. filed Apr. 14, 2023), the plaintiffs alleged in part that DoorDash deceived and misled consumers about DoorDash's prices and fees. And in *Watson v. Crumbl LLC*, No. 2:23cv1770 (E.D. Cal. dismissed pursuant to joint stipulation Feb. 26, 2026), the plaintiffs alleged that Crumbl, a retailer that sells cookies for takeout or delivery through its own app, violated California law by misrepresenting the price of its

⁴³ See Va. Code Ann. 59.1–608(D) (2025) ("A price-variable supplier is compliant with this section if such supplier clearly and conspicuously discloses (i) the factors determining the final price, (ii) any mandatory fees or surcharges associated with the transaction, and (iii) that the total cost of services may vary."); Minn. Stat. 325D.44 subd. 1a(g) (2025) ("A person offering services where the total cost of a service is determined by consumer selections and preferences, or where the total cost of the service relates to distance or time, is compliant with this subdivision if the person discloses in a clear and conspicuous manner (1) the factors that determine the total price, (2) any mandatory fees associated with the transaction, and (3) that the total cost of the services may vary."); Colo. Rev. Stat. 6–1–737(2)(b)(II) (2026) (same).

⁴⁴ See Va. Code Ann. 59.1–587(D) (2025).

⁴⁵ See Complaint ¶¶ 188–210, *City of Chicago v. DoorDash, Inc.*, No. 1:21-cv-5162 (N.D. Ill. Aug. 27, 2021).

⁴⁶ Press Release, Office of the Mayor of the City of Chicago (Nov. 14, 2025), https://www.chicago.gov/city/en/depts/mayor/press_room/press_releases/2025/november/door-dash-practices-settlement.html.

⁴⁷ See Complaint ¶¶ 104–110, *District of Columbia v. Grubhub Holdings, Inc.*, No. 2022 CA 001199 B (D.C. Super. Ct. Mar. 21, 2022).

⁴⁸ See Consent Judgment and Order ¶¶ 32–36, *District of Columbia v. Grubhub Holdings, Inc.*, No. 2022 CA 001199 B (D.C. Super. Ct. Jan. 4, 2023); see also Press Release, Office of the Attorney General for the District of Columbia (Dec. 30, 2022), <https://oag.dc.gov/release/ag-racine-secures-35-million-grubhub-illegally>.

⁴⁹ See Consent Judgment and Order ¶¶ 22–31, *District of Columbia v. Grubhub Holdings, Inc.*, No. 2022 CA 001199 B (D.C. Super. Ct. Jan. 4, 2023).

⁵⁰ See Complaint ¶¶ 79–92, *District of Columbia v. Mapbear, Inc. d/b/a Instacart*, No. 2020 CA 003777B (D.C. Super. Ct. Aug. 27, 2020).

⁵¹ See Consent Order and Judgment ¶¶ 9–14, *District of Columbia v. Mapbear, Inc. d/b/a Instacart*, No. 2020 CA 003777B (D.C. Super. Ct. Aug. 22, 2022); see also Press Release, Office of the Attorney General for the District of Columbia (Aug. 19, 2022), <https://oag.dc.gov/release/ag-racine-announces-instacart-must-pay-254-million>.

⁵² See Press Release, Office of the New York State Attorney General (Feb. 24, 2025), <https://ag.ny.gov/press-release/2025/attorney-general-james-secures-1675-million-door-dash-cheating-delivery-workers>.

products, including by failing to adequately disclose a service fee on all orders and bundling the service fee within a line item for “taxes and fees” at checkout.⁵³

4. Unfair or Deceptive Fees Rulemaking

In 2022, the Commission published an advance notice of proposed rulemaking requesting public comment on a potential rulemaking proceeding to address certain unfair or deceptive acts or practices relating to fees across the economy.⁵⁴ In response to that ANPRM, the Commission received numerous comments expressing concerns about fees imposed by prepared food and grocery delivery services. As the Commission noted in its notice of proposed rulemaking (“NPRM”) for the Trade Regulation Rule on Unfair or Deceptive Fees, published on November 9, 2023, commenters stated that delivery apps charge fees that are not reflected in advertised food prices and that the nature or purpose of these fees is not always clear or is misrepresented, such as when fees identified as delivery fees do not go to delivery personnel.⁵⁵ Some commenters raised concerns about mandatory add-on fees that were not disclosed until checkout.⁵⁶ One commenter also noted that prepared food and grocery delivery apps have been the subject of law enforcement actions challenging misrepresentations relating to fees.⁵⁷

In the NPRM, the Commission proposed a rule that would require businesses to clearly and conspicuously disclose the total price for goods and services upfront, including all mandatory fees that consumers must pay except for “government charges” and “shipping charges” (as defined in the proposed rule).⁵⁸ The Commission explained in the NPRM that the proposed rule’s exception for “shipping charges” did “not include the cost of delivery through couriers, such as those

in mobile delivery applications.”⁵⁹ Some commenters supported the proposed rule, noting the consumer harms caused by hidden or misleading fees on food delivery platforms.⁶⁰

However, several commenters raised concerns that upfront pricing would be impractical for third-party delivery platforms, threaten dynamic pricing practices, or make it harder for consumers to distinguish between the prices charged by retailers for items sold and the prices charged by the platforms for delivery services.⁶¹

In the preamble for the final Unfair or Deceptive Fees Rule, the Commission determined, in its discretion, to proceed incrementally and not include food delivery platforms as part of that rule.⁶² Based on the relevant information discussed above, the Commission’s view is that unfair and deceptive fee practices like those the Commission challenged in *Grubhub*, *Instacart*, *Amazon*, and *Walmart*, those that have been the subject of State and local regulation and law enforcement and private lawsuits, and others identified by commenters to the Unfair or Deceptive Fees Rulemaking and in recent surveys and reports, appear to be prevalent and may require additional Commission action.

B. Objectives and Regulatory Alternatives

The Commission believes a rule addressing unfair or deceptive fees practices in online food delivery platforms could help reduce the level of unlawful activity in this area, serving as a deterrent against these practices because such a rule would allow for civil penalties to be sought against violators.⁶³ It also would enable the Commission to more readily obtain redress for consumers through section 19(a)(1) of the FTC Act, 15 U.S.C. 57b(a)(1). Further, a rule could help level the playing field and provide regulatory certainty by establishing clearer guidelines for fee transparency across all online food delivery platforms

and across States and localities, reducing or eliminating incentives to engage in unfair or deceptive fee practices to gain competitive advantages.

Although the Commission has brought cases that challenge delivery fee practices under section 5 of the FTC Act, 15 U.S.C. 45, its current remedial authority is limited. The U.S. Supreme Court held that equitable monetary relief, including consumer redress, is unavailable under section 13(b) of the FTC Act.⁶⁴ Consumer redress under section 19(a)(2), 15 U.S.C. 57b(a)(2), is limited and challenging to obtain, significantly diminishing the Commission’s ability to provide timely relief to injured consumers in this critical area. Moreover, to the extent that these practices are prevalent, unlawful pricing practices and an unfair playing field persist despite the Commission’s actions to date.

The Commission requests input on whether and how it can most effectively use its authority under section 18 of the FTC Act, 15 U.S.C. 57a, to address deceptive or unfair acts or practices involving fees and charges for food and grocery items ordered through online delivery platforms. Specifically, the Commission proposes addressing the following practices, which have been the subject of previous Commission investigations, enforcement actions, research, or rulemaking proceedings, among other activities: (a) misrepresenting or failing to disclose clearly and conspicuously the total price for food or grocery items ordered for local delivery or pickup; (b) misrepresenting or failing to disclose clearly and conspicuously the existence, nature, purpose, amount, refundability, or recipient of any fees, charges (including optional charges such as tips), or other costs for a delivery or pickup order; (c) misrepresenting or failing to disclose clearly and conspicuously the factors that determine any fees, charges, or other costs that are contingent or variable based on consumer selections such as the number or type of items purchased or delivery location; (d) misrepresenting or failing to disclose clearly and conspicuously whether fees, charges, or other costs are mandatory or optional, or any material restriction, limitation, or condition concerning any good or service that may result in a mandatory fee or charge in addition to the cost of the good or service or that may diminish the consumer’s use of the good or service, including the amount the

⁵³ See *Watson v. Crumbl LLC*, 736 F. Supp. 3d 827, 840–46 (E.D. Cal. 2024).

⁵⁴ Advance Notice of Proposed Rulemaking, Unfair or Deceptive Fees Trade Regulation Rule, 87 FR 67413 (Nov. 8, 2022), <https://www.federalregister.gov/documents/2022/11/08/2022-24326/unfair-or-deceptive-fees-trade-regulation-rule-commission-matter-no-r207011>.

⁵⁵ Notice of Proposed Rulemaking, Trade Regulation Rule on Unfair or Deceptive Fees, 88 FR 77420, 77426 & nn.66–68 (Nov. 9, 2023), <https://www.federalregister.gov/documents/2023/11/09/2023-24234/trade-regulation-rule-on-unfair-or-deceptive-fees>.

⁵⁶ See 88 FR at 77421 & n.9 (citing FTC–2022–0069–1437).

⁵⁷ 88 FR at 77426 & n.68 (citing FTC–2002–0069–6095 (comment of Consumer Federation of America)).

⁵⁸ See 88 FR at 77438–40, 77483–84.

⁵⁹ 88 FR at 77439.

⁶⁰ See, e.g., FTC–2023–0064–0067 (comment of Michael Fede); FTC–2023–0064–0096 (comment of Emily Richardson); FTC–2023–0064–1194 (comment of Kelly Feenan); FTC–2023–0064–1939 (comment of Tzedek DC); FTC–2023–0064–1957 (comment of Tiffany Lewis); FTC–2023–0064–2568 (comment of Stephanie Burdick). Publicly posted comments on the NPRM can be located at <https://www.regulations.gov/document/FTC-2023-0064-0001/comment>.

⁶¹ See, e.g., FTC–2023–0064–3263 (comment of the Flex Association); FTC–2023–0064–3137 (comment of Chamber of Progress); FTC–2023–0064–3238 (comment of Gibson, Dunn & Crutcher LLP); FTC–2023–0064–3202 (comment of TechNet).

⁶² See, e.g., Statement of Basis and Purpose, Rule on Unfair or Deceptive Fees, 90 FR at 2089, 2119.

⁶³ See 15 U.S.C. 45(m)(1)(A).

⁶⁴ See *AMG Cap. Mgmt., LLC v. FTC*, 593 U.S. 67, 82 (2021).

consumer receives; (e) misrepresenting or failing to clearly and conspicuously disclose whether the prices of items ordered through online food delivery platforms, exclusive of fees and charges imposed by the platform, are the same as, or different from, the prices for the same items offered in the store or restaurant or the prices for the same items offered to other consumers on the platform; (f) misrepresenting or failing to clearly and conspicuously disclose any material restriction, limitation, or condition concerning any applicable discount or promotion; (g) misrepresenting that a consumer owes payments for any product or service the consumer did not agree to purchase; and (h) billing or charging consumers fees or charges, or for goods or services, without express, informed consent.

The Commission seeks comment on, among other things, the prevalence of each of the above practices, the costs and benefits of a rule that would address them, and alternatives to or additional actions to supplement such a rulemaking, such as the publication of additional consumer and business education. In their replies, commenters should provide any available evidence and data that supports their position, such as empirical data, consumer perception studies, and consumer complaints.

C. The Rulemaking Process

The Commission seeks the broadest participation from the public in response to this ANPRM. The Commission encourages all members of the public to submit written comments. The Commission also expects affected interests to assist the Commission in analyzing various options and in drafting any proposed rule. After reviewing responsive comments, the Commission may proceed with further steps outlined in section 18 of the FTC Act and Part 1, Subchapter B, of the Commission's Rules of Practice.

III. Request for Comments

Members of the public are invited to comment on any issues or concerns they believe are relevant to the Commission's consideration of the proposed rulemaking. In addition to the issues raised above, the Commission solicits public comment on the specific questions identified below. These questions are designed to assist the public and should not be construed as a limitation on the issues on which public comment may be submitted. For all questions, the Commission seeks commenters' views, arguments, experiences, and the qualitative and quantitative data that support or inform

their answers.⁶⁵ The Commission requests that commenters be specific, explain their reasoning, and submit all factual data, evidence, and analyses such as the empirical data upon which the comments are based. For questions that ask about potential rule requirements (for example, Questions 32–63), the Commission requests that commenters discuss how any such changes differ from current practices, how such requirements would benefit consumers, including data, evidence, and analyses on both monetary and nonmonetary benefits, and what such requirements would cost delivery service providers and merchants, including data, evidence, and analyses on capital and labor costs, and how such costs vary with the size and type of delivery service providers and merchants. The Commission must receive comments on or before May 18, 2026.

A. Questions About the Market for Online Food Delivery Platforms

1. What is the type and role of each person, entity, or organization involved in advertising and providing local delivery of food, beverage, or grocery items to consumers through online platforms ("online food delivery platforms"), and how many such persons, entities, or organizations participate in each role or category?

a. Of those affected, how many are small businesses?

2. What different types of arrangements exist between the persons, entities, or organizations identified in response to Question 1 to facilitate delivery to consumers through online food delivery platforms, and how common are each of these types of arrangements? For example:

a. What percentage of restaurants, grocery stores, or other food and beverage retail establishments (together, "food and grocery merchants") operate their own online food delivery platforms, use third-party online food delivery platforms, or some combination?

b. What are the different means that online food delivery platforms use to provide delivery services (for example, employing delivery workers, using

independent contractors, operating autonomous vehicles)?

c. To what extent do agreements exist between third-party online food delivery platforms and food and grocery merchants, and are such agreements exclusive or nonexclusive?

3. To what extent do food and grocery merchants have control over (or visibility into) the manner in which third-party online food delivery platforms display prices, charge fees, or otherwise operate their platforms and provide delivery services to consumers?

a. Do third-party online food delivery platforms offer delivery services for food and grocery merchants without notice to or consent from the food and grocery merchants?

b. How prevalent is the practice of listing unaffiliated food and grocery merchants on third-party online food delivery platforms?

c. What are the costs and benefits for consumers and food and grocery merchants of listing unaffiliated food and grocery merchants on third-party online food delivery platforms?

4. What is the size of the market for online food delivery platforms, and how is this market expected to grow or change in future years?

a. What innovations (technological, financial, etc.) are expected in the food and beverage and delivery service industries, and how are these innovations expected to affect the market for, and the pricing practices of, online food delivery platforms?

5. To what extent do online food delivery platforms provide local delivery services for goods other than food, beverage, and grocery items?

a. To what extent are such delivery services provided from food and grocery merchants that sell items other than food, beverage, and grocery items?

b. To what extent are such delivery services provided from merchants that do not sell food, beverage, and grocery items?

c. What share of revenues from online food delivery platforms come from delivering food, beverage, and grocery items versus other types of goods (or from servicing food and grocery merchants versus other types of merchants), and how are these shares expected to change in future years?

6. What are the market shares of the largest online food delivery platforms in the United States and in any relevant geographic submarkets?

a. How have these market shares changed in recent years?

b. How are these market shares expected to change in future years?

7. How does the market share of third-party online food delivery platforms

⁶⁵ See Fed. Trade Comm'n, Public Participation in the Rulemaking Process, <https://www.ftc.gov/enforcement/rulemaking/public-participation-rulemaking-process>. Commenters who filed comments on other rulemaking dockets that address related issues, such as the notice of proposed rulemaking concerning a Trade Regulation Rule on Unfair or Deceptive Fees, 88 FR 77420 (Nov. 9, 2023), and who want to ensure their comments are considered in response to this ANPRM should update them, as commenters think appropriate, and re-file them on this rulemaking docket.

compare to the market share of food and grocery merchants that operate their own online food delivery platforms, and how are these market shares expected to change in future years?

8. How is revenue shared between online food delivery platforms and food and grocery merchants or types of merchants for which they provide delivery services?

a. What are the different components of revenue that may be shared (such as price markups, fees, tips, or other charges), and how is revenue shared for each of these components?

9. What are the different types of fees and charges (including optional charges such as tips and government-mandated charges such as taxes) that online food delivery platforms charge to consumers?

a. What is the nature and purpose of each of these fees or charges?

b. To what extent can consumers reasonably avoid these fees and charges?

c. To what extent are these fees or charges refundable?

d. To what extent are these fees and charges fixed before an order is placed (such as a flat fee or percentage of the order total)?

e. To what extent are these fees and charges contingent or variable based on a consumer's selections (such as delivery location or number and types of items ordered)?

f. Do the types of fees and charges tend to vary based on the nature of the online food delivery platform (for example, whether it focuses on restaurants versus grocery stores; whether it is operated by the food and grocery merchant or by a third party; or whether it employs delivery workers directly or uses independent contractors)?

10. How are the fees and charges that online food delivery platforms charge to consumers determined?

a. Do online food delivery platforms use fixed formulas or equations to set the amount of fees and charges?

b. To what extent do factors such as time of delivery, distance traveled, or driver availability affect these fees and charges?

c. To what extent are these fees and charges affected by refunds or substitutions of items or order cancellations?

11. Is there any academic research or data source(s) that illuminates the size and structure of fees and charges (including optional charges such as tips) for online food delivery platforms? If so, please provide references to any such sources, including:

a. Any research or data on the size of fees and charges; fees and charges as share of total price; the size of different

fee or charge components; the size of different fee or charge components as a share of total fees; the variation in fees and charges by delivery platforms; the variation in fees and charges between first-party and third-party delivery platforms; or the variation in fees and charges within delivery platforms across different food and grocery merchants.

b. Any research or data on the relationship between fees and distance traveled, time spent traveling, and/or speed of delivery (including priority delivery options).

12. In what manner, and at what times, do online food delivery platforms disclose the existence, nature, purpose, amount, refundability, and recipient of fees and charges (including optional charges such as tips and government-mandated charges such as taxes)?

13. How common is it for online food delivery platforms to advertise reduced or free delivery costs (for example, "free delivery" or "\$0 delivery fees") while still charging additional mandatory fees or charges (excluding government charges) on delivery orders?

a. How common is it for online food delivery platforms to charge both a "delivery" fee and an additional mandatory fee (such as a "service" fee) on delivery orders?

14. How widespread is the practice of failing to clearly and conspicuously disclose the existence and/or amount of all mandatory fees or charges (excluding government charges) until checkout?

15. How widespread is the practice of failing to clearly and conspicuously disclose the existence and/or amount of all mandatory fees or charges (excluding government charges) before consumers begin placing an order?

a. How widespread is the practice of failing to clearly and conspicuously disclose the amount of all mandatory fixed fees or charges (excluding government charges) before consumers begin placing an order?

b. How widespread is the practice of failing to clearly and conspicuously disclose the amount of all mandatory variable fees or charges (excluding government charges) before consumers begin placing an order?

16. How widespread is the practice of failing to clearly and conspicuously disclose the factors that determine any contingent or variable fees or charges before consumers begin placing an order?

17. How widespread is the practice of misrepresenting in any offer, display, or advertisement for online food delivery services any fee or charge, including: the nature, purpose, amount, refundability, or recipient of any fee or charge; and the identity of the good or

service for which the fee or charge is imposed?

18. How widespread is the practice of misrepresenting mandatory fees or charges as optional and vice versa?

a. How widespread is the practice of misrepresenting that fees or charges are imposed by a government entity?

19. How do promotional offers, discounts, or subscription membership programs affect the fees and charges that online food delivery platforms charge to consumers or the manner in which such fees and charges are disclosed?

a. For promotional offers based on delivery times, how do fees change, if at all, if advertised delivery times are not met?

20. How do online food delivery platforms collect and distribute tips for delivery workers?

a. At what stage(s) of the purchase process are tips solicited from consumers?

b. To what extent are tip amounts suggested to or selected for consumers by default?

c. To what extent (and for what periods of time) are consumers permitted to change the amount of a tip?

d. What representations, if any, are made to consumers regarding how tips will be paid to delivery workers (for example, that the delivery driver will receive 100% of tipped amount, that tips will be shared between the delivery driver and restaurant employees, etc.) or how tips will affect delivery worker compensation (for example, that tips will be paid in addition to wages), and in what manner are such representations made?

e. What representations, if any, are made to consumers regarding how tips will affect the status of their orders (for example, that placing a tip before delivery will or will not help get an order delivered faster), and in what manner are such representations made?

f. To what extent are online food delivery platforms' practices with respect to tips subject to Federal, State, or local laws and regulations?

21. How common is it for consumers to be confused about whether service fees or other fees and charges on online food delivery platforms will be treated as tips or other types of compensation for delivery workers?

22. How do online food delivery platforms alter their practices to conform with varying national, State, or local laws governing fees and charges to consumers?

a. For example, do online food delivery platforms create customized fee or charge disclosures to match the law of the jurisdiction where delivery services are offered, or do they

implement uniform procedures that follow the most stringent regulations applicable?

b. What incremental costs do online food delivery platforms incur in complying with varying national, State, or local regulations, and to what extent are these costs incurred by or shared with food and grocery merchants or others (such as delivery workers)?

c. Are there any studies or data on the incremental costs and benefits to consumers and businesses of such laws that have been implemented?

23. What impediments, if any, exist that impact the ability of online food delivery platforms to disclose all mandatory fees and charges before a consumer begins placing an order and every place where price is displayed?

a. What impediments, if any, exist that impact the ability of online food delivery platforms to disclose the factors that determine any contingent or variable fees or charges before consumers begin placing an order and every place where price is displayed?

24. To what extent do online food delivery platforms offer alternatives to delivery (such as in-store pickup)?

a. How are these alternatives advertised and disclosed to consumers?

b. To what extent do the fees and charges for these alternatives vary from the fees and charges imposed on delivery orders?

25. To what extent do online food delivery platforms charge prices that are different from the prices offered by food and grocery merchants to consumers in person (“in-store prices”), and how do these pricing practices vary across platforms or across different food and grocery merchants?

a. To what extent do online food delivery platforms disclose the differences between prices of items sold through the platform and in-store prices?

b. To what extent are the prices charged by online food delivery platforms raised above in-store prices to eliminate or reduce the amount of separate fees on the platform?

c. What are the different reasons that the prices charged by online food delivery platforms may differ from in-store prices?

26. To what extent do online food delivery platforms charge different prices, fees, or charges to individuals for the same goods or services based on individualized consumer data (such as geolocation, demographics, purchasing history, app usage, browser history or other online behavior, device hardware, IP address) (“personalized pricing”)?

a. What types of consumer and merchant data are used by online food

delivery platforms to develop personalized pricing, and what are the sources of such data?

b. How do online food delivery platforms use different data elements in assigning personalized prices?

c. To what extent are personalized prices lower or higher than non-personalized prices on online food delivery platforms?

d. To what extent, and in what manner, do online food delivery platforms disclose their use of personalized pricing, the data they use to assign personalized prices, and the sources of such data?

e. How does the use of personalized pricing affect the amount of fees and charges on online food delivery platforms?

f. To what extent do online food delivery platforms enable consumers or merchants to opt out of personalized pricing or the collection or use of their data for personalized pricing?

g. What are the different reasons that online food delivery platforms use personalized pricing?

h. How are food and grocery merchants impacted by personalized pricing?

i. What are the costs and benefits of personalized pricing to consumers, food and grocery merchants, and online food delivery platforms; how are such costs and benefits distributed across consumers, food and grocery merchants, and online food delivery platforms; and to what extent do these costs and benefits depend on the extent to which the collection and use of consumer data for personalized pricing is disclosed or not disclosed?

27. For each of the potentially unfair or deceptive practices described in Section II.B. of this ANPRM, does the practice harm consumers or competition?

a. If so, how does the practice harm consumers or competition?

28. For each of the potentially unfair or deceptive practices described in Section II.B. of this ANPRM, are there circumstances in which such practices would not be unfair or deceptive?

a. If so, what are those circumstances?

29. How widespread are the potentially unfair and deceptive practices described in Section II.B. of this ANPRM in the United States and in any relevant geographic submarkets?

a. Are there competition effects such that the adoption of such practices by one or more online food delivery platforms leads other online food delivery platforms to adopt the same practices?

b. Are online food delivery platforms using such practices as a way to appear cheaper relative to competitors?

30. How has the Commission’s Rule on Unfair or Deceptive Fees (16 CFR part 464) impacted the markets for live-event ticketing and short-term lodging, including, but not limited to:

a. What benefits and costs have arisen?

b. Has consumer search time changed?

c. Have market prices and quantities shifted as a result of total price disclosures?

d. What costs have firms borne to satisfy the rule’s disclosure requirements?

e. Please provide evidence, data, and analyses on both monetary and non-monetary benefits and costs.

31. How would the Commission’s earlier proposal of an economy-wide rule on unfair and deceptive fees⁶⁶ have impacted relevant markets, including, but not limited to:

a. Have benefit-cost analyses been performed on the proposed total price disclosures either across the economy or with a specific focus on the online delivery market?

b. Would consumer search time change?

c. Would market prices and quantities shift as a result of the proposed total price disclosures?

d. What costs would firms bear to satisfy the proposed disclosure requirements?

e. Please provide evidence, data, and analyses on both monetary and non-monetary benefits and costs.

B. Questions About Potential Rule Provisions and Other Potential Commission Action

32. Is there a need for new rule provisions to prevent the potentially unfair or deceptive practices described in Section II.B. of this ANPRM?

a. If so, should the Commission issue a new rule and add a new part to 16 CFR chapter 1, subchapter D, or should the Commission amend the Rule on Unfair or Deceptive Fees (16 CFR part 464)?

b. How should the Rule on Unfair and Deceptive Fees (16 CFR part 464) be amended, if necessary, to apply to online food delivery platforms?

33. How should such a rule be crafted to maximize the benefits to consumers and minimize the costs to businesses, including small businesses?

34. What terms would such a rule need to define (for example, delivery, food and grocery merchants, or online

⁶⁶ NPRM, Trade Regulation Rule on Unfair or Deceptive Fees, 88 FR 77420 (Nov. 9, 2023).

food delivery platforms) and how should such a rule define those terms? For example:

a. Should delivery services covered by such a rule be defined to exclude certain methods of delivery (such as delivery by mail, private mail and shipping services, or freight) or applied to only certain types of deliveries (for example, same-day deliveries)?

b. Should food and beverage merchants be defined to include establishments that exclusively sell items through online food delivery platforms (such as ghost kitchens and grocery warehouses)?

35. Should such a rule prohibit online food delivery platforms from offering, displaying, or advertising a combined price for goods or services (e.g., that a consumer can get a product delivered for a specific price) without clearly and conspicuously disclosing the total price that includes all mandatory fees and charges?

a. If so, should such a rule permit delivery charges to be excluded from total price, the way that shipping charges may be excluded from total price under the Rule on Unfair or Deceptive Fees (16 CFR part 464)?

36. Should such a rule prohibit online food delivery platforms from offering, displaying, or advertising any price for delivery services (or price for alternatives to delivery services such as in-store pickup) without clearly and conspicuously disclosing the total price of such services, including all mandatory fees and charges?

37. Should such a rule require online food delivery platforms, in any offer, display, or advertisement that represents the total price of goods or services, to disclose the total price including all mandatory fees and charges more prominently than any other pricing information?

38. Should such a rule prohibit online food delivery platforms from failing to disclose clearly and conspicuously, before consumers consent to pay for goods or services, the nature, purpose, amount, refundability, and recipient of any fee or charge that they have excluded from advertised prices and the identity of the good or service for which the fee or charge is imposed?

39. Should such a rule prohibit online food delivery platforms, in any offer, display, or advertising for goods or services, from misrepresenting any fee or charge, including: the nature, purpose, amount, refundability, or recipient of any fee or charge; and the identity of the good or service for which the fee or charge is imposed?

40. Should such a rule require total price to include government-imposed fees and charges, including taxes?

41. Should such a rule require online food delivery platforms to disclose the amount or range of amounts (actual or estimated) of contingent or variable fees or charges?

a. Should such a rule require online food delivery platforms to include such fees or charges in the total price or in the price of delivery services (or price of alternatives to delivery services)?

b. Should such a rule require online food delivery platforms to disclose the factors that determine any contingent or variable fees or charges before consumers begin placing an order?

c. Should such a rule require online food delivery platforms to disclose the amount of contingent or variable fees or charges as soon as consumers provide the information needed to determine the applicability or amount of such fees and charges?

42. Should such a rule require online food delivery platforms to itemize all fees and charges?

a. When and how should such a rule require such itemizations?

b. In such itemizations, should such a rule require online food delivery platforms to explain the nature and purpose of each fee or charge?

43. Should such a rule require fees or charges to accurately reflect the actual cost of the goods or services covered by the fee or charge?

44. Should such a rule require online food delivery platforms to disclose the extent to which fees or charges will or will not be paid to delivery workers (or to food and grocery merchants)?

a. When and how should such disclosures be made?

b. Should such a disclosure be required when an online food delivery platform uses a term (such as “service fee”) that could be construed by a reasonable consumer as a fee or charge that will be paid to delivery workers?

45. How, if at all, should such a rule address tips or gratuities paid to delivery workers?

46. How, if at all, should such a rule address tips or gratuities paid to food and grocery merchant staff?

47. How, if at all, should a rule address changes in prices or fees and charges based on issues relating to order fulfillment such as refunds, substitutions, order cancellations, or delivery problems?

48. Should such a rule require all mandatory fees and charges to be disclosed before a consumer begins placing an order on an online food delivery platform?

a. When and how should such mandatory fees and charges be disclosed?

49. Should such a rule require any disclosures concerning optional fees and charges?

a. If so, what disclosures should be required?

50. Should such a rule require online food delivery platforms to disclose how promotional offers, discounts, or subscription membership programs affect the fees and charges that online food delivery platforms charge?

a. If so, when and how should such disclosures be made?

51. Should such a rule require online food delivery platforms to disclose whether the prices of items are the same as (or different from) the prices offered by food and grocery merchants to consumers in person (in-store prices)?

a. If so, what disclosures should be required?

52. Should such a rule require online food delivery platforms to disclose whether they use personalized pricing and/or the extent to which consumers’ data is collected or used in connection with personalized pricing?

a. If so, what disclosures should be required?

53. Should the requirements of such a rule apply equally to orders placed for delivery and orders placed with an alternative to delivery (such as in-store pickup)?

54. Should the requirements of such a rule apply equally to all food and grocery merchants?

a. If not, how should the requirements of such a rule vary among different types of merchants (such as restaurants, grocery stores, or other food and beverage retail establishments)?

55. Should such a rule exempt or exclude any type of online food delivery platforms (for example, platforms operated directly by a food and grocery merchant, platforms that serve only a limited number of consumers, or platforms that serve only a limited number of food and grocery merchants) from compliance with the rule, in whole or in part?

a. If so, please identify such platforms, provide a justification for exempting or excluding them, and specify the type or types of potential requirements from which they would be exempted or excluded.

56. If such a rule applied only to orders for delivery of food, beverage, and grocery items (and not to orders for delivery of other goods), or if such a rule applied only to orders for delivery from food and grocery merchants (and not to orders from other merchants), what challenges might arise in implementing

such a rule, and how should those challenges be mitigated?

57. Should such a rule exempt or exclude any type of orders placed on online food delivery platforms (for example, orders that are not for food, beverage, or grocery items or orders from merchants that are not food and grocery merchants) from compliance with the rule, in whole or in part?

a. If so, please identify such orders, provide a justification for exempting or excluding them, and specify the type or types of potential requirements from which they would be exempted or excluded.

58. How would such a rule intersect with existing industry practices, norms, rules, laws, or regulations?

a. Are there any existing laws or regulations (including any of those described in Section II of this ANPRM) that would affect or interfere with the implementation of such a rule?

b. Should such a rule preempt State and local laws and regulations governing online food delivery platforms, in whole or in part?

59. How would a rule requiring the disclosure of mandatory fees and charges before a consumer begins placing an order and/or every place where price is displayed affect platform and participating merchant costs, either directly (in terms of time, labor, design, and programming) or indirectly (through responses from consumers, competitors, or intermediaries)?

a. How, if at all, would these costs differ for small businesses?

b. What studies or data are available to quantify these costs?

60. How would a rule requiring the disclosure of mandatory fees and charges before the consumer consents to pay affect advertising?

61. How would a rule requiring the disclosure of total price including all mandatory fees and charges affect platform and participating merchant costs, either directly (in terms of time, labor, design, and programming) or indirectly (through responses from consumers, competitors, or intermediaries)?

a. How, if at all, would these costs differ for small businesses?

b. What studies or data are available to quantify these costs?

62. How would a rule requiring the disclosure of total price including all mandatory fees and charges affect advertising?

63. What are the anticipated benefits of a rule requiring that mandatory fees and charges be disclosed before a consumer begins placing an order and/or every place where price is displayed?

a. How can these benefits be quantified, and to what extent might they include time savings, improved consumer decision-making, or other measurable outcomes?

b. What studies or data are available to quantify these benefits?

c. Would the anticipated benefits differ if a rule were to require disclosure of total price as opposed to clear and conspicuous disclosure of mandatory fees and charges?

64. What are the anticipated benefits of a rule requiring the disclosure of total price including all mandatory fees and charges?

a. How can these benefits be quantified, and to what extent might they include time savings, improved consumer decision-making, or other measurable outcomes?

b. What studies or data are available to quantify these benefits?

65. Should the Commission consider publishing additional consumer and business education materials or hosting public workshops to reduce consumer injury or harm associated with the potentially unfair and deceptive practices described in Section II.B. of this ANPRM?

a. If so, what should such education materials and workshops include, and how should the Commission communicate that information to consumers and businesses?

IV. Comment Submissions

The public is invited to submit comments on this document. The Commission will consider all timely and responsive comments it receives on or before May 18, 2026. Because of the agency's heightened security screening, postal mail addressed to the Commission will be delayed. We strongly encourage you to submit your comments online through the <https://www.regulations.gov> website. If you prefer to file your comments on paper, write "Food Delivery Fees ANPRM (Project No. P267101)" on your comment and on the envelope, and mail your comment by overnight service to: Federal Trade Commission, Office of the Secretary, 600 Pennsylvania Avenue NW, Mail Stop H-144 (Annex F), Washington, DC 20580.

For comments submitted online through the <https://www.regulations.gov> website, you are solely responsible for making sure your comment does not include any sensitive personally identifiable or health information. In addition, your comment should not include any "trade secret or any commercial or financial information which . . . is privileged or confidential"—as provided by section

6(f) of the FTC Act, 15 U.S.C. 46(f), and FTC Rule 4.10(a)(2), 16 CFR 4.10(a)(2)—including in particular competitively sensitive information such as costs, sales statistics, inventories, formulas, patterns, devices, manufacturing processes, or customer names.

Your comment—including your name and your State—will be placed on the public record of this proceeding, including, to the extent practicable, on the <https://www.regulations.gov> website. Once your comment has been posted there—as legally required by FTC Rule 4.9(b)—we cannot redact or remove your comment from that website unless you submit a written confidentiality request that meets the requirements for such treatment under FTC Rule 4.9(c), and the General Counsel grants that request. Such requests must be clearly labeled "Confidential," must include the factual and legal basis for the request, and must identify the specific portions of the comment to be withheld from the public record. See FTC Rule 4.9(c).

The FTC Act and other laws that the Commission administers permit the collection of public comments to consider and use in this proceeding, as appropriate. For information on the Commission's privacy policy, including routine uses permitted by the Privacy Act, see <https://www.ftc.gov/site-information/privacy-policy>.

V. Regulatory Review

E.O. 14215 requires all executive branch departments and agencies to submit all their proposed and final significant regulatory actions to the Office of Management and Budget (OMB) for review. E.O. 12866 says that agencies should assess the costs and benefits of available regulatory alternatives and, if regulation is necessary, select regulatory approaches that maximize net benefits (including potential economic, environmental, public health and safety effects, and distributive impacts).

By direction of the Commission.

Joel Christie,

Acting Secretary.

[FR Doc. 2026-07473 Filed 4-15-26; 8:45 am]

BILLING CODE 6750-01-P

DEPARTMENT OF HOMELAND SECURITY

Coast Guard

33 CFR Part 165

[Docket Number USCG–2026–0212]

RIN 1625–AA87

Security Zone; FIFA World Cup and Fan Fest 2026, Bayfront Park, Miami, FL

AGENCY: Coast Guard, Department of Homeland Security.

ACTION: Notice of proposed rulemaking.

SUMMARY: The Coast Guard is proposing to establish a temporary security zone for certain navigable waters of Biscayne Bay in connection with the 2026 Miami FIFA World Cup and the World Cup Fan Fest events in Miami, Florida. The Captain of the Port Miami (COTP) is taking this action to safeguard official parties, VIP's and other participants ("attendees") attending the Miami 2026 FIFA World Cup and the World Cup Fan Fest because the ease of waterfront access to the various venues hosting the World Cup events presents a security concern for all attendees. Anchoring, or remaining within the security zone would be prohibited unless authorized by the Captain of the Port Miami (COTP) or a designated representative. We invite your comments on this proposed rulemaking.

DATES: Comments and related material must be received by the Coast Guard on or before May 18, 2026.

ADDRESSES: To submit comments and view available documents, go to <https://www.regulations.gov> and search for USCG–2026–0212.

FOR FURTHER INFORMATION CONTACT: If you have questions about this proposed rule, contact LT Guerschom Etienne, Sector Miami Waterways Management Division, U.S. Coast Guard; telephone 305–535–4317, or email Guerschom.Etienne@uscg.mil.

SUPPLEMENTARY INFORMATION:

I. Table of Abbreviations

CFR Code of Federal Regulations
COTP Captain of the Port
DHS Department of Homeland Security
FR Federal Register
NPRM Notice of proposed rulemaking
§ Section
U.S.C. United States Code

II. Background and Authority

The City of Miami will be hosting the 2026 FIFA World Cup and the World Cup Fan Fest from June 13 through July 5, 2026, at Bayfront Park, Miami, FL.

The Coast Guard anticipates these various events will draw large crowds of people, executives, official parties, etc. and present a security concern since the venues may be accessed from or are in close proximity to the waterfront, Biscayne Bay. The COTP has determined the ease of waterfront access to the various venues hosting the World Cup events presents a security concern for attendees. Therefore, the COTP is proposing this rule under the authority in 46 U.S.C. 70051 and 70124, which is needed to protect attendees from terrorism, sabotage, or other subversive acts.

III. Discussion of the Rule

The COTP is proposing to establish a temporary security zone to be enforced 24 hours a day beginning at 6:00 a.m. on June 13, 2026, until 6:00 a.m. on July 5, 2026. The temporary security zone would cover all navigable waters of Biscayne Bay from approximately Port Boulevard south ending before the Miami River Entrance. The duration of the temporary security zone is intended to ensure the security of attendees and the surrounding waterway before, during, and after the various World Cup-related events in close proximity to Biscayne Bay in Miami, Florida.

All persons and vessels are required to transit the security zone at a steady speed and may not slow down, stop, or anchor except in the case of unforeseen mechanical failure or other emergency. Any persons or vessels forced to slow or stop in the security zone must immediately notify the COTP Miami via VHF channel 16. The regulatory text we are proposing appears at the end of this document.

IV. Regulatory Analyses

We developed this proposed 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 Act of 1980, 5 U.S.C. 601–612, as amended, requires Federal agencies to consider the potential impact of regulations on small entities during rulemaking. The term "small entities" comprises small businesses, not-for-profit organizations that are independently owned and operated and are not dominant in their fields, and governmental jurisdictions with populations of less than 50,000. The Coast Guard certifies under 5 U.S.C. 605(b) that this proposed rule would not have a significant economic impact on

a substantial number of small entities for the following reasons.

Vessel traffic will be able to safely transit around this regulated area. This regulation will only impact a small area of Biscayne Bay near Bayfront Park in the Port of Miami for approximately 24 days. Vessel traffic; however, will not be impeded by the temporary security zone. Vessels will be able to transit around the security zone along the Intracoastal Waterway with the only restriction being the inability to stop or anchor within the zone. Moreover, the Coast Guard will rely on the methods described in 33 CFR 165.7 to notify the public prior to activation of any of the security zones described in paragraph (a) of this section. The notifications include Local Notice to Mariners and Broadcast Notice to Mariners issued on VHF–FM marine radio channel 16. Coast Guard patrol boats and local law enforcement assets will also be on scene with flashing energized blue lights when the security zone is in effect.

If you think that your business, organization, or governmental jurisdiction qualifies as a small entity and that this proposed rule would have a significant economic impact on it, please submit a comment (see **ADDRESSES**) explaining why you think it qualifies and how and to what degree this proposed rule would economically affect it.

Under section 213(a) of the Small Business Regulatory Enforcement Fairness Act of 1996 (Pub. L. 104–121), if this proposed 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).

B. Collection of Information

This proposed 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 proposed 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 proposed 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 proposed 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 proposed 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 proposed rule is a security 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.

V. Public Participation and Request for Comments

We view public participation as essential to effective rulemaking and will consider all comments and material received during the comment period. Your comment can help shape the outcome of this rulemaking. If you submit a comment, please include the docket number for this rulemaking, indicate the specific section of this document to which each comment applies, and provide a reason for each suggestion or recommendation.

Submitting comments. We encourage you to submit comments at <https://www.regulations.gov>. To do so, go to <https://www.regulations.gov>, type USCG–2026–0212 in the search box and click “Search.” Next, look for this document in the Search Results column, and click on it. Then click on the Comment option. If you cannot submit your material by using <https://www.regulations.gov>, call or email the person in the **FOR FURTHER INFORMATION**

CONTACT section of this proposed rule for alternate instructions.

Viewing material in the docket. To view available documents, find the docket as described in the previous paragraph, and then select “Supporting & Related Material” in the Document Type column. We will post public comments in our online docket. Additional information is on the <https://www.regulations.gov> Frequently Asked Questions web page.

Personal information. We accept anonymous comments. Comments we post to <https://www.regulations.gov> will include any personal information you have provided. For more about privacy and submissions to the docket in response to this document, see DHS’s eRulemaking System of Records notice (85 FR 14226, March 11, 2020).

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 is proposing to amend 33 CFR part 165 as follows:

PART 165—REGULATED NAVIGATION AREAS AND LIMITED ACCESS AREAS

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

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

- 2. Add § 165.T07–0212 to read as follows:

§ 165.T07–0212 Security Zone; Bayfront Park, Miami, FL.

(a) *Location.* The following area is a security zone: All waters of Biscayne Bay, from surface to bottom, encompassed by a line connecting the following points beginning at 25°46′43.32″ N, 080°10′59.88″ W, thence to 25°46′36.39″ N, 080°10′55.56″ W, thence to 25°46′29.63″ N, 080°10′55.56″ W, thence to 25°46′17.75″ N, 080°11′05.65″ W, and along the shoreline back to the beginning point. These coordinates are based on the World Geodetic System (WGS 84).

(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 Sector Miami (COTP) in the enforcement of the security zone.

(c) *Regulations.* (1) Under the general security zone regulations in subpart D of this part, you may not enter the security 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 (305) 535–4472. Vessels in the area transiting around the security 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 6 a.m. on June 13, 2026, through 6:00 a.m. on July 5, 2026. Coast Guard patrol boats and local law enforcement assets will also be on scene with flashing energized blue lights indicating when the security zone is in effect.

F.J. Florio,

Captain, U.S. Coast Guard, Captain of the Port Sector Miami.

[FR Doc. 2026–07472 Filed 4–15–26; 8:45 am]

BILLING CODE 9110–04–P

POSTAL SERVICE

39 CFR Part 20

International Mailing Services: Proposed Price Changes

AGENCY: Postal Service.

ACTION: Proposed rule; request for comments.

SUMMARY: The Postal Service proposes to revise *Mailing Standards of the United States Postal Service*, International Mail Manual (IMM®), to reflect changes coincident with the recently announced mailing services price adjustments.

DATES: We must receive your comments on or before May 18, 2026.

ADDRESSES: Mail or deliver comments to the director, Product Classification, U.S. Postal Service, 475 L’Enfant Plaza SW, Rm. 4446, Washington, DC 20260–5015. You may inspect and photocopy all written comments at USPS Headquarters Library, 475 L’Enfant Plaza SW, 11th Floor N, Washington, DC by appointment only between the hours of 9 a.m. and 4 p.m., Monday through Friday by calling 1–202–268–2906 in advance. Email comments, containing the name and address of the commenter, to: PCFederalRegister@usps.gov, with a subject line of “July 12, 2026, International Mailing Services Proposed Price Changes.” Faxed comments are not accepted. All

submitted comments and attachments are part of the public record and subject to disclosure. Do not enclose any material in your comments that you consider to be confidential or inappropriate for public disclosure.

FOR FURTHER INFORMATION CONTACT: Dale Kennedy at 202–268–6592 or Michelle Lassiter at 202–268–2914

SUPPLEMENTARY INFORMATION:

International Price and Service Adjustments

On April 9, 2026, the Postal Service filed a notice of mailing services price adjustments with the Postal Regulatory Commission (PRC), effective on July 12, 2026. Additionally, the Postal Service proposed to eliminate the Customs Clearance and Delivery Fee for Inbound Letter Post letters and flats. Dutiable items should not be placed in UPU small letters (P) format and UPU large letters (G) format, which eliminates the need for the Customs Clearance and Delivery Fee for Inbound Letter Post letters and flats. The Postal Service proposes to revise Notice 123, *Price List*, available on Postal Explorer® at <https://pe.usps.com>, to reflect these new price and classification changes. The new prices are available under Docket Number R2026–1 on the Postal Regulatory Commission’s website at www.prc.gov.

This proposed rule describes the price changes for the following market dominant international services:

- First-Class Mail International® (FCMI) service.
- International extra services and fees.

First-Class Mail International®

The Postal Service plans to increase prices for single-piece FCMI postcards, letters, and flats by approximately 2.7%. The proposed price for a single-piece postcard will increase to \$1.75 worldwide. The First-Class Mail International letter nonmachinable surcharge will remain \$0.49. The proposed FCMI single-piece letter and flat prices will be as follows:

Weight not over (oz.)	Price groups			
	1	2	3–5	6–9
Letters				
1	\$1.75	\$1.75	\$1.75	\$1.75
2	2.35	2.60	3.50	3.50
3	2.95	3.50	5.25	5.25
3.5	3.50	4.15	5.75	5.75
Flats				
1	3.30	3.30	3.30	3.30
2	3.75	4.35	4.65	4.65
3	4.25	5.45	6.05	6.05
4	4.65	6.45	7.35	7.35

Weight not over (oz.)	Price groups			
	1	2	3–5	6–9
5	5.15	7.55	8.75	8.75
6	5.65	8.65	10.15	10.15
7	6.15	9.75	11.55	11.55
8	6.65	10.85	12.95	12.95
12	7.60	13.00	15.75	15.75
15.994	8.55	15.15	18.55	18.55

International Extra Services and Fees

The Postal Service plans to increase prices for certain market dominant international extra services including:

- Certificate of Mailing
- Registered Mail®
- Return Receipt
- Customs Clearance and Delivery Fee
- International Business Reply™ Service

CERTIFICATE OF MAILING

	Fee
Individual pieces:	
Individual article (PS Form 3817)	2.55
Duplicate copy of PS Form 3817 or PS Form 3665 (per page)	2.55
Firm mailing sheet (PS Form 3665), per piece (minimum 3)	0.75
First-Class Mail International only	0.75
Bulk quantities:	
For first 1,000 pieces (or fraction thereof)	14.25
Each additional 1,000 pieces (or fraction thereof)	1.80
Duplicate copy of PS Form 3606	2.55

Registered Mail®

Fee: \$25.00.

Return Receipt

Fee: \$7.20.

International Business Reply™ Service

Fee: Cards \$2.65; Envelopes up to 2 ounces \$3.30.

Following the completion of Docket No. R2026–1, the Postal Service will adjust the prices for products and services covered by the International Mail Manual. These prices will be on Postal Explorer at pe.usps.com.

Accordingly, although exempt from the notice and comment requirements of the Administrative Procedure Act (5 U.S.C. 553(b), (c)) regarding proposed rulemaking by 39 U.S.C. 410(a), the Postal Service invites public comment on the following proposed changes to Notice 123, *Price List* of the *Mailing Standards of the United States Postal Service*, International Mail Manual (IMM®), set out in this **SUPPLEMENTARY INFORMATION**.

The Postal Service will publish an appropriate update to Notice 123, *Price List*, to reflect these changes following

the completion of the notice and comment period for this proposed rule.

Daria Valan,

Attorney, Ethics and Legal Compliance.

[FR Doc. 2026–07456 Filed 4–15–26; 8:45 am]

BILLING CODE 7710–12–P

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 52

[EPA–R09–OAR–2026–1684; FRL–13268–01–R9]

Air Plan Revisions; Arizona; Maricopa County Air Quality Department; New Source Review; Emission Reduction Credits

AGENCY: Environmental Protection Agency (EPA).

ACTION: Proposed rule.

SUMMARY: The Environmental Protection Agency (EPA) is proposing to approve a revision to the Maricopa County Air Quality Department (MCAQD or “Department”) portion of the Arizona State Implementation Plan (SIP). This revision establishes a federally enforceable program allowing fleet owners/operators to generate emission reduction credits (ERCs) by either retrofitting or replacing existing fleet vehicles with lower emitting vehicles while meeting other Clean Air Act (CAA or “Act”) requirements. These ERCs are intended for use as offsets for major stationary sources under the Department’s Nonattainment New Source Review (NNSR) program. We are proposing to approve a local rule to allow for the generation of ERCs through voluntary on-road mobile source emission reductions under the CAA. We are taking comments on this proposal and plan to follow with a final action.

DATES: Comments must be received on or before May 18, 2026.

ADDRESSES: Submit your comments, identified by Docket ID No. EPA–R09–OAR–2026–1684 at <https://www.regulations.gov>. For comments submitted at [Regulations.gov](https://www.regulations.gov), follow the online instructions for submitting comments. Once submitted, comments cannot be edited or removed from [Regulations.gov](https://www.regulations.gov). The EPA may publish any comment received to its public docket. Do not submit electronically any information you consider to be Confidential Business Information (CBI) or other information whose disclosure is restricted by statute. 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, please contact the person identified in the **FOR FURTHER INFORMATION CONTACT** section. For 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>. If you need assistance in a language other than English or if you are a person with a disability who needs a reasonable accommodation at no cost to you, please

contact the person identified in the **FOR FURTHER INFORMATION CONTACT** section.

FOR FURTHER INFORMATION CONTACT:

Elijah Gordon, EPA Region IX, 75 Hawthorne St., San Francisco, CA 94105; telephone number: (415) 972-3158; email address: gordon.elijah@epa.gov.

SUPPLEMENTARY INFORMATION:

Throughout this document, “we,” “us,” and “our” refer to the EPA.

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- C. Proposed Action and Public Comment
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I. The State’s Submittal

A. What rule did the State submit?

The Arizona Department of Environmental Quality (ADEQ), the governor’s designee for Arizona SIP submittals, submitted a SIP revision to the EPA on behalf of the MCAQD. Table 1 lists the rule, which the ADEQ included in the submittal with the Department’s technical support materials, addressed by this proposal with the dates that it was adopted by the MCAQD and submitted to the EPA by the ADEQ.

TABLE 1—SUBMITTED RULE

Local agency	Rule No.	Rule title	Revised	Submitted
MCAQD	205	Emission Offsets Generated by Voluntary Mobile Source Emission Reductions	05/21/25	05/30/25

On November 30, 2025, the submittal for MCAQD Rule 205, “Emission Offsets Generated by Voluntary Mobile Source Emission Reductions,” (revised May 21, 2025) (“Rule 205”) became complete by operation of law with respect to the completeness criteria in 40 CFR part 51, appendix V.

B. Are there other versions of this rule?

There are no previous versions of Rule 205 approved in the Arizona SIP, however the MCAQD adopted an earlier version of this rule on April 26, 2023, and the ADEQ submitted it to the EPA on May 4, 2023 (“2023 submittal”). The EPA proposed conditional approval of the 2023 submittal on August 22, 2024.¹ On May 30, 2025, the ADEQ submitted a SIP revision requesting the EPA approve the revised version of Rule 205 (“2025 submittal”) into the Arizona SIP. In the 2025 submittal, the ADEQ also withdrew the 2023 submittal, including the April 26, 2023 version of Rule 205. Because the 2023 submittal was withdrawn and superseded by the 2025 submittal, and due to other changes to the rule, as explained in our TSD, the EPA is not finalizing our 2024 proposed conditional approval.

C. What is the purpose of the submitted rule?

Portions of Maricopa County are currently designated as “Moderate” nonattainment for the 2008 and 2015 ozone National Ambient Air Quality Standards (NAAQS) and as “Serious”

nonattainment for the 1987 particulate matter equal to or less than 10 micrometers (PM₁₀) NAAQS.² Sections 110(a) and 173 of the CAA require States with areas designated nonattainment to submit regulations that include a preconstruction permit program for new or modified major stationary sources of air pollutants within the applicable nonattainment areas (NAAs), referred to as the NNSR program. Therefore, the MCAQD is required to implement a NNSR program, which requires new or modified sources emitting ozone precursors or PM₁₀ exceeding specific thresholds to provide surplus emissions reductions to offset the proposed project’s projected emissions increases.^{3 4}

The MCAQD states that the quantity of surplus emissions reductions currently available for use as NNSR offsets does not appear sufficient to support current and projected economic growth. The MCAQD developed Rule 205 to generate NNSR offsets for oxides of nitrogen (NO_x) and volatile organic compounds (VOC), which are ozone precursors. Rule 205 creates a regulatory structure for the generation and use of

nontraditional ERCs from on-road mobile sources for the Department’s NNSR program. When ERCs are generated from on-road mobile sources, they are referred to as mobile ERCs or “MERCs.” The rule allows on-road mobile source fleet owners/operators that permanently reduce NO_x or VOC emissions from their fleets to trade those reductions to stationary sources, or “credit users,” who can then use them to offset their proposed NO_x or VOC emissions increases for the purpose of meeting NNSR requirements. Rule 205 outlines the requirements a “generator” of emissions reductions must meet before the Department can certify the emissions reductions as meeting the offset requirements specified for NNSR programs. In general, the rule requires the generator to submit certain information in its MERC application; provides procedures for processing an application; provides methodologies to calculate emissions reductions; requires the issuance of MERC certificates; and provides ongoing monitoring, recordkeeping, and reporting requirements for MERC generators. The rule also contains certain requirements for the credit user and the Department’s Control Officer. The EPA’s technical support document (TSD) includes more information about this rule.

II. The EPA’s Evaluation and Action

A. How is the EPA evaluating the rule?

In evaluating Rule 205, we reviewed it for compliance with the NNSR offset requirements found in CAA section 173

² 40 CFR 81.303.

³ 40 CFR 51.165(a)(1)(iv). The major source threshold for both VOC and NO_x, which are precursors of ozone, is 100 tons per year for the portions of Maricopa designated as Moderate nonattainment for the 2008 and 2015 ozone NAAQS. Rule 205 applies to ozone precursors only and cannot be used to generate NNSR offsets for the PM₁₀ NAAQS.

⁴ 40 CFR 51.165(a)(9)(ii). The offset ratio for Moderate nonattainment ozone areas is at least 1.15 to 1.

¹ 89 FR 67919 (August 22, 2024).

and 40 CFR 51.165 and the substantive CAA requirements for SIPs and SIP revisions as set forth in CAA sections 110(a)(2), 110(l), and 193.

CAA section 173(a)(1)(A) states that “. . . permits to construct and operate may be issued if (1) . . . the permitting agency determines that (A) by the time the source is to commence operation, sufficient offsetting emissions reductions have been obtained. . . .” CAA section 173(a) concludes that “[a]ny emission reductions required as a precondition of the issuance of a permit under paragraph (1) shall be federally enforceable before such permit may be issued.” CAA section 173(c)(1) requires emissions reductions to be “by the time a new or modified source commences operation, in effect and enforceable.” Collectively, CAA section 173 requires permitting authorities to determine that offsets have been obtained and are federally enforceable before an NNSR permit is issued and that such offsets will be in effect before the source commences operation. These requirements, which mostly pertain to NNSR permit issuance, are generally met by the requirements in the MCAQD’s SIP-approved NNSR program.⁵ In our evaluation, we also considered whether Rule 205 would interfere with these requirements.

Regarding whether emissions reductions qualify as offsets, CAA section 173(c)(1) requires that emissions increases “shall be offset by an equal or greater reduction, as applicable, in the actual emissions of such air pollutant from the same or other sources in the area,” meaning the emissions reductions must be “real” and not a theoretical reduction in the source’s potential to emit; in other words, it requires that each offset represents emissions that have been taken out of the air. CAA section 173(c)(2) only allows emissions reductions to be creditable as offsets if they are not otherwise required by the CAA, meaning they must be “surplus” to other CAA requirements. Building on this, 40 CFR 51.165(a)(3)(ii)(C)(1)(i) requires offsets for SIP-approved NNSR programs to be surplus, permanent, quantifiable, and federally enforceable. Collectively, CAA section 173(c) and 40 CFR 51.165 require offsets to be real, surplus, quantifiable, permanent, and federally enforceable. We refer to these requirements colloquially as the offset “integrity elements” or “integrity criteria.” Generally, emissions reductions meet these requirements if

they are based on reductions in actual emissions, have not been relied upon in any air quality-related programs under the CAA, can be reliably calculated using methods that can be replicated, will last in the NAA for the life of the source utilizing the credits, and are legally and practicably enforceable by the EPA.

CAA section 110(a)(2) requires that regulations submitted to the EPA for SIP approval be clear and legally enforceable. CAA section 110(l) requires that states provide public notice and an opportunity for public hearing of SIP revisions prior to their submittal and prohibits the EPA from approving any SIP revisions that would interfere with attainment or maintenance of a NAAQS, reasonable further progress, or other applicable requirements of the CAA. CAA section 193 prohibits the modification of any SIP-approved control requirement in effect before November 15, 1990, in a nonattainment area, unless the modification ensures equivalent or greater emissions reductions of the relevant pollutants.

Throughout our evaluation, we also referred to the EPA’s 2001 Economic Incentive Programs (EIPs) guidance document titled “Improving Air Quality with Economic Incentive Programs” (“2001 EIP guidance”), which sets out the EPA’s non-binding guidelines on discretionary EIPs.⁶ An EIP is a regulatory program that implements market-based strategies to achieve an air quality objective. Rule 205 is classified as an EIP because it provides a framework for generating ERCs from mobile sources. The ERCs generated under the EIP may be traded with stationary sources to provide the offsets required under a NNSR program.⁷ The 2001 EIP guidance document does not represent final EPA action on the requirements for EIPs, but it identifies several different types of EIPs and proposed elements for each type that, if met, could assure that the program meets the applicable CAA requirements.

Guidance and policy documents that we used to evaluate enforceability, revision/relaxation, and rule stringency requirements for the applicable criteria pollutants include the following:

1. “Improving Air Quality with Economic Incentive Programs,” EPA-452/R-01-001, OAQPS, January 2001.
2. “MOVES5 Technical Guidance: Using MOVES to Prepare Emission Inventories for State Implementation Plans and Transportation Conformity,” EPA-420-B-24-043, OTAQ, November 2024.

⁶ A discretionary EIP is not subject to the requirements for mandatory EIPs found in 40 CFR part 51, subpart U.

⁷ See *Id.*

B. Does the rule meet the evaluation criteria?

As stated previously, the EPA proposed conditional approval of the 2023 submittal for Rule 205 on August 22, 2024, but the submittal was later withdrawn, and the EPA did not finalize that action. The TSD from that proposed conditional approval action informs our analysis and is included in the docket for this action. We primarily focus on the revisions to the 2025 version of Rule 205 and supplemental information⁸ provided in the 2025 submittal and how it addresses comments and concerns we previously provided to the MCAQD on Rule 205.

We find that Rule 205 complies with the applicable CAA requirements and is consistent with relevant guidance. We find that the rule ensures offsets will meet the offset requirements in CAA section 173 and 40 CFR 51.165, including the criteria for being real, surplus, quantifiable, permanent, and federally enforceable. For generators that are issued MERCs, the rule contains monitoring, recordkeeping, and reporting requirements and other implementation and enforcement provisions to ensure that compliance is consistently evaluated and determined. Finally, we find that the rule meets the substantive requirements for SIPs and SIP revisions set forth in CAA sections 110(a)(2), 110(l), and 193. Our TSD, which is in the docket for this action, contains a detailed and complete evaluation of how Rule 205 satisfies CAA requirements.

C. Proposed Action and Public Comment

As authorized in section 110(k)(3) of the Act, the EPA proposes to approve the Rule 205 submittal because it fulfills all relevant requirements. We will accept comments from the public on this proposal until May 18, 2026. If we take final action to approve the Rule 205 submittal, our final action will incorporate Rule 205 into the federally enforceable SIP and codify revisions to 40 CFR 52.120.

III. Incorporation by Reference

In this document, the EPA is proposing to include in a final EPA rule regulatory text that includes incorporation by reference. In accordance with requirements of 1 CFR 51.5, the EPA is proposing to incorporate by reference Maricopa County Air Quality Department Rule 205, “Emission Offsets Generated by Voluntary Mobile Source Emission

⁵ MCAQD Rule 240, “Federal Major New Source Review (NSR),” revised December 11, 2019, contains the majority of the MCAQD’s NNSR program. 87 FR 8418 (February 15, 2022).

⁸ See the Department’s EIP Support document in Appendix 18 of the 2025 submittal.

Reductions,” revised May 21, 2025, which establishes a program allowing fleet owners/operators to generate ERCs by either retrofitting or replacing existing fleet vehicles with lower emitting vehicles and meeting other ongoing requirements. The EPA has made, and will continue to make, these materials available through <https://www.regulations.gov> and at the EPA Region IX Office (please contact the person identified in the **FOR FURTHER INFORMATION CONTACT** section of this preamble for more information).

IV. Statutory and Executive Order Reviews

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

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

because it proposes to approve a state program;

- Is not a significant regulatory action subject to Executive Order 13211 (66 FR 28355, May 22, 2001); and
- Is not subject to requirements of Section 12(d) of the National Technology Transfer and Advancement Act of 1995 (15 U.S.C. 272 note) because application of those requirements would be inconsistent with the CAA.

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

List of Subjects in 40 CFR Part 52

Environmental protection, Administrative practice and procedure, Air pollution control, Incorporation by reference, Intergovernmental relations, Nitrogen oxides, Ozone, Reporting and recordkeeping requirements, Volatile organic compounds.

Dated: April 7, 2026.

Michael Martucci,

Acting Regional Administrator, Region IX.

[FR Doc. 2026–07405 Filed 4–15–26; 8:45 am]

BILLING CODE 6560–50–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Centers for Medicare & Medicaid Services

42 CFR Parts 405, 412, 413, 415, 419, 495, and 512

[CMS–1849–CN]

RIN 0938–AV79

Medicare Program; Hospital Inpatient Prospective Payment Systems for Acute Care Hospitals (IPPS) and the Long-Term Care Hospital Prospective Payment System and Policy Changes and Fiscal Year (FY) 2027 Rates; Requirements for Quality Programs; and Other Policy Changes; Correction

AGENCY: Centers for Medicare & Medicaid Services (CMS), Department of Health and Human Services (HHS).

ACTION: Proposed rule; correction.

SUMMARY: This document corrects a typographical error in the proposed rule that appeared in the April 14, 2026 **Federal Register** titled “Medicare Program; Hospital Inpatient Prospective Payment Systems for Acute Care Hospitals (IPPS) and the Long-Term Care Hospital Prospective Payment System and Policy Changes and Fiscal Year (FY) 2027 Rates; Requirements for Quality Programs; and Other Policy Changes”.

DATES: April 16, 2026.

FOR FURTHER INFORMATION CONTACT:

Donald Thompson, and Michele Hudson, (410) 786–4487 or DAC@cms.hhs.gov, Operating Prospective Payment, MS–DRG Relative Weights, Wage Index, Hospital Geographic Reclassifications, Graduate Medical Education, Capital Prospective Payment, Excluded Hospitals, Medicare Disproportionate Share Hospital (DSH) Payment Adjustment, Sole Community Hospitals (SCHs), Medicare-Dependent Small Rural Hospital (MDH) Program, and Low-Volume Hospital Payment Adjustment.

I. Background and Summary of Errors

In FR Doc. 2026–07203 of April 14, 2026 (91 FR 19312), in the **DATES** section, we are correcting a typographical error stating that comments must be received no later than 5 p.m. EDT on April 10, 2026, rather than June 9, 2026.

III. Correction of Errors

In FR Doc. 2026–07203 of April 14, 2026 (91 FR 19312), we are making the following correction:

1. On page 19312, first column, 10th full paragraph (**DATES** section) last line the date “April 10, 2026” is corrected to read “June 9, 2026”.

Liesl I. Fowler,

Executive Secretary to the Department, Department of Health and Human Services.

[FR Doc. 2026–07470 Filed 4–14–26; 4:15 pm]

BILLING CODE 4120–01–P

Notices

Federal Register

Vol. 91, No. 73

Thursday, April 16, 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

Forest Service

Information Collection; SF-299 Application for Transportation, Utility Systems, Telecommunications and Facilities on Federal Lands and Property

AGENCY: Forest Service, Agriculture (USDA).

ACTION: Notice; request for comment.

SUMMARY: In accordance with the Paperwork Reduction Act of 1995, the Forest Service (Agency) is seeking comments from all interested individuals and organizations on the extension without revision of a currently approved information collection, SF-299 Application for Transportation, Utility Systems, Telecommunications and Facilities on Federal Lands and Property.

DATES: Comments must be received in writing on or before June 15, 2026 to be assured of consideration.

ADDRESSES: Comments concerning this notice should be addressed to USDA Forest Service, Attention: Lands—Special Uses, Mail Stop 1124, Forest Service, USDA, P.O. Box 96090, Washington, DC 20090-6090. Comments also may be submitted by email to reply_lands_staff@usda.gov.

Comments submitted in response to this notice may be made available to the public through relevant websites and upon request. For this reason, please do not include in your comments information of a confidential nature, such as sensitive personal information or proprietary information. If you send an email comment, your email address will be automatically captured and included as part of the comment that is placed in the public docket and made available for public viewing. Please note that comments containing any routine notice about the confidentiality of the communication will be treated as public

comments that may be made available to the public notwithstanding the inclusion of the routine notice.

The public may request that an electronic copy of the supporting documents for the information collection and/or any comments received be sent via return email. Requests should be emailed to sm.fs.wo_landstaff@usda.gov. The information collection request is posted online at <https://www.regulations.gov>.

FOR FURTHER INFORMATION CONTACT:

Mark Chandler, Realty Specialist, Lands, National Forest Systems, can be reached by phone at 202-205-1117, or by email at mark.chandler@usda.gov. Individuals who are deaf, hard of hearing, or have a speech disability may call 711 to reach the Telecommunications Relay Service then provide the phone number of the person named as a point of contact for further information.

SUPPLEMENTARY INFORMATION:

Title: SF-299 Application for Transportation, Utility Systems, Telecommunications and Facilities on Federal Lands and Property.

OMB Number: 0596-0249.

Expiration Date of Approval: January 31, 2027.

Type of Review: Extension without revision of a currently approved information collection.

Abstract: This information collection covers the Forest Service's use of SF-299, Application for Transportation, Utility Systems, Telecommunications and Facilities on Federal Lands and Property. The Forest Service uses SF-299 and related supporting information to evaluate proposals and applications for special use authorizations on National Forest System lands and to administer those authorizations under applicable statutory and regulatory authorities. This notice concerns only Forest Service's use of SF-299 and the associated Forest Service burden and cost estimates.

Several statutes authorize the Forest Service to issue and administer authorizations for use and occupancy of National Forest System lands and to collect information from the public for those purposes. These authorities include the Organic Administration Act of 1897 (16 U.S.C. 551); Title V of the Federal Land Policy and Management Act of 1976 (FLPMA, 43 U.S.C. 1761-1771); the Act of March 4, 1915 (16

U.S.C. 497); the Alaska Term Permit Act of March 30, 1948 (16 U.S.C. 497a); the Act of September 3, 1954 (43 U.S.C. 931c, 931d); the National Forest Ski Area Permit Act (16 U.S.C. 497b); section 28 of the Mineral Leasing Act (30 U.S.C. 185); the National Forest Roads and Trails Act (16 U.S.C. 532-538); section 7 of the Granger-Thye Act (16 U.S.C. 580d); the Act of May 26, 2000 (16 U.S.C. 460l-6d); the Federal Lands Recreation Enhancement Act (16 U.S.C. 6801-6814); the Archeological Resource Protection Act of 1979 (16 U.S.C. 470aa-470mm); and the Rural Electrification Act of 1936 (7 U.S.C. 901 *et seq.*).

Forest Service regulations implementing these authorities, found at 36 CFR part 251, subpart B, contain information collection requirements related to proposals, applications, administration of authorizations, operating plans, maintenance plans, financial information, compliance reporting, and information updates. The information collected through SF-299 and related submissions is used to evaluate proposals and applications, assess technical and financial capability, support required environmental review and program administration, recover agency processing and monitoring costs where applicable, and administer special use authorizations on National Forest System lands.

The information is collected from proponents, applicants, and holders of special use authorizations. The Forest Service uses the information to determine whether a proposed use may be authorized under applicable law and regulation; to evaluate the applicant's technical and financial capability; to support environmental review and consultation where required; to issue and administer authorizations; and to recover agency processing and monitoring costs where applicable. Proposals for special uses must be filled in writing with or presented orally to the responsible Forest Service official, and proponents generally must provide the information identified in 36 CFR 251.54(d). If the collection were not conducted, the Forest Service would lack information necessary to evaluate proposals and applications, administer authorizations, and carry out associated statutory and regulatory responsibilities.

Affected Public: Individuals and Households; the Private Sector (Businesses and Non-Profit Organizations); and State, Local or Tribal Government.

Estimated Annual Burden per Response: 8 hours per response.

Estimated Annual Number of Respondents: 2,753.

Estimated Annual Number of Responses per Respondent: 1.

Estimated Total Annual Burden on Respondents: 22,024.

Comment Is Invited

Comment is invited on (1) whether this collection of information is necessary for the stated purposes and the proper performance of the functions of the Agency, including whether the information will have practical or scientific utility; (2) the accuracy of the Agency's estimate of the burden 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 to be collected; and (4) ways to minimize the burden of the collection of information on respondents, including the use of 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 when provided, will be part of the public record. Comments will be summarized and included in the submission request for Office of Management and Budget approval.

John Crockett,

Deputy Chief, National Forest System, State, Private, and Tribal Forestry.

[FR Doc. 2026-07408 Filed 4-15-26; 8:45 am]

BILLING CODE 3411-15-P

COMMISSION ON CIVIL RIGHTS

Notice of Public Meeting of the Alabama Advisory Committee to the U.S. Commission on Civil Rights

AGENCY: U.S. Commission on Civil Rights.

ACTION: Notice of public 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 Alabama Advisory Committee (Committee) to the U.S. Commission on Civil Rights will hold a public business meeting via Zoom. The purpose of the

meeting is to discuss the Committee's upcoming briefings.

DATES: Thursday, April 30, 2026, from 2:00 p.m.–3:00 p.m. Central Time.

ADDRESSES: The meeting will be held via Zoom Webinar.

Registration Link (Audio/Visual):
https://www.zoomgov.com/webinar/register/WN_zT243ZRXRSgTVeuP7Rqnyg.

Join by Phone (Audio Only): (833) 435-1820 USA Toll-Free; Meeting ID: 161 761 0273.

Agenda: (Note: a final meeting agenda will be available prior to the meeting date).

FOR FURTHER INFORMATION CONTACT:

David Barreras, Designated Federal Officer, at dbarreras@usccr.gov or (202) 656-8937.

SUPPLEMENTARY INFORMATION: This committee meeting is available to the public through the registration link above. Any interested members of the public may listen to the meeting. An open comment period will be provided to allow members of the public to make oral comments as time allows. Per 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 will be 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 within 30 days following the meeting. Written comments may be emailed to David Barreras dbarreras@usccr.gov. Persons who desire additional information may contact the Regional Programs Coordination Unit at (202) 656-8937.

Records generated from this meeting may be inspected and reproduced at the Regional Programs Coordination Unit, as they become available, both before and after the meeting. Records of the meeting will be available via the file sharing website, <https://bit.ly/4d5LbpG>. Persons interested in the work of this Committee are directed to the Commission's website, www.usccr.gov, or may contact the Regional Programs Coordination Unit at the above phone number.

Dated: April 14, 2026.

David Mussatt,

Supervisory Chief, Regional Programs Unit.

[FR Doc. 2026-07439 Filed 4-15-26; 8:45 am]

BILLING CODE 6335-01-P

COMMISSION ON CIVIL RIGHTS

Notice of Public Meeting of the Alaska Advisory Committee to the U.S. Commission on Civil Rights

AGENCY: Commission on Civil Rights.

ACTION: Announcement of meetings.

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 (FACA), that a business meeting of the Alaska Advisory Committee to the Commission will hold a series of business meetings via Zoom. The purpose of the meetings is to discuss and possibly vote on the Committee's project proposal draft on ranked choice voting in Alaska.

DATES:

Wednesday, April 29, 2026, from 11:00 a.m.–12:30 p.m. Alaska Standard Time.

Monday, May 18, 2026, from 12:30 p.m.–2:00 p.m. Alaska Standard Time.

ADDRESSES: The meetings will be held via Zoom.

• *April 29th Registration Link (Audio/Visual):* <https://www.zoomgov.com/j/1600747789>.

Join by Phone (Audio Only): 1-833 435 1820 USA Toll Free; Webinar ID: 160 074 7789.

• *May 18th Registration Link (Audio/Visual):* <https://www.zoomgov.com/j/1614010092>.

Join by Phone (Audio Only): 1-833 435 1820 USA Toll Free; Webinar ID: 161 401 0092.

Agenda

<https://usccr.app.box.com/folder/271059500656?s=7zq5h28nnzfbv55gk4r5y1iybzewmknz> (note: a final meeting agenda will be available prior to the meeting date).

FOR FURTHER INFORMATION CONTACT:

Kayla Fajota, Designated Federal Officer (DFO) at kfajota@usccr.gov, or (434) 515-2395.

SUPPLEMENTARY INFORMATION: This virtual committee meeting is available to the public through the registration link above. Any interested member of the public may join at the link to listen to this meeting. An open comment period will be provided to allow members of the public to make a statement 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 Zoom meeting platform. To request additional accommodations, please email Angelica Trevino, Support Services Specialist at atrevino@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 within 30 days following the meeting. Written comments may be emailed to Kayla Fajota, Designated Federal Officer at kfajota@usccr.gov. Persons who desire additional information may contact the Regional Programs Coordination Unit at (434) 515-2395.

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.app.box.com/folder/315009541404?s=4jyyw1lvkvthdqp3sas9h0d3kdgkssi> as well as at: www.facadatabase.gov under the Commission on Civil Rights, selecting the Advisory Committee of interest. 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 the above phone number.

Dated: April 14, 2026.

David Mussatt,

Supervisory Chief, Regional Programs Unit.

[FR Doc. 2026-07414 Filed 4-15-26; 8:45 am]

BILLING CODE 6335-01-P

DEPARTMENT OF COMMERCE

International Trade Administration

[A-583-867]

Common Alloy Aluminum Sheet From Taiwan: Final Results of Antidumping Duty Administrative Review; 2023–2024

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

SUMMARY: The U.S. Department of Commerce (Commerce) determines that a producer and exporter made sales of common alloy aluminum sheet (aluminum sheet) from Taiwan at below normal value during the period of review (POR), April 1, 2023, through March 31, 2024.

DATES: Applicable April 16, 2026.

FOR FURTHER INFORMATION CONTACT:

Sarah Keith, AD/CVD Operations, Office II, Enforcement and Compliance, International Trade Administration, U.S. Department of Commerce, 1401 Constitution Avenue NW, Washington, DC 20230; telephone: (202) 482-0264.

SUPPLEMENTARY INFORMATION:

Background

On August 11, 2025, Commerce published in the *Federal Register* the *Preliminary Results* of this review and invited interested parties to comment.¹ Due to the lapse in appropriations and Federal Government shutdown, on November 14, 2025, Commerce tolled all deadlines in administrative proceedings by 47 days.² Additionally, due to workflow delays and outages experienced by Enforcement and Compliance's Antidumping and Countervailing Duty Centralized Electronic Service System (ACCESS), on November 24, 2025, Commerce tolled all deadlines in administrative proceedings by 21 days.³ On February 2, 2026, and April 9, 2026, Commerce extended the deadline for issuing the final results by 53 and 7 days, respectively.⁴ Accordingly, the deadline for these final results is now April 16, 2026.

A summary of the events that occurred since the *Preliminary Results* may be found in the Issues and Decision Memorandum.⁵ The Issues and Decision Memorandum is a public document and

¹ See *Common Alloy Aluminum Sheet from Taiwan: Preliminary Results and Rescission, in Part, of Antidumping Duty Administrative Review; 2023–2024*, 90 FR 38625 (August 11, 2025) (*Preliminary Results*), and accompanying Preliminary Decision Memorandum (PDM).

² See Memorandum, "Deadlines Affected by the Shutdown of the Federal Government," dated November 14, 2025.

³ See Memorandum, "Tolling of all Case Deadlines," dated November 24, 2025.

⁴ See Memorandum, "Extension of Deadline for Final Results of Antidumping Duty Administrative Review," dated February 2, 2026; see also Memorandum, "Extension of Deadline for Final Results of Antidumping Duty Administrative Review," dated April 9, 2026.

⁵ See Memorandum, "Issues and Decision Memorandum for the Final Results of the Administrative Review of the Antidumping Duty Order on Common Alloy Aluminum Sheet from Taiwan; 2023–2024," dated concurrently with, and hereby adopted by, this notice (Issues and Decision Memorandum).

is on file electronically via Enforcement and Compliance's Antidumping and Countervailing Duty Centralized Electronic Service System (ACCESS). ACCESS is available to registered users at <https://access.trade.gov>. In addition, a complete version of the Issues and Decision Memorandum can be accessed directly at <https://access.trade.gov/public/FRNoticesListLayout.aspx>.

Commerce conducted this administrative review in accordance with section 751(a)(1)(B) of the Tariff Act of 1930, as amended (the Act).

Scope of the Order⁶

The product covered by the scope of the *Order* is aluminum sheet from Taiwan. For a full description of the scope of the *Order*, see the Issues and Decision Memorandum.

Analysis of Comments Received

We addressed the issues raised in the case and rebuttal briefs for these final results in the Issues and Decision Memorandum. A list of the issues that parties raised, and to which we responded in the Issues and Decision Memorandum, is provided in the appendix to this notice.

Changes Since the Preliminary Results

Based on our analysis of the comments received from interested parties, we made no changes to the *Preliminary Results*. For a discussion of the issues presented, see the Issues and Decision Memorandum.

Final Results of Administrative Review

We determine the following estimated weighted-average dumping margin for the period April 1, 2023, through March 31, 2024:

Producer/exporter	Weighted-average dumping margin (percent)
C.S. Aluminium Corporation	0.71

Disclosure

Normally, Commerce will disclose to the parties in a proceeding the calculations performed in connection with the final results within five days of any public announcement or, if there is no public announcement, within five days of the date of publication of this notice in the *Federal Register*, in accordance with 19 CFR 351.224(b). However, because Commerce made no

⁶ See *Common Alloy Aluminum Sheet from Bahrain, Brazil, Croatia, Egypt, Germany, India, Indonesia, Italy, Oman, Romania, Serbia, Slovenia, South Africa, Spain, Taiwan and the Republic of Turkey: Antidumping Duty Orders*, 86 FR 22139 (April 27, 2021) (*Order*).

changes to the *Preliminary Results* calculations, there are no new calculations to disclose.

Assessment Rates

Pursuant to section 751(a)(2)(C) of the Act and 19 CFR 351.212(b)(1), Commerce shall determine, and U.S. Customs and Border Protection (CBP) shall assess, antidumping duties on all appropriate entries of subject merchandise in accordance with the final results of this review. For the respondent, we calculated importer-specific assessment rates on the basis of the ratio of the total amount of dumping calculated for each importer's examined sales and the total entered value of those sales in accordance with 19 CFR 351.212(b)(1). Where either the respondent's weighted-average dumping margin is zero or de minimis within the meaning of 19 CFR 351.106(c)(1), or an importer-specific assessment rate is de minimis (*i.e.*, less than 0.5 percent), we will instruct CBP to liquidate the appropriate entries without regard to antidumping duties. For entries of subject merchandise during the POR produced by the respondent for which it did not know its merchandise was destined for the United States, we will instruct CBP to liquidate unreviewed entries at the all-others rate (*i.e.* 17.50 percent)⁷ if there is no rate for the intermediate company(ies) involved in the transaction.⁸

Commerce intends to issue assessment instructions to CBP no earlier than 35 days after the date of publication of the final results of this review in the **Federal Register**. If a timely summons is filed at the U.S. Court of International Trade, the assessment instructions will direct CBP not to liquidate relevant entries until the time for parties to file a request for a statutory injunction has expired (*i.e.*, within 90 days of publication).

Cash Deposit Requirements

The following deposit requirements will be effective for all shipments of aluminum sheet from Taiwan entered, or withdrawn from warehouse, for consumption on or after the date of publication of the final results of this administrative review, as provided for by section 751(a)(2)(C) of the Act: (1) the cash deposit rate for the companies under review will be the rate

established in the final results of this review (except, if the rate is zero or *de minimis*, no cash deposit will be required); (2) for previously reviewed or investigated companies not listed above, the cash deposit rate will continue to be the company-specific rate published for the most recent period; (3) if the exporter is not a firm covered in this review, a prior review, or the less-than-fair-value investigation, but the manufacturer is, the cash deposit rate will be the rate established for the most recent period for the manufacturer of the merchandise; and (4) the cash deposit rate for all other manufacturers or exporters will continue to be 17.50 percent, the all-others rate established in the investigation.⁹ These cash deposit requirements, when imposed, shall remain in effect until further notice.

Notification to Importers

This notice also serves as a final reminder to importers of their responsibility under 19 CFR 351.402(f) to file a certificate regarding the reimbursement of antidumping duties prior to liquidation of the relevant entries during this review period. Failure to comply with this requirement could result in Commerce's presumption that reimbursement of antidumping duties occurred and the subsequent assessment of double antidumping duties.

Administrative Protective Order (APO)

This notice also serves as a reminder to parties subject to an APO of their responsibility concerning the destruction or return of proprietary information disclosed under APO in accordance with 19 CFR 351.305(a)(3), which continues to govern business proprietary information in this segment of the proceeding. Timely written notification of the destruction or return of APO materials or conversion to judicial protective order is hereby requested. Failure to comply with the regulations and terms of an APO is a sanctionable violation.

Notification to Interested Parties

We are issuing and publishing this notice in accordance with sections 751(a)(1) and 777(i)(1) of the Act, and 19 CFR 351.213(h)(2) and 19 CFR 351.221(b)(4).

Dated: April 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.

Appendix

List of Topics Discussed in the Issues and Decision Memorandum

- I. Summary
- II. Background
- III. Scope of the Order
- IV. Changes Since the *Preliminary Results*
- V. Discussion of the Issues
 - Comment 1: Whether Commerce Should Apply Total Adverse Facts Available to CSAC
 - Comment 2: Whether Commerce Should Continue to Classify Certain Sales as Sales of Prime Merchandise
 - Comment 3: Whether Commerce Should Adjust Scrap Offset
 - Comment 4: Whether Commerce Should Include Service Cost and Other Operating Costs to CSAC's Total Cost of Manufacture
 - Comment 5: Whether Commerce Should Adjust CSAC's General & Administrative Expense Ratio
- VI. Recommendation

[FR Doc. 2026-07461 Filed 4-15-26; 8:45 am]

BILLING CODE 3510-DS-P

DEPARTMENT OF COMMERCE

International Trade Administration

[A-570-139]

Certain Mobile Access Equipment and Subassemblies Thereof From the People's Republic of China: Final Results of Antidumping Duty Administrative Review, 2023-2024

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

SUMMARY: The U.S. Department of Commerce (Commerce) determines that Zhejiang Dingli Machinery Co., Ltd. (Dingli), exporter of certain mobile access equipment and subassemblies thereof (MAE) from the People's Republic of China (China), made sales of subject merchandise at less than normal value (NV) during the period of review (POR) April 1, 2023, through March 31, 2024.

DATES: Applicable April 16, 2026.

FOR FURTHER INFORMATION CONTACT: Dmitry Vladimirov and Mei Bradford, AD/CVD Operations, Office I, Enforcement and Compliance, International Trade Administration, U.S. Department of Commerce, 1401 Constitution Avenue NW, Washington, DC 20230; telephone: (202) 482-0665 or (202) 482-0197, respectively.

⁷ See *Common Alloy Aluminum Sheet from Taiwan: Final Affirmative Determination of Sales at Less Than Fair Value and Final Negative Determination of Critical Circumstances*, 86 FR 13293 (March 8, 2021).

⁸ See *Antidumping and Countervailing Duty Proceedings: Assessment of Antidumping Duties*, 68 FR 23954 (May 6, 2003).

⁹ See *Order*.

SUPPLEMENTARY INFORMATION:

Background

On August 8, 2025, Commerce published the *Preliminary Results* of this review in the **Federal Register** and invited interested parties to comment.¹ Due to the lapse in appropriations and Federal Government shutdown, on November 14, 2025, Commerce tolled all deadlines in administrative proceedings by 47 days.² Additionally, due to a backlog of documents that were electronically filed via Enforcement and Compliance’s Antidumping and Countervailing Duty Centralized Electronic Service System (ACCESS) during the Federal Government shutdown, on November 24, 2025, Commerce tolled all deadlines in administrative proceedings by an additional 21 days.³ On February 9, 2026, in accordance with section 751(a)(3)(A) of the Tariff Act of 1930, as amended (the Act), Commerce extended the deadline for these final results until April 6, 2026.⁴ On April 3, 2026, Commerce again extended the deadline for these final results until April 13, 2026.⁵

For a complete description of the events that occurred since the *Preliminary Results*, see the Issues and Decision Memorandum.⁶ The Issues and Decision Memorandum is a public document and is on file electronically via Enforcement and Compliance’s Antidumping and Countervailing Duty Centralized Electronic Service System (ACCESS). ACCESS is available to registered users at <https://access.trade.gov>. In addition, a complete version of the Issues and Decision Memorandum can be accessed directly

¹ See *Certain Mobile Access Equipment and Subassemblies Thereof from the People’s Republic of China: Preliminary Results of the Antidumping Duty Administrative Review; 2023–2024*, 90 FR 38458 (August 8, 2025) (*Preliminary Results*), and accompanying Preliminary Decision Memorandum (PDM).
² See Memorandum, “Deadlines Affected by the Shutdown of the Federal Government,” dated November 14, 2025.
³ See Memorandum, “Tolling of all Case Deadlines,” dated November 24, 2025.
⁴ See Memorandum, “Extension of Deadline for Final Results of Antidumping Duty Administrative Review,” dated February 9, 2026.
⁵ See Memorandum, “Extension of Deadline for Final Results of Antidumping Duty Administrative Review,” dated April 3, 2026.
⁶ See Memorandum, “Issues and Decision Memorandum for the Final Results of the Antidumping Duty Administrative Review of Certain Mobile Access Equipment and Subassemblies Thereof from the People’s Republic of China; 2023–2024,” dated concurrently with, and hereby adopted by, this notice (Issues and Decision Memorandum).

at <https://access.trade.gov/public/FRNoticesListLayout.aspx>.
Commerce conducted this administrative review in accordance with section 751(a)(1)(B) the Act.

Scope of the Order ⁷

The products covered by the *Order* MAE from China. A complete description of the scope of the *Order* is contained in the Issues and Decision Memorandum.

Analysis of Comments Received

All issues raised in the case and rebuttal briefs by parties in this administrative review are addressed in the Issues and Decision Memorandum and are listed in the appendix to this notice.

Changes Since the Preliminary Results

Based on our review of the record and comments received from interested parties regarding the *Preliminary Results*, and for the reasons explained in the Issues and Decision Memorandum, we made certain changes to the margin calculation for Dingli.⁸

Rate for Non-Examined Separate Rate Respondents

No parties commented on Commerce’s preliminary decision to grant a separate rate to the Hunan Sinoboom Intelligent Equipment Co., Ltd., Terex (Changzhou) Machinery Co., Ltd., and Oshkosh JLG (Tianjin) Equipment Technology Co., Ltd.⁹ We have made no changes to Commerce’s preliminary separate rate determination for the final results of review, but updated the rate based on changes made to the weighted-average dumping margin Dingli.

Final Results of Review

Commerce determines that the following estimated weighted-average dumping margins exist for the period April 1, 2023, through March 31, 2024:

Exporter	Weighted-average dumping margin (percent)
Zhejiang Dingli Machinery Co., Ltd.	18.27
Non-Selected Separate Rate Respondents	
Hunan Sinoboom Intelligent Equipment Co., Ltd.	18.27

⁷ See *Certain Mobile Access Equipment and Subassemblies Thereof from the People’s Republic of China: Antidumping Duty and Countervailing Duty Orders*, 87 FR 22190 (April 14, 2022) (*Order*).
⁸ See Issues and Decision Memorandum.
⁹ See *Preliminary Results*.

Exporter	Weighted-average dumping margin (percent)
Terex (Changzhou) Machinery Co., Ltd.	18.27
Oshkosh JLG (Tianjin) Equipment Technology Co., Ltd.	18.27

Disclosure

Commerce intends to disclose the calculations performed in connection with these final results of review to interested parties in this review within five days after public announcement of the final results or, if there is no public announcement, within five days of the date of publication of this notice in the **Federal Register**, in accordance with 19 CFR 351.224(b)

Assessment Rates

Pursuant to section 751(a)(2)(C) of the Act, and 19 CFR 351.212(b)(1), Commerce has determined, and U.S. Customs and Border Protection (CBP) shall assess, antidumping duties on all appropriate entries of subject merchandise in accordance with the final results of this review. Pursuant to 19 CFR 351.212(b)(1), for Dingli, we calculated importer-specific *ad valorem* duty assessment rate based on the ratio of the total amount of dumping calculated for each importer’s examined sales and the total entered value of the sales in accordance with 19 CFR 351.212(b)(1). Where an importer-specific assessment rate is *de minimis* (i.e., less than 0.5 percent), the entries by that importer will be liquidated without regard to antidumping duties.

For all non-selected separate rate respondents subject to this review, we will instruct CBP to liquidate all entries of subject merchandise that entered the United States during the POR at the rate calculated for Dingli as listed above. For entries of subject merchandise during the POR produced by Dingli for which they did not know their merchandise was destined for the United States, we intend to instruct CBP to liquidate such entries at the China-wide rate if there is no rate for the intermediate company or companies involved in the transaction.

Commerce intends to issue assessment instructions to CBP no earlier than 35 days after the date of publication of the final results of this review in the **Federal Register**. If a timely summons is filed at the U.S. Court of International Trade, the assessment instructions will direct CBP not to liquidate relevant entries until the time for parties to file a request for a

statutory injunction has expired (*i.e.*, within 90 days of publication).

Cash Deposit Requirements

Upon publication of this notice in the **Federal Register**, the following cash deposit requirements will be effective for all shipments of the subject merchandise entered, or withdrawn from warehouse, for consumption on or after the publication date of the final results of this administrative review, as provided in section 751(a)(2)(C) of the Act: (1) the cash deposit rate for the company subject to this review will be the rate established in these final results of the review; (2) for previously investigated or reviewed Chinese and non-Chinese exporters not listed above that have separate rates, the cash deposit rate will continue to be the exporter-specific rate published for the most recently completed segment of this proceeding in which they were reviewed; (3) for all Chinese exporters of subject merchandise that have not been found to be entitled to a separate rate, the cash deposit rate will be equal to the rate for the China-wide entity (*i.e.*, 165.14 percent); and (4) for all non-Chinese exporters of subject merchandise which have not received their own separate rate, the cash deposit rate will be the rate applicable to the Chinese exporter(s) that supplied that non-Chinese exporter.¹⁰ These cash deposit requirements, when imposed, shall remain in effect until further notice.

Notification to Importers

This notice serves as a final reminder to importers of their responsibility under 19 CFR 351.402(f)(2) to file a certificate regarding the reimbursement of antidumping and/or countervailing duties prior to liquidation of the relevant entries during this POR. Failure to comply with this requirement could result in Commerce's presumption that reimbursement of antidumping and/or countervailing duties has occurred and the subsequent assessment of double antidumping duties, and/or an increase in the amount of antidumping duties by the amount of countervailing duties.

Administrative Protective Order (APO)

This notice also serves as a final reminder to parties subject to an APO of their responsibility concerning the return or destruction of proprietary information disclosed under APO in accordance with 19 CFR 351.305(a)(3), which continues to govern business proprietary information in this segment of the proceeding. Timely written

notification of the return or destruction of APO materials or conversion to judicial protective order is hereby requested. Failure to comply with the regulations and the terms of an APO is a sanctionable violation.

Notification to Interested Parties

These final results are issued and published in accordance with sections 751(a)(1) and 777(i)(1) of the Act, and 19 CFR 351.221(b)(5).

Dated: April 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.

Appendix

List of Topics Discussed in the Issues and Decision Memorandum

- I. Summary
- II. Background
- III. Scope of the *Order*
- IV. Change Since the *Preliminary Results*
- V. Discussion of the Issues
 - Comment 1: Dingli's Post-Preliminary Rebuttal Submissions
 - Comment 2: Dingli's Surrogate Value (SV) Rebuttal
 - Comment 3: SV for Ocean Freight
 - Comment 4: Primary Surrogate Country—Türkiye
 - Comment 5: Turkish Financial Statements
 - Comment 6: Primary Surrogate Country—Bulgaria
 - Comment 7: SV for Factor of Production (FOP) "ACCUMULATOR"
 - Comment 8: SV for FOP "CENTER ROTATOR"
 - Comment 9: SV for FOP "CHARGER"
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 - Comment 22: SV for FOP "CONTROL ASSEMBLY"
 - Comment 23: SV for FOP "ST FLAT"
 - Comment 24: SV for FOP "ST PLATE 3TO4 75 PR"
 - Comment 25: SV for FOPs of Multiple Fabricated Parts
 - Comment 26: SV for FOP "FOREARM ST ARTICLE," "ROLLER BRACKET ST ARTICLE," and "TRACK ST ARTICLE"
 - Comment 27: SV for Labor

- Comment 28: SV for Water
- Comment 29: Financial Ratios Calculation
- Comment 30: SV for Marine Insurance
- Comment 31: SV for Domestic Inland Freight
- Comment 32: SV for U.S. Inland Truck Freight
- Comment 33: Freight Revenue
- Comment 34: Section 301 Duties
- Comment 35: Differential Pricing
- VI. Recommendation

[FR Doc. 2026–07462 Filed 4–15–26; 8:45 am]

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DEPARTMENT OF COMMERCE

International Trade Administration

[C–553–002]

Silicon Metal From the Lao People's Democratic Republic: Countervailing Duty Order

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

SUMMARY: Based on affirmative final determinations by the U.S. Department of Commerce (Commerce) and U.S. International Trade Commission (ITC), Commerce is issuing a countervailing duty (CVD) order on silicon metal from the Lao People's Democratic Republic (Laos).

DATES: Applicable April 16, 2026.

FOR FURTHER INFORMATION CONTACT: Shane Subler or Laurel Smalley, AD/CVD Operations, Office VIII, Enforcement and Compliance, International Trade Administration, U.S. Department of Commerce, 1401 Constitution Avenue NW, Washington, DC 20230; telephone: (202) 482–6241 or (202) 482–3456, respectively.

SUPPLEMENTARY INFORMATION:

Background

In accordance with sections 705(d) and 777(i) of the Tariff Act of 1930, as amended (the Act), on February 23, 2026, Commerce published in the **Federal Register** its affirmative final determination that countervailable subsidies are being provided to producers and exporters of silicon metal from Laos.¹

On April 6, 2026, pursuant to section 705(d) of the Act, the ITC notified Commerce of its final affirmative determination that an industry in the United States is materially injured by reason of subsidized imports of silicon

¹ See *Silicon Metal from the Lao People's Democratic Republic: Final Affirmative Countervailing Duty Determination*, 91 FR 8425 (February 23, 2026) (*Final Determination*), and accompanying Issues and Decision Memorandum.

¹⁰ See *Order*, 87 FR at 22191.

metal from Laos, within the meaning of section 705(b)(1)(A)(i) of the Act.²

Scope of the Order

The product covered by this order is silicon metal from Laos. For a complete description of the scope of the order, see the appendix to this notice.

Order

Based on the ITC's affirmative final determination that an industry in the United States is materially injured within the meaning of section 705(b)(1)(A)(i) of the Act by reason of subsidized imports of silicon metal from Laos,³ in accordance with section 705(c)(2) of the Act, Commerce is issuing this CVD order. Moreover, because the ITC determined that imports of silicon metal from Laos are materially injuring a U.S. industry, unliquidated entries of such merchandise from Laos entered, or withdrawn from warehouse, for consumption, are subject to the assessment of countervailing duties.

Therefore, in accordance with section 706(a) of the Act, Commerce will direct U.S. Customs and Border Protection (CBP) to assess, upon further instruction by Commerce, countervailing duties on all relevant entries of silicon metal from Laos, which are entered, or withdrawn from warehouse, for consumption, on or after September 26, 2025, the date of publication of the *Preliminary Determination*,⁴ but will not include entries occurring after the expiration of the provisional measures period and before the publication of the ITC's final injury determination under section 705(b) of the Act, as further described in the "Provisional Measures" section of this notice.

Suspension of Liquidation and Cash Deposits

In accordance with section 706 of the Act, Commerce intends to instruct CBP to reinstitute the suspension of liquidation of silicon metal from Laos, effective on the date of publication of the ITC's final affirmative injury determination in the **Federal Register**. These instructions suspending liquidation will remain in effect until further notice.

Commerce also intends, pursuant to section 706(a)(1) of the Act, to instruct

CBP to require cash deposits equal to the amounts as indicated below. Accordingly, effective on the date of publication of the ITC's final affirmative injury determination in the **Federal Register**, CBP will require, at the same time as importers would normally deposit estimated customs duties on the subject merchandise, a cash deposit for each entry of subject merchandise equal to the subsidy rates listed below.⁵ The all-others rate applies to all producers or exporters not specifically listed below, as appropriate.

ESTIMATED COUNTERVAILABLE SUBSIDY RATES

Company	Subsidy rate (percent <i>ad valorem</i>)
Lao Silicon Co., Ltd	* 69.10
All Others	69.10

* This rate is based on facts available with adverse inferences.

Provisional Measures

Section 703(d) of the Act states that the suspension of liquidation pursuant to an affirmative preliminary determination may not remain in effect for more than four months. Commerce published the *Preliminary Determination* on September 26, 2025.⁶ As such, the four-month period beginning on the date of the publication of the *Preliminary Determinations* ended on January 23, 2026.

Therefore, in accordance with section 703(d) of the Act, we instructed CBP to terminate the suspension of liquidation and to liquidate, without regard to countervailing duties, unliquidated entries of silicon metal from Laos entered, or withdrawn from warehouse, for consumption, on or after January 24, 2026, the date on which the provisional measures expired, until and through the day preceding the date of publication of the ITC's final injury determination in the **Federal Register**. Suspension of liquidation and the collection of cash deposits will resume on the date of publication of the ITC's final determination in the **Federal Register**.

Establishment of Annual Inquiry Service Lists

On September 20, 2021, Commerce published the *Final Rule* in the **Federal Register**.⁷ On September 27, 2021, Commerce also published the

Procedural Guidance in the **Federal Register**.⁸ The *Final Rule* and *Procedural Guidance* provide that Commerce will maintain an annual inquiry service list for each order or suspended investigation, and any interested party submitting a scope ruling application or request for circumvention inquiry shall serve a copy of the application or request on the persons on the annual inquiry service list for that order, as well as any companion order covering the same merchandise from the same country of origin.⁹

In accordance with the *Procedural Guidance*, for orders published in the **Federal Register** after November 4, 2021, Commerce will create an annual inquiry service list segment in Commerce's online e-filing and document management system, Antidumping and Countervailing Duty Electronic Service System (ACCESS), available at <https://access.trade.gov>, within five business days of publication of the notice of the order. Each annual inquiry service list will be saved in ACCESS, under each case number, and under a specific segment type called "AISL-Annual Inquiry Service List."¹⁰

Interested parties who wish to be added to the annual inquiry service list for an order must submit an entry of appearance to the annual inquiry service list segment for the order in ACCESS within 30 days after the date of publication of the order. For ease of administration, Commerce requests that law firms with more than one attorney representing interested parties in an order designate a lead attorney to be included on the annual inquiry service list. Commerce will finalize the annual inquiry service list within five business days thereafter. As mentioned in the *Procedural Guidance*,¹¹ the new annual inquiry service list will be in place until the following year, when the *Opportunity Notice* for the anniversary month of the order is published.

Commerce may update an annual inquiry service list at any time as

⁸ See *Scope Ruling Application; Annual Inquiry Service List; and Informational Sessions*, 86 FR 53205 (September 27, 2021) (*Procedural Guidance*).

⁹ *Id.*

¹⁰ This segment will be combined with the ACCESS Segment Specific Information (SSI) field which will display the month in which the notice of the order or suspended investigation was published in the **Federal Register**, also known as the anniversary month. For example, for an order under case number A-000-000 that was published in the **Federal Register** in January, the relevant segment and SSI combination will appear in ACCESS as "AISL-January Anniversary." Note that there will be only one annual inquiry service list segment per case number, and the anniversary month will be pre-populated in ACCESS.

¹¹ See *Procedural Guidance*, 86 FR at 53206.

² See ITC's Letter, "Notification of ITC Final Determination," dated April 6, 2026.

³ *Id.*

⁴ See *Silicon Metal From the Lao People's Democratic Republic: Preliminary Affirmative Countervailing Duty Determination and Alignment of Final Determination With Final Antidumping Duty Determination*, 90 FR 46384 (September 26, 2025) (*Preliminary Determination*).

⁵ See section 706(a)(3) of the Act.

⁶ See *Preliminary Determination*, 90 FR at 46384.

⁷ See *Regulations to Improve Administration and Enforcement of Antidumping and Countervailing Duty Laws*, 86 FR 52300 (September 20, 2021) (*Final Rule*).

needed based on interested parties' amendments to their entries of appearance to remove or otherwise modify their list of members and representatives, or to update contact information. Any changes or announcements pertaining to these procedures will be posted to the ACCESS website at <https://access.trade.gov>.

Special Instructions for the Petitioners and Foreign Governments

In the *Final Rule*, Commerce stated that, "after an initial request and placement on the annual inquiry service list, both petitioners and foreign governments will automatically be placed on the annual inquiry service list in the years that follow."¹²

Accordingly, as stated above, the petitioners¹³ and the Government of Laos (GOL) should submit their initial entries of appearance after publication of this notice in order to appear in the first annual inquiry service list for this order. Pursuant to 19 CFR 351.225(n)(3), the petitioners and the GOL will not need to resubmit their entries of appearance each year to continue to be included on the annual inquiry service list. However, the petitioners and the GOL are responsible for making amendments to their entries of appearance during the annual update to the annual inquiry service list in accordance with the procedures described above.

Notification to Interested Parties

This notice constitutes the CVD order with respect to silicon metal from Laos, pursuant to section 706(a) of the Act. Interested parties can find a list of antidumping duty and CVD orders currently in effect at <https://www.trade.gov/data-visualization/adcvd-orders-and-suspension-agreements>.

This CVD order is issued and published in accordance with section 706(a) of the Act and 19 CFR 351.211(b).

Dated: April 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.

Appendix

Scope of the Order

The scope of this order covers all forms and sizes of silicon metal, including silicon metal powder. Silicon metal contains at least

85.00 percent but less than 99.99 percent silicon, and less than 4.00 percent iron, by actual weight. Semiconductor grade silicon (merchandise containing at least 99.99 percent silicon by actual weight and classifiable under Harmonized Tariff Schedule of the United States (HTSUS) subheading 2804.61.0000) is excluded from the scope of this order.

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

[FR Doc. 2026-07466 Filed 4-15-26; 8:45 am]

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DEPARTMENT OF COMMERCE

International Trade Administration

[A-570-053]

Certain Aluminum Foil From the People's Republic of China: Final Results of Antidumping Duty Administrative Review; 2023-2024

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

SUMMARY: The U.S. Department of Commerce (Commerce) determines that certain producers and/or exporters made sales of certain aluminum foil (aluminum foil) at less than normal value during the period of review (POR), April 1, 2023, through March 31, 2024.

DATES: Applicable April 16, 2026.

FOR FURTHER INFORMATION CONTACT: Jacob Waddell, AD/CVD Operations, Office VI, Enforcement and Compliance, International Trade Administration, U.S. Department of Commerce, 1401 Constitution Avenue NW, Washington, DC 20230; telephone: (202) 482-1369.

SUPPLEMENTARY INFORMATION:

Background

On August 5, 2025, Commerce published the *Preliminary Results* and invited interested parties to comment.¹ Due to the lapse in appropriations and Federal Government Shutdown, on November 14, 2025, Commerce tolled all deadlines in administrative proceedings by 47 days,² and, due to a backlog of documents that were electronically filed via Enforcement and

Compliance's Antidumping and Countervailing Duty Centralized Electronic Service System (ACCESS) during the Federal Government shutdown, on November 24, 2025, Commerce tolled all deadlines in administrative proceedings by an additional 21 days.³ Between January 16, and April 1, 2026, Commerce extended the final results deadline by 60 days.⁴ On March 3, 2026, Commerce issued its post-preliminary analysis and invited interested parties to comment.⁵

For a full summary of the events that have occurred since the *Preliminary Results*, see the Issues and Decision Memorandum.⁶ The Issues and Decision Memorandum is a public document and is on file electronically via ACCESS. ACCESS is available to registered users at <https://access.trade.gov>. In addition, a complete version of the Issues and Decision Memorandum can be found at <https://access.trade.gov/public/FRNoticesListLayout.aspx>.

Commerce conducted this review in accordance with section 751(a) of the Tariff Act of 1930, as amended (the Act).

Scope of the Order⁷

The merchandise covered by the *Order* is aluminum foil from China. For a complete description of the scope, see the Issues and Decision Memorandum.

Analysis of Comments Received

All issues raised in the case and rebuttal briefs are addressed in the Issues and Decision Memorandum and are listed in Appendix I.

Changes From the Preliminary Results

Based on our analysis of the comments received from interested parties, we made certain changes to the margin calculations for Dingsheng⁸ and

³ See Memorandum, "Tolling of all Case Deadlines," dated November 24, 2025.

⁴ See Memorandum, "Extension of Deadline for Final Results of 2023-2024 Antidumping Duty Administrative Review," dated January 16, 2026; see also Memorandum, "Extension of Deadline for Final Results of 2023-2024 Antidumping Duty Administrative Review," dated April 1, 2026.

⁵ See Memorandum, "Post-Preliminary Analysis," dated March 3, 2026.

⁶ See Memorandum, "Issues and Decision Memorandum for the Final Results of the Antidumping Duty Administrative Review of Certain Aluminum Foil from the People's Republic of China; 2023-2024" dated concurrently with, and hereby adopted by, this notice (Issues and Decision Memorandum).

⁷ See *Certain Aluminum Foil from the People's Republic of China: Amended Final Determination of Sales at Less Than Fair Value and Antidumping Duty Order*: 83 FR 17362 (April 19, 2018) (*Order*).

⁸ Dingsheng, collectively, consists of Jiangsu Dinsheng New Materials Joint-Stock Co., Ltd.; Hangzhou Dingsheng Import&Export Co., Ltd.; Dingsheng Aluminium Industries (Hong Kong) Trading Co., Limited; Hangzhou Teemful

¹² See *Final Rule*, 86 FR at 52335.

¹³ The petitioners in this proceeding are Ferrolobe USA, Inc. and Mississippi Silicon LLC (collectively, the petitioners).

¹ See *Certain Aluminum Foil from the People's Republic of China: Preliminary Results of Antidumping Duty Administrative Review; 2023-2024*; 90 FR 38449 (August 8, 2025) (*Preliminary Results*), and accompanying Preliminary Decision Memorandum (PDM).

² See Memorandum, "Deadlines Affected by the Shutdown of the Federal Government," dated November 14, 2025.

Zhongji.⁹ For a discussion of these changes, *see* the Issues and Decision Memorandum.

Separate Rates

In the *Preliminary Results*, we determined that five companies demonstrated their eligibility for a separate rate.¹⁰ For these final results, we continue to determine that the five non-examined companies are eligible for a separate rate. No interested parties commented on our calculation of a separate rate in the *Preliminary Results*. Therefore, our methodology for

calculating a separate rate remains the same as in the *Preliminary Results*.¹¹

China-Wide Entity

In accordance with Commerce's policy, the China-wide entity will not be under review unless a party specifically requests, or Commerce self-initiates, a review of the China-wide entity.¹² Because no party requested a review of the China-wide entity, and Commerce did not self-initiate a review of the entity, the China-wide entity is not under review, and the weighted-average dumping margin for the China-wide

entity (*i.e.*, 105.80 percent) is not subject to change.¹³ As in the *Preliminary Results*, Because these five companies did not demonstrate their eligibility for a separate rate, we continue to find five companies to be part of the China-wide entity, and they will be subject to the China-wide entity rate.¹⁴

Final Results of Administrative Review

Commerce determines that the following estimated weighted-average dumping margins exist for the period April 1, 2023, through March 31, 2024:

Exporter	Weighted-average dumping margin (percent)
Jiangsu Dingsheng New Materials Joint-Stock Co., Ltd./Hangzhou Dingsheng Import&Export Co., Ltd./Dingsheng Aluminium Industries (Hong Kong) Trading Co., Limited/Hangzhou Teemful Aluminium Co., Ltd./Hangzhou Five Star Aluminium Co., Ltd./Inner Mongolia Liansheng New Energy Material Co., Ltd./Inner Mongolia Xinxing New Energy Material Co., Ltd./Dingheng New Materials Co., Ltd./Thai Ding Li New Materials Co., Ltd	25.76
Jiangsu Zhongji Lamination Materials Co., Ltd./Jiangsu Zhongji Lamination Materials Co., (HK) Limited/Jiangsu Huafeng Aluminum Industry Co., Ltd./Anhui Zhongji Battery Foil Sci&Tech Co., Ltd./Anhui Maximum Aluminum co., Ltd./Sichuan Wanshun Zhongji Aluminium Industry Co., Ltd	29.10
Companies Receiving a Separate Rate	
Dong-IL Aluminium Co., Ltd	27.19
Eastern Valley Co., Ltd	27.19
Korea Aluminium Co., Ltd	27.19
Lotte Aluminium Co., Ltd	27.19
Xiamen Xiashun Aluminum Foil Co., Ltd	27.19

Disclosure

Pursuant to 19 CFR 351.224(b), we intend to disclose to parties in this proceeding the calculations performed for these final results within five days of the publication of this notice in the **Federal Register**.

Assessment Rates

Commerce has determined, and U.S. Customs and Border Protection (CBP) shall assess, antidumping duties on all appropriate entries in this review, in accordance with section 751(a)(2)(C) of the Act and 19 CFR 351.212(b). We intend to issue assessment instructions to CBP no earlier than 35 days after the date of publication of these final results in the **Federal Register**. If a timely summons is filed at the U.S. Court of International Trade, the assessment

instructions will direct CBP not to liquidate relevant entries until the time for parties to file a request for a statutory injunction has expired (*i.e.*, within 90 days of publication).

Where Dingsheng and Zhongji reported reliable entered values, we calculated importer- (or customer-) specific *ad valorem* rates by aggregating the dumping margins calculated for all U.S. sales to each importer (or customer) and dividing this amount by the total entered value of the sales to each importer (or customer).¹⁵ Where Commerce calculated a weighted-average dumping margin by dividing the total amount of dumping for reviewed sales to that party by the total sales quantity associated with those transactions, Commerce will direct CBP to assess importer- (or customer-) specific assessment rates based on the

resulting per-unit rates.¹⁶ Where an importer- (or customer-) specific *ad valorem* or per-unit rate is greater than *de minimis* (*i.e.*, 0.50 percent), Commerce will instruct CBP to collect the appropriate duties at the time of liquidation.¹⁷ Where an importer- (or customer-) specific *ad valorem* or per-unit rate is zero or *de minimis*, Commerce will instruct CBP to liquidate appropriate entries without regard to antidumping duties.¹⁸

Cash Deposit Requirements

The following cash deposit requirements will be effective upon publication of the final results of this review for shipments of the subject merchandise from China entered, or withdrawn from warehouse, for

Aluminium Co., Ltd.; Hangzhou Five Star Aluminium co., Ltd.; Inner Mongolia Liansheng New Energy Material Co., Ltd.; InnerMongolia Xinxing New Energy Material Co., Ltd.; Dingheng New Materials Co., Ltd.; and Thai Ding Li New Materials Co., Ltd. *See* Memorandum, "Dingsheng Final Results Analysis Memorandum," dated concurrently with this notice.

⁹ Zhongji, collectively, consists of Jiangsu Zhongji Lamination Materials Co., Ltd.; Jiangsu Zhongji Lamination Materials Co., (HK) Limited; Jiangsu

Huafeng Aluminium Industry Co., Ltd.; Anhui Zhongji Battery Foil Sci&Tech Co., Ltd.; Anhui Maximum Aluminum Co., Ltd.; and Sichuan Wanshun Zhongji Aluminium Industry Co., Ltd. *See* Memorandum, "Zhongji Final Results Analysis Memorandum," dated concurrently with this notice.

¹⁰ *See Preliminary Results* PDM at the "Separate Rates" section for more details.

¹¹ *Id.* at 10.

¹² *See Antidumping Proceedings: Announcement of Change in Department Practice for Respondent*

Selection in Antidumping Duty Proceedings and Conditional Review of the Nonmarket Economy Entity in NME Antidumping Duty Proceedings, 78 FR 65963, 65969–70 (November 4, 2013).

¹³ *See Order*, 84 FR at 2814.

¹⁴ *See* Appendix II.

¹⁵ *See* 19 CFR 351.212(b)(1).

¹⁶ *Id.*

¹⁷ *Id.*

¹⁸ *See* 19 CFR 351.106(c)(2).

consumption on or after the publication date, as provided by section 751(a)(2)(C) of the Act: (1) for subject merchandise exported by the companies listed above that have separate rates, the cash deposit rate will be the rate established in these final results of review for each exporter as listed above; (2) for previously investigated or reviewed Chinese and non-Chinese exporters not listed above that received a separate rate in a prior segment of this proceeding, the cash deposit rate will continue to be the existing exporter-specific rate; (3) for all Chinese exporters of subject merchandise that have not been found to be entitled to a separate rate, the cash deposit rate will be that for the China-wide entity; and (4) for all non-Chinese exporters of subject merchandise which have not received their own rate, the cash deposit rate will be the rate applicable to the Chinese exporter that supplied that non-Chinese exporter. These cash deposit requirements, when imposed, shall remain in effect until further notice.

Notification to Importers

This notice serves as a final reminder to importers of their responsibility under 19 CFR 351.402(f)(2) to file a certificate regarding the reimbursement of antidumping and/or countervailing duties prior to liquidation of the relevant entries during this review period. Failure to comply with this requirement could result in Commerce's presumption that reimbursement of antidumping and/or countervailing duties occurred and the subsequent assessment of double antidumping duties, and/or an increase in the amount of antidumping duties by the amount of the countervailing duties.

Administrative Protective Order (APO)

This notice also serves as a reminder to parties subject to an APO of their responsibility concerning the return or destruction of proprietary information disclosed under APO in accordance with 19 CFR 351.305, which continues to govern business proprietary information in this segment of the proceeding. Timely written notification of the return or destruction of APO materials, or conversion to judicial protective order, is hereby requested. Failure to comply with the regulations and terms of an APO is a violation which is subject to sanction.

Notification to Interested Parties

This determination is issued and published in accordance with sections 751(a) and 777(i)(1) of the Act and 19 CFR 351.221(b)(5).

Dated: April 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.

Appendix I

List of Topics Discussed in the Issues and Decision Memorandum

- I. Summary
- II. Background
- III. Scope of the Order
- IV. Changes Since the Preliminary Results
- V. Discussion of the Issues
 - Comment 1: Selection of Surrogate Country
 - Comment 2: Using Alternative Financial Ratios
 - Comment 3: Labor Surrogate Value
 - Comment 4: Water Surrogate Value
 - Comment 5: Valuation of Zhongji's Chalybeate Agent, Copper Agent, and Silicon Agent
 - Comment 6: Valuation of Zhongji's Rolling Oil and Rolling Oil Additive Factors of Production
 - Comment 7: Valuation of Dingsheng's By-Product Aluminum and Self-Produced Aluminum
 - Comment 8: Treatment of Zhongji's Commission Expenses
 - Comment 9: Conversion of Natural Gas Surrogate Value for Dingsheng and Zhongji
 - Comment 10: Issuance of Double Remedy Offset Questionnaire
- VI. Recommendation

Appendix II

Companies Determined To Be Part of the China-Wide Entity

1. Dongwon Systems Corp.
2. Gränges Aluminium (Shanghai) Co., Ltd.
3. Sama Aluminium Co Ltd.
4. Shanghai Shenhua Aluminium Foil Co., Ltd.
5. Shanghai Shenyan Packaging Co., Ltd.

[FR Doc. 2026-07468 Filed 4-15-26; 8:45 am]

BILLING CODE 3510-DS-P

DEPARTMENT OF COMMERCE

International Trade Administration

[A-401-809, A-428-843, A-570-996, A-580-872, A-583-851, A-588-872]

Non-Oriented Electrical Steel From Sweden, Germany, the People's Republic of China, the Republic of Korea, Taiwan and Japan: Final Results of the Expedited Second Sunset Reviews of the Antidumping Duty Orders

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

SUMMARY: The U.S. Department of Commerce (Commerce) finds that revocation of the antidumping duty (AD) orders on non-oriented electrical

steel (NOES) from Sweden, Germany, the People's Republic of China (China), the Republic of Korea (Korea), Taiwan, and Japan would be likely to lead to continuation or recurrence of dumping, at the levels indicated in the "Final Results of Sunset Reviews" section of this notice.

DATES: Applicable April 16, 2026.

FOR FURTHER INFORMATION CONTACT:

David De Falco, Trade Agreements Policy and Negotiations, Enforcement and Compliance, International Trade Administration, U.S. Department of Commerce, 1401 Constitution Avenue NW, Washington, DC 20230; telephone: (202) 482-2178.

SUPPLEMENTARY INFORMATION:

Background

On December 3, 2014, Commerce published the *Orders* in the **Federal Register**.¹ On December 1, 2025, Commerce published the notice of initiation of these second sunset reviews of the *Orders*, pursuant to section 751(c) of the Tariff Act of 1930, as amended (the Act), with an effective initiation date of November 3, 2025.²

On December 9 and 16, 2025, Commerce received timely and complete notices of intent to participate in these sunset reviews from the domestic interested parties³ within the deadline specified in the 19 CFR 351.218(d)(1)(i).⁴ The domestic

¹ See *Non-Oriented Electrical Steel from the People's Republic of China, Germany, Japan, the Republic of Korea, Sweden, and Taiwan: Antidumping Duty Orders*, 79 FR 71741 (December 3, 2014) (*Orders*).

² See *Initiation of Five-Year (Sunset) Reviews*, 90 FR 55086 (December 1, 2025).

³ The domestic interested parties are Cleveland-Cliffs Inc. (Cleveland-Cliffs) and United States Steel Corporation (U.S. Steel) (collectively, the domestic interested parties).

⁴ See Cleveland-Cliffs' Letter, "Five-Year ('Sunset') Review Of Antidumping & Countervailing Duty Orders On Non-Oriented Electrical Steel from the People's Republic of China, Germany, Japan, Republic of Korea, Sweden, and Taiwan: Notice Of Intent To Participate In Sunset Reviews," dated December 9, 2025; see also U.S. Steel's Letters, "Second Five-Year ('Sunset') Review of Antidumping Duty Order on Non-Oriented Electrical Steel from Sweden: Notice of Intent to Participate," "Second Five-Year ('Sunset') Review of Antidumping Duty Order on Non-Oriented Electrical Steel from Germany: Notice of Intent to Participate," "Second Five-Year ('Sunset') Review of Antidumping and Countervailing Duty Orders on Non-Oriented Electrical Steel from China: Notice of Intent to Participate," "Second Five-Year ('Sunset') Review of Antidumping Duty Order on Non-Oriented Electrical Steel from South Korea: Notice of Intent to Participate," "Second Five-Year ('Sunset') Review of Antidumping and Countervailing Duty Orders on Non-Oriented Electrical Steel from Taiwan: Notice of Intent to Participate," and "Second Five-Year ('Sunset') Review of Antidumping Duty Order on Non-Oriented

Continued

interested parties claimed interested party status within the meaning of section 771(9)(C) of the Act as U.S. producers of a domestic like product.⁵ On December 23, 2025, Commerce notified the U.S. International Trade Commission (ITC) that it had received notices of intent to participate from the domestic interested parties.⁶

On December 29 and 31, 2025, pursuant to 19 CFR 351.218(d)(3)(i), the domestic interested parties filed timely and adequate substantive responses.⁷ Commerce did not receive a substantive response from any respondent interested party. On January 23, 2026, Commerce notified the ITC that it did not receive substantive response from

Electrical Steel from Japan: Notice of Intent to Participate,” all dated December 16, 2025.

⁵ *Id.*

⁶ See Commerce’s Letter, “Sunset Reviews Initiated on November 3, 2025,” dated December 23, 2025.

⁷ See Cleveland-Cliffs’ Letter, “Five-Year (‘Sunset’) Review of Antidumping Duty Order on Non-Oriented Electrical Steel from Sweden: Domestic Interested Party Substantive Response,” dated December 29, 2025; U.S. Steel’s Letter, “Non-Oriented Electrical Steel from Sweden: Substantive Response of United States Steel Corporation to Commerce’s Notice of Initiation of Five-Year (‘Sunset’) Review,” dated December 31, 2025; Cleveland-Cliffs’ Letter, “Five-Year (‘Sunset’) Review of Antidumping Duty Order on Non-Oriented Electrical Steel from Germany: Domestic Interested Party Substantive Response,” dated December 29, 2025; U.S. Steel’s Letter, “Non-Oriented Electrical Steel from Germany: Substantive Response of United States Steel Corporation to Commerce’s Notice of Initiation of Five-Year (‘Sunset’) Review,” dated December 31, 2025; Cleveland-Cliffs’ Letter, “Five-Year (‘Sunset’) Review of Antidumping Duty Order on Non-Oriented Electrical Steel from China: Domestic Interested Party Substantive Response,” dated December 29, 2025; U.S. Steel’s Letter, “Non-Oriented Electrical Steel from China: Substantive Response of United States Steel Corporation to Commerce’s Notice of Initiation of Five-Year (‘Sunset’) Review,” dated December 31, 2025; Cleveland-Cliffs’ Letter, “Five-Year (‘Sunset’) Review of Antidumping Duty Order on Non-Oriented Electrical Steel from Korea: Domestic Interested Party Substantive Response,” dated December 29, 2025; U.S. Steel’s Letter, “Non-Oriented Electrical Steel from Korea: Substantive Response of United States Steel Corporation to Commerce’s Notice of Initiation of Five-Year (‘Sunset’) Review,” dated December 31, 2025; Cleveland-Cliffs’ Letter, “Five-Year (‘Sunset’) Review of Antidumping Duty Order on Non-Oriented Electrical Steel from Taiwan: Domestic Interested Party Substantive Response,” dated December 29, 2025; U.S. Steel’s Letter, “Non-Oriented Electrical Steel from Taiwan: Substantive Response of United States Steel Corporation to Commerce’s Notice of Initiation of Five-Year (‘Sunset’) Review,” dated December 31, 2025; Cleveland-Cliffs’ Letter, “Five-Year (‘Sunset’) Review of Antidumping Duty Order on Non-Oriented Electrical Steel from Japan: Domestic Interested Party Substantive Response,” dated December 29, 2025; and U.S. Steel’s Letter, “Non-Oriented Electrical Steel from Japan: Substantive Response of United States Steel Corporation to Commerce’s Notice of Initiation of Five-Year (‘Sunset’) Review,” dated December 31, 2025.

any respondent interested parties.⁸ As a result, pursuant to section 751(c)(3)(B) of the Act and 19 CFR 351.218(e)(1)(ii)(C)(2), Commerce is conducting expedited (120-day) sunset reviews of the *Orders*.

Due to the lapse in appropriations and Federal Government shutdown, on November 14, 2025, Commerce tolled all deadlines in administrative proceedings by 47 days.⁹ Additionally, due to a backlog of documents that were electronically filed via Enforcement and Compliance’s Antidumping and Countervailing Duty Centralized Electronic Service System (ACCESS) during the Federal Government shutdown, on November 24, 2025, Commerce tolled all deadlines in administrative proceedings by an additional 21 days.¹⁰ Accordingly, the deadline for these final results is now April 14, 2026.

Scope of the Orders

The product covered by these *Orders* is NOES from Sweden, Germany, China, Korea, Taiwan, and Japan. For the full description of the scope of the *Orders*, see the Issues and Decisions Memorandum.¹¹

Analysis of Comments Received

A complete discussion of all issues raised in this sunset review, including the likelihood of continuation or recurrence of dumping in the event of revocation of the *Orders* and the magnitude of the margins likely to prevail if the *Orders* were to be revoked, is provided in the Issues and Decision Memorandum.¹² A list of the topics discussed in the Issues and Decision Memorandum is attached in the appendix to this notice. The Issues and Decision Memorandum is a public document and is on file electronically via ACCESS. ACCESS is available to registered users at <https://access.trade.gov>. In addition, a complete version of the Issues and Decision Memorandum can be directly accessed

⁸ See Commerce’s Letter, “Sunset Reviews Initiated on December 1, 2025,” dated January 23, 2026.

⁹ See Memorandum, “Deadlines Affected by the Shutdown of the Federal Government,” dated November 14, 2025.

¹⁰ See Memorandum, “Tolling of all Case Deadlines,” dated November 24, 2025.

¹¹ See Memorandum, “Issues and Decision Memorandum for the Final Results of the Expedited Second Sunset Reviews of the Antidumping Duty Orders on Non-Oriented Electrical Steel from Sweden, Germany, the People’s Republic of China, the Republic of Korea, Taiwan, and Japan,” dated concurrently with, and hereby adopted by, this notice (Issues and Decision Memorandum).

¹² *Id.*

at <https://access.trade.gov/public/FRNoticesListLayout.aspx>.

Final Results of Sunset Reviews

Pursuant to sections 751(c)(1), and 752(c)(1) and (3) of the Act, Commerce determines that revocation of the *Orders* would be likely to lead to continuation or recurrence of dumping, and that the magnitude of the dumping margins likely to prevail would be weighted-average dumping margins up to 126.72 percent for Sweden, 98.84 percent for Germany, 407.52 percent for China, 6.88 percent for Korea, 52.23 percent for Taiwan, and 204.79 percent for Japan.

Notification Regarding Administrative Protective Order (APO)

This notice also serves as the only reminder to parties subject to an APO of their responsibility concerning the return or destruction of proprietary information disclosed under APO in accordance with 19 CFR 351.305. Timely notification of the return or destruction of APO materials, or conversion to judicial protective, orders is hereby requested. Failure to comply with the regulations and terms of an APO is a violation which is subject to sanction.

Notification to Interested Parties

We are issuing and publishing these final results in accordance with sections 751(c), 752(c), and 777(i)(1) of the Act, and 19 CFR 351.218 and 19 CFR 351.221(c)(5)(ii).

Dated: April 14, 2026.

Scot Fullerton,

Acting Deputy Assistant Secretary for Antidumping and Countervailing Duty Operations.

Appendix

List of Topics Discussed in the Issues and Decision Memorandum

- I. Summary
- II. Background
- III. Scope of the *Orders*
- IV. History of the *Orders*
- V. Legal Framework
- VI. Discussion of the Issues
 1. Likelihood of Continuation or Recurrence of Dumping
 2. Magnitude of the Margins of Dumping Likely to Prevail
- VII. Final Results of Sunset Reviews
- VIII. Recommendation

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DEPARTMENT OF COMMERCE

International Trade Administration

[C-570-997, C-583-852]

Non-Oriented Electrical Steel From the People's Republic of China and Taiwan: Final Results of the Expedited Second Sunset Reviews of the Countervailing Duty Orders

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

SUMMARY: The U.S. Department of Commerce (Commerce) finds that revocation of the countervailing duty (CVD) orders on non-oriented electrical steel (NOES) from the People's Republic of China (China) and Taiwan would be likely to lead to continuation or recurrence of countervailable subsidies at the levels indicated in the "Final Results of Sunset Reviews" section of this notice.

DATES: Applicable April 16, 2026.

FOR FURTHER INFORMATION CONTACT: David De Falco, Trade Agreements Policy and Negotiations, Enforcement and Compliance, International Trade Administration, U.S. Department of Commerce, 1401 Constitution Avenue NW, Washington, DC 20230; telephone: 202-482-2178.

SUPPLEMENTARY INFORMATION:**Background**

On December 3, 2014, the U.S. Department of Commerce (Commerce) published the *Orders* on NOES from China and Taiwan.¹ On December 1, 2025, Commerce published the notice of initiation of the second sunset reviews of the *Orders*, pursuant to section 751(c) of the Tariff Act of 1930, as amended (the Act) and 19 CFR 351.218(c) with an effective initiation date of November 3, 2025.²

On December 9, 2025 and December 16, 2025, Commerce received notice of intent to participate in these reviews from the domestic interested parties,³ within the deadline specified in 19 CFR 351.218(d)(1)(i).⁴ The domestic

interested parties claim to have interested party status within the meaning of section 771(9)(C) of the Act and 19 CFR 351.102(b)(29)(v) as a U.S. producer of the domestic like product.⁵

On December 29, 2025 and December 31, 2025, Commerce received adequate substantive responses from the domestic interested parties, within the 30-day deadline specified in 19 CFR 351.218(d)(3)(i).⁶ Commerce did not receive a substantive response from the Government of China, the Taiwan Authority, nor a respondent interested party to these proceedings. On January 23, 2026, Commerce notified the U.S. International Trade Commission (ITC) that it did not receive an adequate substantive response from respondent interested parties.⁷ As a result, Commerce conducted expedited (120-day) sunset reviews of the *Orders*, pursuant to section 751(c)(3)(B) of the Act and 19 CFR 351.218(e)(1)(ii)(B)(2) and (C)(2).

Due to the lapse in appropriations and Federal Government shutdown, on November 14, 2025, Commerce tolled all deadlines in administrative proceedings by 47 days.⁸ Additionally, due to a backlog of documents that were electronically filed via Enforcement and Compliance's Antidumping and Countervailing Duty Centralized Electronic Service System (ACCESS) during the Federal Government shutdown, on November 24, 2025, Commerce tolled all deadlines in administrative proceedings by an

Letter, "Second Five-Year ("Sunset") Review of Antidumping and Countervailing Duty Orders on Non-Oriented Electrical Steel from China: Notice of Intent to Participate," dated December 16, 2025; and U.S. Steel's Letter, "Second Five-Year ("Sunset") Review of Antidumping and Countervailing Duty Orders on Non-Oriented Electrical Steel from Taiwan: Notice of Intent to Participate," dated December 16, 2025.

⁵ *Id.*

⁶ See Cleveland-Cliff's Letter, "Five-Year ("Sunset") Review of Countervailing Duty Order on Non-Oriented Electrical Steel from China: Substantive Response," dated December 29, 2025; U.S. Steel's Letter, "Non-Oriented Electrical Steel from China: Substantive Response of United States Steel Corporation to Commerce's Notice of Initiation of Five-Year ("Sunset") Review," dated December 31, 2025; Cleveland-Cliff's Letter, "Five-Year ("Sunset") Review Of Countervailing Duty Order On Non-Oriented Electrical Steel from Taiwan: Substantive Response," dated December 29, 2025; and U.S. Steel's Letter, "Non-Oriented Electrical Steel from Taiwan: Substantive Response of United States Steel Corporation to Commerce's Notice of Initiation of Five-Year ("Sunset") Review," dated December 31, 2025.

⁷ See Commerce's Letter, "Sunset Reviews Initiated December 1, 2025," dated January 23, 2026.

⁸ See Memorandum, "Deadlines Affected by the Shutdown of the Federal Government," dated November 14, 2025.

additional 21 days.⁹ Accordingly, the deadline for these final results is now April 14, 2026.

Scope of the Orders

The product covered by these *Orders* is NOES from China and Taiwan. For the full description of the scope of the *Orders*, see the Issues and Decisions Memorandum.¹⁰

Analysis of Comments Received

A complete discussion of all issues raised in these sunset reviews, including the likelihood of continuation or recurrence of subsidization and the countervailable subsidy rates likely to prevail if the *Orders* were to be revoked, is contained in the accompanying Issues and Decision Memorandum.¹¹ A list of the topics discussed in the Issues and Decision Memorandum is attached as an appendix to this notice. The Issues and Decision Memorandum is a public document and is on file electronically via ACCESS, which is available to registered users at <https://access.trade.gov>. In addition, complete versions of the Issues and Decision Memorandum can be accessed directly at <https://access.trade.gov/public/FRNoticesListLayout.aspx>.

Final Results of Sunset Reviews

Pursuant to sections 751(c) and 752(b) of the Act, Commerce determines that revocation of the *China Order* would be likely to lead to continuation or recurrence of countervailable subsidies at the rates listed below.

Producers/exporters	Net countervailable subsidy rate (percent <i>ad valorem</i>)
Baoshan Iron & Steel Co., Ltd	158.88
All Others	158.88

Pursuant to sections 751(c) and 752(b) of the Act, Commerce determines that revocation of the *Taiwan Order* would be likely to lead to continuation or recurrence of countervailable subsidies at the rates listed below.

⁹ See Memorandum, "Tolling of all Case Deadlines," dated November 24, 2025.

¹⁰ See Memorandum, "Issues and Decision Memorandum for the Final Results of the Expedited Second Sunset Reviews of the Countervailing Duty Orders on Non-Oriented Electrical Steel from the People's Republic of China and Taiwan," dated concurrently with, and hereby adopted by, this notice.

¹¹ *Id.*

¹ See *Non-Oriented Electrical Steel from the People's Republic of China and Taiwan: Countervailing Duty Orders*, 79 FR 71749 (December 3, 2014) (*Orders*).

² See *Initiation of Five-Year (Sunset) Reviews*, 90 FR 55086 (December 1, 2025).

³ The domestic interested parties are Cleveland-Cliffs Inc. (Cleveland-Cliffs) and the United States Steel Corporation (U.S. Steel).

⁴ See Cleveland-Cliff's Letter, "Five-Year ("Sunset") Review Of Antidumping & Countervailing Duty Orders On Non-Oriented Electrical Steel from the People's Republic of China, Germany, Japan, Republic of Korea, Sweden, and Taiwan: Notice Of Intent To Participate In Sunset Reviews," dated December 9, 2025; U.S. Steel's

Producers/exporters	Net countervailable subsidy rate (percent <i>ad valorem</i>)
Leicong Industrial Com- pany, Ltd	17.12
All Others	8.61

Notification Regarding Administrative Protective Orders

This notice also serves as the only reminder to parties subject to administrative protective order (APO) of their responsibility concerning the return or destruction of proprietary information disclosed under APO in accordance with 19 CFR 351.305. Timely notification of the return or destruction of APO materials, or conversion to judicial protective, orders is hereby requested. Failure to comply with the regulations and terms of an APO is a violation which is subject to sanction.

Notification to Interested Parties

We are issuing and publishing these final results in accordance with sections 751(c), 752(b), and 777(i)(1) of the Act, and 19 CFR 351.221(c)(5)(ii).

Dated: April 14, 2026.

Scot Fullerton,

*Acting Deputy Assistant Secretary for
Antidumping and Countervailing Duty
Operations.*

Appendix

List of Topics Discussed in the Issues and Decision Memorandum

- I. Summary
- II. Background
- III. Scope of the *Orders*
- IV. History of the *Orders*
- V. Legal Framework
- VI. Discussion of the Issues
 1. Likelihood of Continuation or Recurrence of a Countervailable Subsidy
 2. Net Countervailable Subsidy Rates Likely to Prevail
 3. Nature of the Subsidies
- VII. Final Results of Sunset Reviews
- VIII. Recommendation

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DEPARTMENT OF COMMERCE

International Trade Administration

[A-762-001, A-553-001]

Silicon Metal From Angola and the Lao People's Democratic Republic: Antidumping Duty Orders

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

SUMMARY: Based on affirmative final determinations by the U.S. Department of Commerce (Commerce) and the U.S. International Trade Commission (ITC), Commerce is issuing antidumping duty (AD) orders on silicon metal from Angola and the Lao People's Democratic Republic (Laos).

DATES: Applicable April 16, 2026.

FOR FURTHER INFORMATION CONTACT: Christopher Doyle (Angola) or Caroline Carroll (Laos), AD/CVD Operations, Office IX, Enforcement and Compliance, International Trade Administration, U.S. Department of Commerce, 1401 Constitution Avenue NW, Washington, DC 20230; telephone: (202) 482-5882 or (202) 482-4948, respectively.

SUPPLEMENTARY INFORMATION:

Background

On February 23, 2026, Commerce published its affirmative final determinations in the less than fair value (LTFV) investigations of silicon metal from Angola and Laos, in accordance with sections 735(d) and 777(i) of the Tariff Act of 1930, as amended (the Act).¹ On April 6, 2026, pursuant to section 735(d) of the Act, the ITC notified Commerce of its final affirmative determinations that an industry in the United States is materially injured by reason of dumped imports of silicon metal from Angola and Laos, within the meaning of section 735(b)(1)(A)(i) of the Act.²

Scope of the Orders

The product covered by these orders is silicon metal from Angola and Laos. For a complete description of the scope of the orders, *see* the appendix to this notice.

AD Orders

As noted above, on April 6, 2026, in accordance with section 735(d) of the Act, the ITC notified Commerce of its final determination that an industry in the United States is materially injured within the meaning of section 735(b)(1)(A)(i) of the Act by reason of LTFV imports of silicon metal from Angola and Laos.³ Therefore, in accordance with sections 735(c)(2) and 736 of the Act, Commerce is issuing

these AD orders. Because the ITC determined that imports of silicon metal from Angola and Laos are materially injuring a U.S. industry, unliquidated entries of such merchandise from Angola and Laos, entered or withdrawn from warehouse for consumption, are subject to the assessment of antidumping duties.

Therefore, in accordance with section 736(a)(1) of the Act, Commerce intends to direct U.S. Customs and Border Protection (CBP) to assess, upon further instruction by Commerce, antidumping duties equal to the amount by which the normal value (NV) of the merchandise exceeds the export price (EP) (or constructed export price (CEP)) of the merchandise on all relevant entries of silicon metal from Angola and Laos. Antidumping duties will be assessed on unliquidated entries of silicon metal from Angola and Laos entered, or withdrawn from warehouse, for consumption on or after September 30, 2025, the date of publication of the *LFTV Preliminary Determinations*,⁴ but will not include entries occurring after the expiration of the provisional measures period and before publication of the ITC's final injury determination, as further described below.

Suspension of Liquidation and Cash Deposits

Except as noted in the "Provisional Measures" section of this notice, Commerce intends to instruct CBP to reinstitute the suspension of liquidation of silicon metal from Angola and Laos, effective on the date of publication of the ITC's final affirmative injury determination in the **Federal Register**, and to assess, upon further instruction by Commerce, pursuant to section 736(a)(1) of the Act, antidumping duties on each entry of subject merchandise equal to the amount by which the NV of the merchandise exceeds the EP (or CEP) of the merchandise. These instructions suspending liquidation will remain in effect until further notice.

Commerce also intends to instruct CBP to require cash deposits equal to the estimated weighted-average dumping margins indicated in the table below. Accordingly, effective on the date of publication in the **Federal Register** of the notice of the ITC's final

¹ See *Silicon Metal from Angola: Final Affirmative Determination of Sales at Less Than Fair Value and Classification of Angola as a Non-Market Economy*, 91 FR 8419 (February 23, 2026); *see also Silicon Metal from the Lao People's Democratic Republic: Final Affirmative Determination of Sales at Less Than Fair Value and Classification of the Lao People's Democratic Republic as a Non-Market Economy*, 91 FR 8407 (February 23, 2026).

² See ITC's Letter, "Notification of ITC Final Determination," dated April 6, 2026.

³ *Id.*

⁴ See *Silicon Metal from Angola: Preliminary Affirmative Determination of Sales at Less Than Fair Value*, 90 FR 46810 (September 30, 2025), corrected by *Silicon Metal from Angola: Preliminary Affirmative Determination of Sales at Less Than Fair Value; Correction*, 90 FR 52913 (November 24, 2025); *see also Silicon Metal from the Lao People's Democratic Republic: Preliminary Affirmative Determination of Sales at Less Than Fair Value*, 90 FR 46807 (September 30, 2025) (collectively, *LFTV Prelim Determinations*).

affirmative injury determination, CBP will require, at the same time as importers would normally deposit estimated customs duties on subject merchandise, a cash deposit equal to the rates listed in the table below. The relevant rate for the Angola-wide and Laos-wide entities, as applicable, apply to all producers and exporters not specifically listed. These cash deposit requirements will remain in effect until further notice.

To determine the cash deposit rate where there is a companion countervailing duty (CVD) proceeding, Commerce normally adjusts the estimated weighted-average dumping margin by the amount of export subsidies countervailed in the CVD proceeding, when CVD provisional measures are in effect. Accordingly, where Commerce has made a final affirmative determination for countervailable export subsidies, Commerce offsets the estimated weighted-average dumping margin by the appropriate CVD rate. However, because Commerce based its final CVD determination for Laos on adverse facts available, we do not find that there are any export subsidies in the companion CVD investigation to use as an offset for the Laos AD cash deposit rates.⁵

Estimated Weighted-Average Dumping Margins

The estimated weighted-average dumping margins are as follows:

ANGOLA

Producer/exporter	Weighted-average dumping margin (percent)
PC Silicon Co. Limited	* 68.45
Wanhongda International Limited	* 68.45
All Others	68.45

* This rate is based on facts available with adverse inferences.

LAOS

Producer/exporter	Weighted-average dumping margin (percent)
Lao Silicon Co., Ltd	* 94.44
All Others	94.44

* This rate is based on facts available with adverse inferences.

⁵ See *Silicon Metal from the Lao People's Democratic Republic: Final Affirmative Countervailing Duty Determination*, 91 FR 8425, 8426 (February 23, 2026).

Provisional Measures

Section 733(d) of the Act states that suspension of liquidation pursuant to an affirmative preliminary determination may not remain in effect for more than four months, except where exporters representing a significant proportion of exports of the subject merchandise request that Commerce extend the four-month period to no more than six months. In the underlying investigations, Commerce published the *LFTV Preliminary Determinations* on September 30, 2025. Thus, the four-month period beginning on the date of the publication of the *LFTV Preliminary Determinations* ended on January 27, 2026. As a result, entries of silicon metal from Angola and Laos made on or after January 28, 2026, are not subject to the assessment of antidumping duties.

Therefore, in accordance with section 736(a)(1) of the Act and our practice, Commerce instructed CBP to terminate the suspension of liquidation and to liquidate, without regard to antidumping duties, unliquidated entries of silicon metal from Angola and Laos entered, or withdrawn from warehouse, for consumption on or after January 28, 2026, the day on which the provisional measures expired. Suspension of liquidation and the collection of cash deposits will resume on the date of publication of the ITC's final determination in the **Federal Register**.

Establishment of the Annual Inquiry Service Lists

On September 20, 2021, Commerce published the *Final Rule* in the **Federal Register**.⁶ On September 27, 2021, Commerce also published the *Procedural Guidance* in the **Federal Register**.⁷ The *Final Rule* and *Procedural Guidance* provide that Commerce will maintain an annual inquiry service list for each order or suspended investigation, and any interested party submitting a scope ruling application or request for circumvention inquiry shall serve a copy of the application or request on the persons on the annual inquiry service list for that order, as well as any companion order covering the same merchandise from the same country of origin.

In accordance with the *Procedural Guidance*, for orders published in the **Federal Register** after November 4,

⁶ See *Regulations to Improve Administration and Enforcement of Antidumping and Countervailing Duty Laws*, 86 FR 52300 (September 20, 2021) (*Final Rule*).

⁷ See *Scope Ruling Application; Annual Inquiry Service List; and Informational Sessions*, 86 FR 53205 (September 27, 2021) (*Procedural Guidance*).

2021, Commerce will create an annual inquiry service list segment in Commerce's online e-filing and document management system, Antidumping and Countervailing Duty Electronic Service System (ACCESS), available at <https://access.trade.gov>, within five business days of publication of the notice of the order. Each annual inquiry service list will be saved in ACCESS, under each case number, and under a specific segment type called "AISL-Annual Inquiry Service List."⁸

Interested parties who wish to be added to the annual inquiry service list for an order must submit an entry of appearance to the annual inquiry service list segment for the order in ACCESS within 30 days after the date of publication of the order. For ease of administration, Commerce requests that law firms with more than one attorney representing interested parties in an order designate a lead attorney to be included on the annual inquiry service list. Commerce will finalize the annual inquiry service list within five business days thereafter. As mentioned in the *Procedural Guidance*,⁹ the new annual inquiry service list will be in place until the following year, when the *Opportunity Notice* for the anniversary month of the order is published.

Commerce may update an annual inquiry service list at any time as needed based on interested parties' amendments to their entries of appearance to remove or otherwise modify their list of members and representatives, or to update contact information. Any changes or announcements pertaining to these procedures will be posted to the ACCESS website at <https://access.trade.gov>.

Special Instructions for the Petitioner and Foreign Governments

In the *Final Rule*, Commerce stated that, "after an initial request and placement on the annual inquiry service list, both petitioners and foreign governments will automatically be placed on the annual inquiry service list in the years that follow."¹⁰

⁸ This segment will be combined with the ACCESS Segment Specific Information (SSI) field which will display the month in which the notice of the order or suspended investigation was published in the **Federal Register**, also known as the anniversary month. For example, for an order under case number A-000-000 that was published in the **Federal Register** in January, the relevant segment and SSI combination will appear in ACCESS as "AISL-January Anniversary." Note that there will be only one annual inquiry service list segment per case number, and the anniversary month will be pre-populated in ACCESS.

⁹ See *Procedural Guidance*, 86 FR at 53206.

¹⁰ See *Final Rule*, 86 FR at 52335.

Accordingly, as stated above, the petitioners¹¹ and foreign governments should submit their initial entries of appearance after publication of this notice in order to appear in the first annual inquiry service lists for these orders. Pursuant to 19 CFR 351.225(n)(3), the petitioners and foreign governments will not need to resubmit their entries of appearance each year to continue to be included on the annual inquiry service list. However, the petitioners and foreign governments are responsible for making amendments to their entries of appearance during the annual update to the annual inquiry service list in accordance with the procedures described above.

Notification to Interested Parties

This notice constitutes the AD orders with respect to silicon metal from Angola and Laos, pursuant to section 736(a) of the Act. Interested parties can find a list of AD and CVD orders currently in effect at <https://www.trade.gov/datavisualization/adcvd-proceedings>.

These AD orders are published in accordance with section 736(a) of the Act and 19 CFR 351.211(b).

Dated: April 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.

Appendix

Scope of the Orders

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

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

[FR Doc. 2026-07465 Filed 4-15-26; 8:45 am]

BILLING CODE 3510-DS-P

DEPARTMENT OF COMMERCE

International Trade Administration

[A-580-887]

Carbon and Alloy Steel Cut-to-Length Plate from the Republic of Korea: Final Results of Antidumping Duty Administrative Review; 2023–2024

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

SUMMARY: The U.S. Department of Commerce (Commerce) determines that POSCO, POSCO International Corporation, POSCO Mobility Solution, Taechang Steel Co., Ltd. and Winsteel Co., Ltd. (collectively, the POSCO single entity), the sole exporter subject to this administrative review, did not make sales of certain carbon and alloy steel cut-to-length plate (CTL plate) from the Republic of Korea (Korea) at less than normal value during the period of review (POR) May 1, 2023, through April 30, 2024.

DATES: Applicable April 16, 2026.

FOR FURTHER INFORMATION CONTACT: Jaron Moore, AD/CVD Operations, Office VIII, Enforcement and Compliance, International Trade Administration, U.S. Department of Commerce, 1401 Constitution Avenue NW, Washington, DC 20230; telephone: (202) 482-3640.

SUPPLEMENTARY INFORMATION:

Background

On September 11, 2025, Commerce published the preliminary results in this administrative review in the **Federal Register**.¹ We provided interested parties with an opportunity to comment on the *Preliminary Results*, and only the mandatory respondent, the POSCO single entity,² submitted comments.

Due to the lapse in appropriations and Federal Government shutdown, on

¹ See *Carbon and Alloy Steel Cut-to-Length Plate from the Republic of Korea: Preliminary Results of Antidumping Duty Administrative Review; 2023–2024*, 90 FR 44008 (September 11, 2025) (*Preliminary Results*), and accompanying Preliminary Decision Memorandum (PDM).

² In a prior segment of this proceeding, Commerce found that POSCO, POSCO International Corporation, POSCO Mobility Solution ((POSCO MS), formerly known as POSCO SPS), and certain distributors and service centers (Taechang Steel Co., Ltd. and Winsteel Co., Ltd.) are affiliated pursuant to section 771(33)(E) of the Act, and further that these companies should be treated as a single entity (collectively, the POSCO single entity) pursuant to 19 CFR 351.401(f). See *Carbon and Alloy Steel Cut-to-Length Plate from the Republic of Korea: Final Results of Antidumping Duty Administrative Review; 2019–2020*, 87 FR 6483 (February 4, 2022). No changes to the relationship among these entities was reported for this POR; therefore, no change to our affiliation/collapsing finding is warranted.

November 14, 2025, Commerce tolled all deadlines in administrative proceedings by 47 days.³ Additionally, due to a backlog of documents that were electronically filed via Enforcement and Compliance's Antidumping and Countervailing Duty Centralized Electronic Service System (ACCESS) during the Federal Government shutdown, on November 24, 2025, Commerce tolled all deadlines in administrative proceedings by an additional 21 days.⁴ On March 18, 2026, Commerce extended the deadline for the final results by 30 days.⁵ Accordingly, the deadline for this final determination is now April 17, 2026.

A summary of the events that occurred since Commerce published the *Preliminary Results*, as well as a full discussion of the issues raised by parties for these final results, are discussed in the Issues and Decision Memorandum.⁶ The Issues and Decision Memorandum is a public document and is on file electronically via ACCESS. ACCESS is available to registered users at <https://access.trade.gov>. In addition, a complete version of the Issues and Decision Memorandum can be accessed directly at <https://access.trade.gov/public/FRNoticesListLayout.aspx>.

Commerce conducted this review in accordance with section 751(a)(1)(B) of the Tariff Act of 1930, as amended (the Act).

Scope of the Order⁷

The product covered by the *Order* is CTL plate from Korea. For a complete description of the scope of the *Order*, see the Issues and Decision Memorandum.⁸

Analysis of Comments Received

All issues raised in the case brief field by the POSCO single entity are listed in the appendix to this notice and

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

⁴ See Memorandum, "Tolling of all Case Deadlines," dated November 24, 2025.

⁵ See Memorandum, "Extension of Deadline for Final Results of Antidumping Duty Administrative Review," dated March 18, 2026.

⁶ See Memorandum, "Issues and Decision Memorandum for the Final Results in the Antidumping Duty Administrative Review of Carbon and Alloy Steel Cut-to-Length Plate from the Republic of Korea; 2023–2024," dated concurrently with, and hereby adopted by, this notice (Issues and Decision Memorandum).

⁷ See *Certain Carbon and Alloy Steel Cut-to-Length Plate from Austria, Belgium, France, the Federal Republic of Germany, Italy, Japan, the Republic of Korea, and Taiwan: Amended Final Affirmative Antidumping Determinations for France, the Federal Republic of Germany, the Republic of Korea and Taiwan, and Antidumping Duty Orders*, 82 FR 24096 (May 25, 2017) (*Order*).

⁸ See Issues and Decision Memorandum at 2.

¹¹ The petitioners in these proceedings are Ferrolobe USA, Inc. and Mississippi Silicon LLC (collectively, the petitioners).

addressed in the Issues and Decision Memorandum.

Changes Since the Preliminary Results

Commerce examined the record and analyzed the comments in the POSCO single entity's case brief, and made no changes to the weighted-average dumping margin calculations for the POSCO single entity in the *Preliminary Results*. We made certain changes to the assessment instructions we will issue to CBP. For a detailed discussion of the issues raised by the POSCO single entity and changes from the *Preliminary Results*, see the Issues and Decision Memorandum.

Final Results of Review

For these final results, we determine that the following estimated weighted-average dumping margin exists for the period May 1, 2023, through April 30, 2024:

Producer and/or exporter	Weighted-average dumping margin (percent)
POSCO, POSCO International Corporation; POSCO Mobility Solution; Taechang Steel Co., Ltd.; and Winsteel Co., Ltd.	0.00

Disclosure

Normally, Commerce will disclose to the parties in a proceeding the calculations performed in connection with the final results within five days of any public announcement or, if there is no public announcement, within five days of the date of publication of this notice in the **Federal Register**, in accordance with 19 CFR 351.224(b). However, because Commerce made no changes to the *Preliminary Results* calculations, there are no new calculations to disclose.

Assessment Rates

Pursuant to section 751(a)(2)(C) of the Act, and 19 CFR 351.212(b)(1), Commerce has determined, and U.S. Customs and Border Protection (CBP) shall assess, antidumping duties on all appropriate entries of subject merchandise in accordance with the final results of this review. If a respondent's weighted-average dumping margin is either zero or *de minimis* within the meaning of 19 CFR 351.106(c)(1), we will instruct CBP to liquidate the appropriate entries without regard to antidumping duties.⁹ Accordingly, because the final

weighted-average dumping margin for the POSCO single entity in this review is zero percent, we will instruct CBP to liquidate the appropriate entries without regard to antidumping duties.

Commerce's "automatic assessment" will apply to entries of subject merchandise during the POR produced by the POSCO single entity for which the company did not know that the merchandise it sold to an intermediary (e.g., a reseller, trading company, or exporter) was destined for the United States. In such instances, we will instruct CBP to liquidate such entries at the all-others rate determined in the less-than-fair-value (LTFV) investigation (i.e., 7.10 percent)¹⁰ if there is no rate for the intermediate company(ies) involved in the transaction.¹¹

Commerce intends to issue assessment instructions to CBP no earlier than 35 days after the date of publication of the final results of this review in the **Federal Register**. If a timely summons is filed at the U.S. Court of International Trade, the assessment instructions will direct CBP not to liquidate relevant entries until the time for parties to file a request for a statutory injunction has expired (i.e., within 90 days of publication).

Cash Deposit Requirements

The following cash deposit requirements will be effective upon publication in the **Federal Register** of these final results of administrative review for all shipments of the subject merchandise entered, or withdrawn from warehouse, for consumption on or after the publication date, as provided by section 751(a)(2)(C) of the Act: (1) the cash deposit rate for the POSCO single entity will be equal to the weighted-average dumping margin established in these final results of this administrative review; (2) for merchandise exported by companies not covered in this review but covered in a prior completed segment of this proceeding, the cash deposit rate will continue to be the company-specific rate published in the completed segment for the most recent period; (3) if the exporter is not a firm covered in this review, or the LTFV investigation, but the producer is, then the cash deposit rate will be the cash deposit rate established for the most recently completed segment for the producer of the subject merchandise; and (4) the cash deposit rate for all other producers and exporters will continue to be the all-others rate (i.e., 7.10

percent).¹² These cash deposit requirements, when imposed, shall remain in effect until further notice.

Notification to Importers

This notice serves as a final reminder to importers of their responsibility under 19 CFR 351.402(f)(2) to file a certificate regarding the reimbursement of antidumping and/or countervailing duties prior to liquidation of the relevant entries during this POR. Failure to comply with this requirement could result in Commerce's presumption that reimbursement of antidumping and/or countervailing duties occurred and the subsequent assessment of double antidumping duties, and/or an increase in the amount of antidumping duties by the amount of the countervailing duties.

Administrative Protective Order (APO)

This notice serves as the only reminder to parties subject to an APO of their responsibility concerning the disposition of proprietary information disclosed under APO in accordance with 19 CFR 351.305(a)(3), which continues to govern business proprietary information in this segment of the proceeding. Timely written notification of the return or destruction of APO materials or conversion to judicial protective order is hereby requested. Failure to comply with the regulations and terms of an APO is a sanctionable violation.

Notification to Interested Parties

This notice is being issued and published in accordance with sections 751(a)(1) and 777(i)(1) of the Act, and 19 CFR 351.221(b)(5).

Dated: April 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.

Appendix

List of Topics Discussed in the Issues and Decision Memorandum

- I. Summary
- II. Background
- III. Scope of the Order
- IV. The POSCO Single Entity
- V. Changes Since the *Preliminary Results*
- VI. Discussion of the Issues
 - Comment 1: Whether to Grant a CEP Offset to the POSCO Single Entity
 - Comment 2: Whether POSCO International America Should Be the Sole Importer of Record in POSCO's Liquidation
- Instructions
- VII. Recommendation

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BILLING CODE 3510-DS-P

¹⁰ *Id.*, 82 FR at 24098.

¹¹ See *Antidumping and Countervailing Duty Proceedings: Assessment of Antidumping Duties*, 68 FR 23954 (May 6, 2023).

¹² See *Order*.

⁹ See *Order*.

DEPARTMENT OF COMMERCE

International Trade Administration

[A–523–814]

Common Alloy Aluminum Sheet From the Sultanate of Oman: Final Results of Antidumping Duty Administrative Review; 2023–2024

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

SUMMARY: The U.S. Department of Commerce (Commerce) determines that Oman Aluminium Rolling Company SPC (OARC), the sole producer or exporter subject to this administrative review, made sales of common alloy aluminum sheet (aluminum sheet) from the Sultanate of Oman (Oman) in the United States at prices below normal value (NV) during the period of review (POR) April 1, 2023, through March 31, 2024.

DATES: Applicable April 16, 2026.

FOR FURTHER INFORMATION CONTACT: George McMahon, AD/CVD Operations, Office VI, Enforcement and Compliance, International Trade Administration, U.S. Department of Commerce, 1401 Constitution Avenue NW, Washington, DC 20230; telephone: (202) 482–1167.

SUPPLEMENTARY INFORMATION:

Background

On August 5, 2025, Commerce published in the *Federal Register* the *Preliminary Results* of this administrative review and invited interested parties to comment.¹ From August 29 to September 10, 2025, OARC and the petitioners² submitted case and rebuttal briefs.³ Due to the lapse in appropriations and Federal Government shutdown, on November 14, 2025, Commerce tolled all deadlines in

¹ See *Certain Alloy Aluminum Sheet from the Sultanate of Oman: Preliminary Results of Antidumping Duty Administrative Review; 2023–2024*, 90 FR 38439 (August 8, 2025) (*Preliminary Results*).

² The petitioners are the Aluminum Association Common Alloy Aluminum Sheet Trade Enforcement Working Group and its individual members: Arconic Corporation; Commonwealth Rolled Products, Inc.; Constellium Rolled Products Ravenswood, LLC; JW Aluminum Company; and Texarkana Aluminum, Inc. (collectively, the petitioners).

³ See OARC’s Letter, “OARC’s Case Brief,” dated August 29, 2025 (OARC’s Case Brief); see also Petitioners’ Letter, “Petitioners’ Affirmative Case Brief,” dated August 29, 2025 (Petitioners’ Case Brief); OARC’s Letter, “OARC’s Rebuttal Brief,” dated September 10, 2025 (OARC’s Rebuttal Brief); and Petitioners’ Letter, “Petitioners’ Rebuttal Brief,” dated September 10, 2025 (Petitioners’ Rebuttal Brief).

administrative proceedings by 47 days.⁴ Additionally, due to a backlog of documents that were electronically filed via Enforcement and Compliance’s Antidumping and Countervailing Duty Centralized Electronic Service System (ACCESS) during the Federal Government shutdown, on November 24, 2025, Commerce tolled all deadlines in administrative proceedings by an additional 21 days.⁵ Between February 9 and April 2, 2026, Commerce extended the deadline for the final results.⁶ Accordingly, the deadline for these final results is now April 13, 2026.

For a complete description of the events that occurred since the *Preliminary Results*, see the Issues and Decision Memorandum.⁷ The Issues and Decision Memorandum is a public document and is on file electronically via ACCESS. ACCESS is available to registered users at <https://access.trade.gov>. In addition, a complete version of the Issues and Decision Memorandum can be accessed directly at <https://access.trade.gov/public/FRNoticesListLayout.aspx>.

Commerce conducted this review in accordance with section 751(a)(1)(B) of the Tariff Act of 1930, as amended (the Act).

Scope of the Order⁸

The merchandise subject to the *Order* is common alloy aluminum sheet from Oman. For a complete description of the scope, see the Issues and Decision Memorandum.

Analysis of Comments Received

All issues raised in the case and rebuttal briefs are listed in the appendix to this notice and addressed in the Issues and Decision Memorandum. A list of the issues addressed in the Issues and Decision Memorandum is attached to this notice as an Appendix.

⁴ See Memorandum, “Deadlines Affected by the Shutdown of the Federal Government,” dated November 14, 2025.

⁵ See Memorandum, “Tolling of all Case Deadlines,” dated November 24, 2025.

⁶ See Memorandum, “Extension of Deadline for Final Results of Antidumping Duty Administrative Review,” dated February 9, 2026; see also Memorandum, “Extension of Deadline for Final Results of Antidumping Duty Administrative Review,” dated April 2, 2026.

⁷ See Memorandum, “Issues and Decision Memorandum for the Final Results of the Administrative Review of the Antidumping Duty Order on Common Alloy Aluminum Sheet from the Sultanate of Oman; 2023–2024,” dated concurrently with, and hereby adopted by, this notice (Issues and Decision Memorandum).

⁸ See *Common Alloy Aluminum Sheet from Bahrain, Brazil, Croatia, Egypt, Germany, India, Indonesia, Italy, Oman, Romania, Serbia, Slovenia, South Africa, Spain, Taiwan and the Republic of Turkey: Antidumping Duty Orders*, 86 FR 22139 (April 27, 2021) (*Order*).

Changes Since the Preliminary Results

Based on a review of the record, we made certain changes to the preliminary margin calculations for OARC. For a detailed discussion of the changes since the *Preliminary Results*, see the Issues and Decision Memorandum.

Final Results of Administrative Review

As a result of this review, we determine the following weighted-average dumping margin for the period April 1, 2023, through March 31, 2024:

Exporter/producer	Weighted-average dumping margin (percent)
Oman Aluminium Rolling Company SPC	14.71

Disclosure

Commerce intends to disclose the calculations performed for the final results of this review to parties within five days after public announcement of the final results or, if there is no public announcement, within five days of the date of publication of this notice in the *Federal Register*, in accordance with 19 CFR 351.224(b).

Assessment Rates

Pursuant to section 751(a)(2)(C) of the Act and 19 CFR 351.212(b)(1), Commerce has determined, and U.S. Customs and Border Protection (CBP) shall assess, antidumping duties on all appropriate entries of subject merchandise in accordance with the final results of this review.

Because OARC’s weighted-average dumping margin is not zero or *de minimis* (i.e., less than 0.5 percent) in the final results of this review, we calculated importer-specific assessment rates based on the ratio of the total amount of dumping calculated for each importer’s examined sales and the total entered value of those same sales in accordance with 19 CFR 351.212(b)(1). Where an importer-specific assessment rate is zero or *de minimis* (i.e., less than 0.5 percent), the entries by that importer will be liquidated without regard to antidumping duties.

Commerce’s “automatic assessment” practice will apply to entries of subject merchandise during the POR produced by OARC for which it did not know that the merchandise it sold to the intermediary (e.g., a reseller, trading company, or exporter) was destined for the United States. In such instances, we will instruct CBP to liquidate unreviewed entries at the all-others rate if there is no rate for the intermediate

company(ies) involved in the transaction.⁹

Commerce intends to issue assessment instructions to CBP no earlier than 35 days after the date of publication of the final results of this review in the **Federal Register**. If a timely summons is filed at the U.S. Court of International Trade, the assessment instructions will direct CBP not to liquidate relevant entries until the time for parties to file a request for a statutory injunction has expired (*i.e.*, within 90 days of publication).

Cash Deposit Requirements

The following cash deposit requirements will be effective for all shipments of the subject merchandise entered, or withdrawn from warehouse, for consumption on or after the date of publication of the final results as provided by section 751(a)(2) of the Act: (1) the cash deposit rate for subject merchandise exported by OARC will be equal to the weighted-average dumping margin established in these final results of this administrative review; (2) for merchandise exported by producers or exporters not covered in this review but covered in a prior completed segment of this proceeding, the cash deposit rate will continue to be the company-specific rate published in the completed segment for the most recent period; (3) if the exporter is not a firm covered in this review or a completed prior segment of this proceeding but the producer is, then the cash deposit rate will be the cash deposit rate established for the most recently completed segment of this proceeding for the producer of the subject merchandise; and (4) the cash deposit rate for all other producers and exporters will continue to be 5.29 percent, the all-others rate established in the less-than-fair-value investigation.¹⁰

These cash deposit requirements, when imposed, shall remain in effect until further notice.

Notification to Importers

This notice serves as a final reminder to importers of their responsibility under 19 CFR 351.402(f)(2) to file a certificate regarding the reimbursement of antidumping duties prior to liquidation of the relevant entries during this review period. Failure to comply with this requirement could result in Commerce's presumption that reimbursement of antidumping duties occurred and the subsequent assessment of double antidumping duties.

⁹ See *Antidumping and Countervailing Duty Proceedings: Assessment of Antidumping Duties*, 68 FR 23954 (May 6, 2003).

¹⁰ See *Order*, 86 FR at 62791.

Administrative Protective Order (APO)

This notice serves as the only reminder to parties subject to an APO of their responsibility concerning the disposition of proprietary information disclosed under APO in accordance with 19 CFR 351.305(a)(3). Timely written notification of the return or destruction of APO materials, or conversion to judicial protective order, is hereby requested. Failure to comply with the regulations and the terms of an APO is a violation subject to sanction.

Notification to Interested Parties

We are issuing and publishing this notice in accordance with sections 751(a)(1) and 777(i) of the Act, and 19 CFR 351.221(b)(5).

Dated: April 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.

Appendix

List of Topics Discussed in the Issues and Decision Memorandum

- I. Summary
- II. Background
- III. Scope of the *Order*
- IV. Changes Since the Preliminary Results
- V. Discussion of the Issues
 - Comment 1: Whether Commerce Correctly Allocated Adjustments for Certain Inputs
 - Comment 2: Whether to Adjust Certain Reported U.S. Prices
 - Comment 3: Whether to Adjust OARC's Cost of Production (COP)
 - Comment 4: Whether a Certain Material was Properly Classified
 - Comment 5: Basis for Constructed Value (CV) Profit and Selling Expenses
- VI. Recommendation

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DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

[RTID 0648-XF595]

Takes of Marine Mammals Incidental to Specified Activities; Taking Marine Mammals Incidental to the Demolition of Pier 10 and Construction of a Crane Weight Test Area Project at U.S. Naval Submarine Base New London

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

ACTION: Notice; issuance of incidental harassment authorization.

SUMMARY: In accordance with regulations implementing the Marine Mammal Protection Act (MMPA) as amended, notification is hereby given that NMFS has issued an incidental harassment authorization (IHA) to the U.S. Navy for authorization to take marine mammals incidental to construction activities during the demolition of Pier 10 and construction of a crane weight test area project at U.S. Naval Submarine Base New London in Groton, Connecticut.

DATES: This authorization is effective for 1 year from the date of notification by the IHA-holder, not to exceed 1 year from the date of issuance (April 13, 2026).

ADDRESSES: Electronic copies of the application and supporting documents, as well as a list of the references cited in this document, may be obtained online at: <https://www.fisheries.noaa.gov/action/incidental-take-authorization-united-states-navys-demolition-pier-10-and-construction-crane>. In case of problems accessing these documents, please call the contact listed below.

FOR FURTHER INFORMATION CONTACT: Cara Hotchkin, Office of Protected Resources, NMFS, (301) 427-8401.

SUPPLEMENTARY INFORMATION:

MMPA Background and Determinations

The MMPA prohibits the “take” of marine mammals, with certain exceptions. Among the exceptions is section 101(a)(5)(D) of the MMPA (16 U.S.C. 1361 *et seq.*) which directs the Secretary of Commerce (as delegated to NMFS) to allow, upon request, the incidental, but not intentional, taking by harassment of small numbers of marine mammals by U.S. citizens who engage in a specified activity (other than commercial fishing) within a specified geographical region if certain findings are made and the public has an opportunity to comment on the proposed IHA.

Specifically, NMFS will issue an IHA if it finds that the taking will have a negligible impact on the species or stock(s) and will not have an unmitigable adverse impact on the availability of the species or stock(s) for taking for subsistence uses (where relevant). Further, NMFS must prescribe the permissible methods of taking and other “means of effecting the least [practicable] adverse impact” on the affected species or stocks and their habitat, paying particular attention to rookeries, mating grounds, and areas of similar significance, and on the availability of such species or stocks for

taking for certain subsistence uses (referred to here as “mitigation”). NMFS must also prescribe requirements pertaining to the monitoring and reporting of such takings. The definitions of key terms, such as “take,” “harassment,” and “negligible impact,” can be found in the MMPA and the NMFS’ implementing regulations (see 16 U.S.C. 1362; 50 CFR 216.103).

On February 26, 2026, a notice of NMFS’ proposal to issue an IHA to the U.S. Navy for take of marine mammals incidental to construction activities during the demolition of Pier 10 and construction of a crane weight test area project at U.S. Naval Submarine Base New London in Groton, Connecticut was published in the **Federal Register** (91 FR 9574). In that notice, NMFS indicated the estimated numbers, type, and methods of incidental take proposed for each species or stock, as well as the mitigation, monitoring, and reporting measures that would be required should the IHA be issued. The **Federal Register** notice also included analysis to support NMFS’ preliminary conclusions and determinations that the IHA, if issued, would satisfy the requirements of section 101(a)(5)(D) of the MMPA for issuance of the IHA. The **Federal Register** notice included web links to a draft IHA for review, as well as other supporting documents.

No substantive comments were received during the public comment period. There are no changes to the specified activity, the species taken, the proposed numbers, type, or methods of take, or the mitigation, monitoring, or reporting measures in the proposed IHA notice. No new information that would change any of the preliminary analyses, conclusions, or determinations in the proposed IHA notice has become available since that notice was published, and therefore, the preliminary analyses, conclusions, and determinations included in the proposed IHA are considered final.

National Environmental Policy Act

To comply with the National Environmental Policy Act of 1969 (NEPA; 42 U.S.C. 4321 *et seq.*) and NOAA Administrative Order (NAO) 216–6A, NMFS must review our proposed action (*i.e.*, the issuance of an IHA) with respect to potential impacts on the human environment.

This action is consistent with categories of activities identified in Categorical Exclusion B4 (IHAs with no anticipated serious injury or mortality) of the Companion Manual for NAO 216–6A, which do not individually or cumulatively have the potential for significant impacts on the quality of the

human environment and for which we have not identified any extraordinary circumstances that would preclude this categorical exclusion. Accordingly, NMFS has determined that the issuance of the IHA qualifies to be categorically excluded from further NEPA review.

Endangered Species Act

Section 7(a)(2) of the Endangered Species Act of 1973 (ESA; 16 U.S.C. 1531 *et seq.*) requires that each Federal agency ensures that any action it authorizes, funds, or carries out is not likely to jeopardize the continued existence of any endangered or threatened species or result in the destruction or adverse modification of designated critical habitat. To ensure ESA compliance for the issuance of IHAs, NMFS consults internally whenever we propose to authorize take for endangered or threatened species.

No incidental take of ESA-listed species is proposed for authorization or expected to result from this activity. Therefore, NMFS has determined that formal consultation under section 7 of the ESA is not required for this action.

Authorization

Accordingly, consistent with the requirements of section 101(a)(5)(D) of the MMPA, NMFS has issued an IHA to the U.S. Navy for authorization to take marine mammals incidental to construction activities during the demolition of Pier 10 and construction of a crane weight test area project at U.S. Naval Submarine Base New London in Groton, Connecticut.

Dated: April 13, 2026.

Kimberly Damon-Randall,

*Director, Office of Protected Resources,
National Marine Fisheries Service.*

[FR Doc. 2026–07412 Filed 4–15–26; 8:45 am]

BILLING CODE 3510–22–P

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

[RTID 0648–XF666]

Magnuson-Stevens Fishery Conservation and Management Act; General Provisions for Domestic Fisheries; Applications for Exempted Fishing Permits

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

ACTION: Notice; request for comments.

SUMMARY: NMFS received an exempted fishing permit (EFP) application for U.S.

West Coast highly migratory species (HMS) fisheries that warrants further consideration at this time. The EFP applicant requests exemptions from regulatory provisions pertaining to the use of authorized gear types under the Fishery Management Plan for U.S. West Coast Fisheries for Highly Migratory Species (HMS FMP). The applicant proposes to test the effects and efficacy of using monofilament rings as an alternative form of terminal tackle (herein referred to as “ring tackle”) used to harvest swordfish and other HMS off of the U.S. West Coast. During the March 2026 Pacific Fishery Management Council (Council) meeting, the Council reviewed and endorsed the EFP application and recommended that NMFS approve it. NMFS has determined that this application warrants further consideration and is requesting public comment on it.

DATES: Comments must be submitted in writing by May 18, 2026.

ADDRESSES: You may submit comments on this document, identified by NOAA–NMFS–2026–1090, by any of the following methods:

- **Electronic Submission:** Submit all electronic public comments via the Federal e-Rulemaking Portal. Go to <https://www.regulations.gov> and enter NOAA–NMFS–2026–1090 in the Search box. Click on the “Comment” icon, complete the required fields, and enter or attach your comments.

- **Mail:** Submit written comments to Chris Fanning, NMFS West Coast Region, 501 W. Ocean Blvd., Suite 4200, Long Beach, CA 90802. Include the identifier “NOAA–NMFS–2026–1090” in the 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 <https://www.regulations.gov> without change. All personal identifying information (*e.g.*, name, address, *etc.*), confidential business information, or otherwise sensitive information submitted voluntarily by the sender will be publicly accessible. NMFS will accept anonymous comments (enter “N/A” in the required fields if you wish to remain anonymous).

FOR FURTHER INFORMATION CONTACT:

Chris Fanning, NMFS, West Coast Region, 562–980–4198, Chris.Fanning@noaa.gov.

SUPPLEMENTARY INFORMATION: At its March 2026 meeting, the Council considered an EFP application¹ from the Pflieger Institute of Environmental

Research that was first received by the Council in November 2025. At the November 2025 meeting, the Council requested that the Highly Migratory Species Management Team (HMSMT) return in March with additional information regarding the gear configuration and species bycatch in other parts of the world where the gear type has been used. The March 2026 report from the HMSMT² provides bycatch data and other information from available studies on ring tackle in other parts of the world. The EFP applicant also attended the March meeting to answer questions from the Council.

The Council recommended that NMFS approve the EFP application and expressed support for testing the use of ring tackle in a variety of EFP gear configurations. The Council also recommended that NMFS prioritize flexibility in the operative terms and conditions of existing, approved, HMS EFPs, to build on lessons learned, and to support continued participation in fishery innovations (including consideration of more vessels), provided that such flexibilities can be accommodated within effort limits considered in the environmental review processes and analyses underpinning the issuance of EFPs for those configuration types.

If issued, the EFP would exempt the permitted vessels from the Commercial fishing gear definitions at 50 CFR 660.702, which specify that Deep-set buoy gear (DSBG) includes “gangions with hooks attached,” and from gear specifications at 50 CFR 660.715(b)(3), which require the use of circle hooks in DSBG. The EFP would allow use of monofilament rings as a substitute for one of the three hooks currently permitted on each vertical mainline of standard DSBG, and each section of linked DSBG. That is, the maximum of three pieces of terminal tackle per buoy would not be modified under this EFP, only the requirement that circle hooks must be used.

At this time, NMFS is requesting public comment on the ring tackle EFP application. NMFS will take the Council’s comments into consideration along with public comments on whether to issue this EFP. Aside from regulatory exemptions to conduct the proposed EFP activities, vessels fishing under an EFP would be subject to all other regulations implemented at 50 CFR part 660, subpart K and 50 CFR part 300, subpart C, including measures to protect sea turtles, marine mammals, sharks, and seabirds.

NMFS will consider all public comments submitted in response to this **Federal Register** notice prior to issuance

of any EFP. Additionally, NMFS will analyze the effects of issuing EFPs in accordance with the National Environmental Policy Act and NOAA’s Administrative Order 216–6A, as well as for compliance with other applicable laws, including section 7(a)(2) of the Endangered Species Act (16 U.S.C. 1531 *et seq.*), which requires the agency to consider whether the proposed action is likely to jeopardize the continued existence and recovery of any endangered or threatened species or result in the destruction or adverse modification of critical habitat.

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

Dated: April 13, 2026.

Kelly Denit,

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

Endnotes

¹ <https://www.pcouncil.org/documents/2026/02/g-3-attachment-1-draft-efp-pier-hookless-gear.pdf/>.

² <https://www.pcouncil.org/documents/2026/03/g-3-a-supplemental-hmsmt-report-1-highly-migratory-species-management-team-report-on-exempted-fishing-permits-preliminary-or-final.pdf/>.

[FR Doc. 2026–07390 Filed 4–15–26; 8:45 am]

BILLING CODE 3510–22–P

DEPARTMENT OF COMMERCE

Patent and Trademark Office

[Docket No. PTO–P–2021–0019]

Termination of the Fast-Track for COVID–19-Related Appeals Pilot Program

AGENCY: United States Patent and Trademark Office, Department of Commerce.

ACTION: Notice.

SUMMARY: The United States Patent and Trademark Office (USPTO) is terminating the Fast-Track for COVID–19-Related Appeals Pilot Program.

DATES: This notice serves as the formal termination of the Fast-Track for COVID–19-Related Appeals Pilot Program. Petitions to participate in the program filed after midnight ET on April 16, 2026, will not be granted.

FOR FURTHER INFORMATION CONTACT: Megan Carlson, Patent Trial and Appeal Board, by telephone at 571–272–9797, or by email at fasttrackappeals@uspto.gov.

SUPPLEMENTARY INFORMATION: In 2021, the USPTO published a notice implementing the Fast-Track for COVID–19-Related Appeals Pilot Program. *See Fast-Track Pilot Program for Appeals Related to COVID–19*, 86 FR

19877 (April 15, 2021) (2021 Notice). The 2021 Notice provided for the advancement of applications related to COVID–19 out of turn in *ex parte* appeals before the Patent Trial and Appeal Board (PTAB). An appellant who filed an *ex parte* appeal of an application with claim(s) that covered a product or process related to COVID–19 (such product or process must be subject to an applicable U.S. Food and Drug Administration (FDA) approval for COVID–19 use) and received a notice that the appeal had been docketed could file a petition at no cost to expedite the review of his or her appeal without paying a petition fee.

Pursuant to this notice, the USPTO is now formally terminating the Fast-Track for COVID–19-Related Appeals Pilot Program. Terminating the program allows the USPTO to dedicate resources to other priorities, such as reducing pendency in *ex parte* appeals across all technology areas. Notwithstanding, the program was not widely used, with only one petition having been granted. This action is consistent with the 2021 Notice, in which the USPTO reserved the discretion to terminate the program depending on factors such as workload and resources needed to administer the program, feedback from the public, and the effectiveness of the program. *See* 86 FR 19877 at 19878.

Any petition to participate in the Fast-Track for COVID–19-Related Appeals Pilot Program filed after midnight ET on April 16, 2026, will not be granted.

At that time, the USPTO will remove petition form PTO/SB/454, titled “Petition Fast-Track for COVID–19-Related Appeals Pilot Program” from the USPTO’s website. Applicants should not submit stored copies of form PTO/SB/454.

The USPTO will continue to process petitions for the Fast-Track for COVID–19-Related Appeals Pilot Program filed by midnight ET on April 16, 2026, as set forth in the “Conduct of Fast-Track Pilot Program for Appeals Related to COVID–19” section of the 2021 Notice. *See* 86 FR at 19878. *Ex parte* appeals accorded fast-track status due to the filing of a grantable petition by midnight ET on April 16, 2026, will not lose that status merely because the appeal is still pending after that deadline. Any such appeal will retain fast-track status until the PTAB’s jurisdiction ends under 37 CFR 41.35(b).

Patent applicants interested in expediting an *ex parte* appeal before the PTAB may instead request fast-track status under the Fast-Track Appeals Pilot Program, which provides for the advancement of applications out of turn in *ex parte* appeals before the PTAB. An

appellant who has filed an *ex parte* appeal and received a notice that the appeal has been docketed may file a petition, accompanied by a petition fee, to expedite the review of his or her appeal. The Fast-Track Appeals Pilot Program sets a target of reaching a decision on the *ex parte* appeal within six months from the date an appeal is entered into that program.

John A. Squires,

Under Secretary of Commerce for Intellectual Property and Director of the United States Patent and Trademark Office.

[FR Doc. 2026-07442 Filed 4-15-26; 8:45 am]

BILLING CODE 3510-16-P

COMMITTEE FOR PURCHASE FROM PEOPLE WHO ARE BLIND OR SEVERELY DISABLED

Procurement List; Additions and Deletions

AGENCY: Committee for Purchase From People Who Are Blind or Severely Disabled.

ACTION: Deletions from the Procurement List.

SUMMARY: This action deletes product(s) from the Procurement List that were furnished by nonprofit agencies employing persons who are blind or have other severe disabilities.

DATES: Date added to and deleted from the Procurement List: May 16, 2026.

ADDRESSES: Committee for Purchase From People Who Are Blind or Severely Disabled, 355 E Street SW, Suite 325, Washington, DC 20024.

FOR FURTHER INFORMATION CONTACT: For further information or to submit comments contact: Michael R. Jurkowski, Telephone: (703) 489-1322, or email CMTEFedReg@AbilityOne.gov.

SUPPLEMENTARY INFORMATION:

Deletion

On March 12, 2026 (91 FR 12172), the Committee for Purchase From People Who Are Blind or Severely Disabled published notice of proposed deletions from the Procurement List. This notice is published pursuant to 41 U.S.C. 8503(a)(2) and 41 CFR 51-2.3.

After consideration of the relevant matter presented, the Committee has determined that the product(s) listed below are no longer suitable for procurement by the Federal Government under 41 U.S.C. 8501-8506 and 41 CFR 51-2.4.

Regulatory Flexibility Act Certification

I certify that the following action will not have a significant impact on a

substantial number of small entities. The major factors considered for this certification were:

1. The action will not result in additional reporting, recordkeeping or other compliance requirements for small entities.

2. The action may result in authorizing small entities to furnish the product(s) to the Government.

3. There are no known regulatory alternatives which would accomplish the objectives of the Javits-Wagner-O'Day Act (41 U.S.C. 8501-8506) in connection with the product(s) deleted from the Procurement List.

End of Certification

Accordingly, the following product(s) are deleted from the Procurement List:

Product(s)

NSN(s)—Product Name(s)

7520-01-620-3826—Hole Punch, Paper, High-capacity, 2-Hole, Adjustable, 30 sheet capacity, Black Base, Metallic Handle

Authorized Source of Supply: Access: Supports for Living Inc., Middletown, NY

Mandatory For: GENERAL SERVICES ADMINISTRATION

Contracting Activity: GENERAL SERVICES ADMINISTRATION, GSA/FAS ADMIN SVCS ACQUISITION BR(2)

Michael R. Jurkowski,

Director, Business Operations.

[FR Doc. 2026-07363 Filed 4-15-26; 8:45 am]

BILLING CODE 6353-01-P

COMMITTEE FOR PURCHASE FROM PEOPLE WHO ARE BLIND OR SEVERELY DISABLED

Procurement List; Proposed Additions and Deletions

AGENCY: Committee for Purchase From People Who Are Blind or Severely Disabled.

ACTION: Proposed additions to and deletions from the Procurement List.

SUMMARY: The Committee is proposing to add products and service(s) to the Procurement List that will be furnished by nonprofit agencies employing persons who are blind or have other severe disabilities and delete service(s) previously furnished by such agencies.

DATES: Comments must be received on or before: May 16, 2026.

ADDRESSES: Committee for Purchase From People Who Are Blind or Severely Disabled, 355 E Street SW, Suite 325, Washington, DC 20024.

FOR FURTHER INFORMATION CONTACT: For further information or to submit comments contact: Michael R.

Jurkowski, Telephone: (703) 489-1322, or email CMTEFedReg@AbilityOne.gov.

SUPPLEMENTARY INFORMATION: This notice is published pursuant to 41 U.S.C. 8503 (a)(2) and 41 CFR 51-2.3. Its purpose is to provide interested persons an opportunity to submit comments on the proposed actions.

Additions

In accordance with 41 CFR 51-2.4(b), Government personnel within the contracting activity have identified this as a product requirement not applicable to other Federal entities and has requested the Committee consider granting a purchase or distribution preference if the product is added to the Procurement List. *See* 71 FR 69536 (Dec. 1, 2006). If the Committee grants this request, the product listed will not be available through the U.S. AbilityOne Commission's Commercial Distribution Program. The Committee will consider this request along with relevant comments received from interested parties.

The following product(s) are proposed for addition to the Procurement List for production by the nonprofit agencies listed:

Product(s)

NSN(s)—Product Name(s)

6510-00-201-1755—Bandage, Cravat, Triangular

Authorized Source of Supply: Alphapointe, Kansas City, MO

Mandatory For: DEPT OF DEFENSE

Contracting Activity: DEPT OF DEFENSE, DLA TROOP SUPPORT

In accordance with 41 CFR 51-5.3(b), the Committee intends to add the service requirement listed below to the Procurement List as a mandatory purchase only for the contracting activity at the location listed with the proposed qualified nonprofit agency as the authorized source of supply. Prior to adding the service to the Procurement List, the Committee will consider other pertinent information, including information from Government personnel and relevant comments from interested parties regarding the Committee's intent to geographically limit this services requirement.

The following service(s) are proposed for addition to the Procurement List for delivery by the nonprofit agency listed:

Services(s)

Service Type: Navy HAZMAT San Diego

Mandatory for: US Navy, Naval Supply Systems Command, Construction Battalion Center, Port Hueneme, CA, 3350 Patterson Road, Naval Base Ventura County, Port Hueneme, CA

Mandatory for: US Navy, Naval Supply Systems Command, Fleet Logistics

Center, San Diego, CA, 3985 Cummings Road, Bldg. 3322A, San Diego, CA
Mandatory for: US Navy, Naval Supply Systems Command, Naval Air Station North Island, CA, Read Rd., Bldg. 1206, San Diego, CA
Mandatory for: Naval Air Weapons Station China Lake, Bldg. 1024 Blandy Ave., China Lake, CA
Authorized Source of Supply: The Lighthouse for the Blind, Inc. (Seattle Lighthouse), Seattle, WA
Contracting Activity: DEPT OF DEFENSE, NAVSUP FLT LOG CTR, SAN DIEGO

Deletion

The following service(s) are proposed for deletion to the Procurement List:

Services(s)

Service Type: Shelf Stocking, Custodial & Warehousing
Mandatory for: Defense Commissary Agency, Camp Pendleton MCB Commissary, MCB Camp Pendleton, CA, 20850 Vandegrift Boulevard, MCB Camp Pendleton, CA
Authorized Source of Supply: Job Options, Inc., San Diego, CA
Contracting Activity: DEPT OF DEFENSE, DEFENSE COMMISSARY AGENCY
Service Type: Base Supply Center
Mandatory for: US Navy, Marine Corps Air Station, SERVMART Stores, Cherry Point, NC, LCI-SERVMART, Bldg. 1702 B, 6th Avenue, MCAS Cherry Point, NC
Authorized Source of Supply: LC Industries, Inc., Durham, NC
Contracting Activity: GENERAL SERVICES ADMINISTRATION, GSA/FAS

Michael R. Jurkowski,

Director, Business Operations.

[FR Doc. 2026-07362 Filed 4-15-26; 8:45 am]

BILLING CODE 6353-01-P

DEPARTMENT OF EDUCATION

Notice Announcing Teacher and School Leader Incentive Program Competition; Correction

AGENCY: Department of Education; Department of Labor.

ACTION: Notice; correction.

SUMMARY: On April 10, 2026, the Department of Education (ED) published in the **Federal Register** a Competition Announcement Notice (CAN) in which the Employment and Training Administration at the U.S. Department of Labor (DOL) solicited applications in support of the administration of the FY2026 Teacher and School Leader Incentive Program (TSL), Assistance Listing Number 84.374A, on behalf of ED. This notice corrects errors in that CAN. The CAN published on April 10, 2026 established a deadline date of June 8, 2026, for the electronic submission of applications through *Grants.gov*. ED and DOL are correcting the FY 2026 TSL

CAN by updating the deadline date for the competition to June 9, 2026. Additionally, the eligible applicants listed in the CAN included inaccurate information and is being updated. All other information in the CAN remains the same.

DATES: *Deadline for Transmittal of Applications:* June 9, 2026.

FOR FURTHER INFORMATION CONTACT: Cynthia Hunter. Telephone: (202) 987-1670. Email: *Cynthia.Hunter@ed.gov* or *TSL@ed.gov*.

If you use a telecommunications device for the deaf (TDD) or a text telephone (TTY), call the Federal Relay Service (FRS), toll free, at 1-800-877-8339.

SUPPLEMENTARY INFORMATION: We are correcting the April 10, 2026 CAN to revise the deadline for transmittal of applications and the eligible applicants for this competition.

Correction

In FR Doc. No. 2026-07029, in the **Federal Register** published on April 10, 2026 (91 FR 18446), we make the following corrections:

On Page 18446, in the third column, revise the text under **DATES** as follows:

Complete proposals must be submitted electronically through the *Grants.gov* "APPLY" function by 11:59:59 p.m. Eastern time, June 9, 2026.

One Page 18447, in the first column, revise the text under *Eligible Applicants* as follows:

To receive funds under this program, an applicant must be:

- (a) An LEA, including a charter school that is an LEA, or a consortium of LEAs;
- (b) A State educational agency (SEA) or other State agency designated by the Chief Executive of a State to participate;
- (c) The Bureau of Indian Education; or
- (d) A partnership consisting of—
 - (i) One or more agencies described in paragraph (a), (b), or (c); and
 - (ii) At least one nonprofit or for-profit entity.

Program Authority: Sections 2211–2213 of the Elementary and Secondary Education Act of 1965, as amended.

Accessible Format: On request to the program contact person listed under **FOR FURTHER INFORMATION CONTACT**, individuals with disabilities can obtain this document in an accessible format.

Note: Henry Maklakiewicz signs this notice in furtherance of DOL's role in providing support to ED.

Kirsten Baesler,

Assistant Secretary, Office of Elementary and Secondary Education, Department of Education.

In concurrence.

Henry Maklakiewicz,

Assistant Secretary for Employment and Training, Department of Labor.

[FR Doc. 2026-07452 Filed 4-15-26; 8:45 am]

BILLING CODE 4000-01-P

DEPARTMENT OF EDUCATION

[Docket No.: ED-2026-SCC-1321]

Agency Information Collection Activities; Comment Request; Private School Universe Survey (PSS) 2025–26 and 2027–28 Data Collections, and 2027–28 PSS Frame Development Activities

AGENCY: National Center for Education Statistics (NCES), Institute of Education Sciences (IES), Department of Education (ED).

ACTION: Notice.

SUMMARY: In accordance with the Paperwork Reduction Act (PRA) of 1995, the Department is proposing a revision of a currently approved information collection request (ICR).

DATES: Interested persons are invited to submit comments on or before June 15, 2026.

ADDRESSES: To access and review all the documents related to the information collection listed in this notice, please use <http://www.regulations.gov> by searching the Docket ID number ED-2026-SCC-1321. Comments submitted in response to this notice should be submitted electronically through the Federal eRulemaking Portal at <http://www.regulations.gov> by selecting the Docket ID number or via postal mail, commercial delivery, or hand delivery. If the *regulations.gov* site is not available to the public for any reason, the Department will temporarily accept comments at *ICDocketMgr@ed.gov*. Please include the docket ID number and the title of the information collection request when requesting documents or submitting comments. Please note that comments submitted after the comment period will not be accepted. Written requests for information or comments submitted by postal mail or delivery should be addressed to Matthew Soldner, National Center for Education Statistics, Institute of Education Sciences, U.S. Department

of Education, 400 Maryland Avenue SW, Washington, DC 20202.

FOR FURTHER INFORMATION CONTACT: For specific questions related to collection activities, please contact Matthew Soldner, Acting Commissioner, National Center for Education Statistics, NCESCommissioner@ed.gov.

SUPPLEMENTARY INFORMATION: The Department, 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 Department assess the impact of its information collection requirements and minimize the public's reporting burden. It also helps the public understand the Department's information collection requirements and provide the requested data in the desired format. The Department is soliciting comments on the proposed information collection request (ICR) that is described below. The Department is especially interested in public comment addressing the following issues: (1) is this collection necessary to the proper functions of the Department; (2) will this information be processed and used in a timely manner; (3) is the estimate of burden accurate; (4) how might the Department enhance the quality, utility, and clarity of the information to be collected; and (5) how might the Department minimize the burden of this collection on the respondents, including through the use of information technology. Please note that written comments received in response to this notice will be considered public records.

Title of Collection: Private School Universe Survey (PSS) 2025–26 and 2027–28 Data Collections, and 2027–28 PSS Frame Development Activities.

OMB Control Number: 1850–0621.

Type of Review: A revision of a currently approved ICR.

Respondents/Affected Public: Individuals and Households.

Total Estimated Number of Annual Responses: 32,550.

Total Estimated Number of Annual Burden Hours: 5,981.

Respondent's Obligation: Voluntary.

Legal Authority: NCES: Title 20 U.S.C. 9543–44.

Abstract: The National Center for Education Statistics (NCES), within the U.S. Department of Education, conducts the Private School Universe Survey (PSS), a national survey of private elementary and secondary schools. The PSS is designed to collect biennial data on the total number of private schools, teachers, and students; and to create an

NCES universe frame of private schools that serve as a sampling frame for NCES surveys. This survey is an ongoing project to improve NCES universe and sample data on private schools.

This request is to revise contacting materials associated with 2027–28 PSS frame-development activities (see: “Appendix A–C PSS 2025–2028 Communications Materials v.16rev” in this docket). Additional information about the currently approved collection can be found at https://www.reginfo.gov/public/do/PRAViewICR?ref_nbr=202409-1850-004. As of May 2025, NCES's assurances of confidentiality protections for PSS 2025–26 have changed due to staffing changes at the Department of Education. NCES has removed the Foundations of Evidence-Based Policymaking Act of 2018, Title III, Part B, Confidential Information Protection (“CIPSEA”) as a confidentiality assurance. However, confidentiality assurances under the Education Sciences Reform Act of 2002 (ESRA) remain in effect. NCES will consider restoring CIPSEA protections for future PSS collections as appropriate. NCES anticipates submitting a subsequent amendment to this Information Collection Request to accommodate potential revisions to the 2027–28 PSS survey questionnaire and to further update communications materials associated with this collection.

Ross Santy,

Chief Data Officer, Office of Planning, Evaluation and Policy Development.

[FR Doc. 2026–07410 Filed 4–15–26; 8:45 am]

BILLING CODE 4000–01–P

DEPARTMENT OF ENERGY

Defense Production Act Consortium

AGENCY: Office of Nuclear Energy, Department of Energy.

ACTION: Notice of open meeting.

SUMMARY: This notice announces an in-person/virtual hybrid meeting. Pursuant to the authority of the Defense Production Act and in accordance with the applicable Federal advisory and transparency requirements, the U.S. Department of Energy (“DOE”) hereby gives notice of an open meeting of the Defense Production Act Consortium (“the Consortium”).

DATES: The meeting will be held on Thursday, April 23, 2026, at 9:00 a.m., EST. A virtual option is available at <https://www.energy.gov/ne/defense-production-act-consortium>.

ADDRESSES: The meeting will be held at the Ronald Reagan Building and International Trade Center, 1400 Pennsylvania Ave. NW, Washington, DC 20004 on the 8th floor Rotunda.

FOR FURTHER INFORMATION CONTACT: Ms. Sarah McPhee Charrez, Chief of Staff, Nuclear Fuel Cycle, Office of Nuclear Energy, Department of Energy, 1000 Independence Avenue SW, Washington, DC 20585, Telephone: (202) 587–1092. Email: DPAConsortium@nuclear.energy.gov.

SUPPLEMENTARY INFORMATION: In accordance with 50 U.S.C. 4558(h), the Department of Energy is giving notice of an upcoming open Consortium Meeting. The purpose of this meeting is to provide updates to the public on the progress of the Consortium and provide commentary on approved Plans of Action.

Publication Participation

The times, dates, and locations of the public meeting are listed in the **DATES** and **ADDRESSES** sections of this document. If you plan to attend the public meeting, please notify the Office of Nuclear Energy staff at DPAconsortium@nuclear.energy.gov. This meeting is open to the public. Members of the public who wish to attend either in-person or virtually must register in advance by Wednesday, April 22, 2026.

In addition, you can attend the public meeting via webinar. Webinar registration information, participant instructions, and information about the capabilities available to webinar participants will be published on DOE's website: www.energy.gov/ne/defenseproduction-act-consortium. Participants are responsible for ensuring their systems are compatible with the webinar software.

Signing Authority

This document of the Department of Energy was signed on April 6, 2026, by Theodore J. Garrish, Assistant Secretary, Nuclear Energy, pursuant to delegated authority from the Secretary of Energy. That document with the original signature and date is maintained by DOE. For administrative purposes only, and in compliance with requirements of the Office of the Federal Register, the undersigned DOE Federal Register Liaison Officer has been authorized to sign and submit the document in electronic format for publication, as an official document of the Department of Energy. This administrative process in no way alters the legal effect of this document upon publication in the **Federal Register**.

Signed in Washington, DC, April 14, 2026.

Treena V. Garrett,

*Federal Register Liaison Officer, U.S.
Department of Energy.*

[FR Doc. 2026-07403 Filed 4-15-26; 8:45 am]

BILLING CODE 6450-01-P

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Docket No. CP26-130-000]

Northern Natural Gas Company; Notice of Scoping Period Requesting Comments on Environmental Issues for the Proposed Ventura to Farmington A-Line Abandonment and Capacity Replacement Project and Northern Lights 2027 Expansion Project

The staff of the Federal Energy Regulatory Commission (FERC or Commission) will prepare an environmental document that will discuss the environmental impacts of the Ventura to Farmington A-line Abandonment and Capacity Replacement Project and Northern Lights 2027 Expansion Project, collectively referred to as “Project,” involving abandonment, construction, and operation of facilities by Northern Natural Gas Company (Northern) in Hancock and Worth counties, Iowa and Carver, Dakota, Freeborn, Isanti, Jackson, Martin, Morrison, Scott, Stearns, Steele, Watonwan, and Washington counties, Minnesota. The Commission will use this environmental document in its decision-making process to determine whether the project is in the public convenience and necessity.

This notice announces the opening of the scoping process the Commission will use to gather input from the public and interested agencies regarding the project. As part of the National Environmental Policy Act (NEPA) review process, the Commission takes into account concerns the public may have about proposals and the environmental impacts that could result from its action whenever it considers the issuance of a Certificate of Public Convenience and Necessity/authorization. This gathering of public input is referred to as “scoping.” The main goal of the scoping process is to focus the analysis in the environmental document on the important environmental issues. Additional information about the Commission’s NEPA process is described below in the *NEPA Process and Environmental Document* section of this notice.

By this notice, the Commission requests public comments on the scope of issues to address in the environmental document. To ensure that your comments are timely and properly recorded, please submit your comments so that the Commission receives them in Washington, DC on or before 5:00 p.m. Eastern Time on May 13, 2026. Comments may be submitted in written form. Further details on how to submit comments are provided in the *Public Participation* section of this notice.

Your comments should focus on the potential environmental effects, reasonable alternatives, and measures to avoid or lessen environmental impacts. Your input will help the Commission staff determine what issues they need to evaluate in the environmental document. Commission staff will consider all written comments during the preparation of the environmental document.

If you submitted comments on this project to the Commission before the opening of this docket on March 2, 2026, you will need to file those comments in Docket No. CP26-130-000 to ensure they are considered as part of this proceeding.

This notice is being sent to the Commission’s current environmental mailing list for this project. State and local government representatives should notify their constituents of this proposed project and encourage them to comment on their areas of concern.

If you are a landowner receiving this notice, a pipeline company representative may contact you about the acquisition of an easement to construct, operate, and maintain the proposed facilities. The company would seek to negotiate a mutually acceptable easement agreement. You are not required to enter into an agreement. However, if the Commission approves the project, the Natural Gas Act conveys the right of eminent domain to the company. Therefore, if you and the company do not reach an easement agreement, the pipeline company could initiate condemnation proceedings in court. In such instances, compensation would be determined by a judge in accordance with state law. The Commission does not subsequently grant, exercise, or oversee the exercise of that eminent domain authority. The courts have exclusive authority to handle eminent domain cases; the Commission has no jurisdiction over these matters.

Northern provided landowners with a fact sheet prepared by the FERC entitled “An Interstate Natural Gas Facility On My Land? What Do I Need To Know?”

which addresses typically asked questions, including the use of eminent domain and how to participate in the Commission’s proceedings. This fact sheet along with other landowner topics of interest are available for viewing on the FERC website (www.ferc.gov) under the Natural Gas, Landowner Topics link.

Public Participation

There are three methods you can use to submit your comments to the Commission. Please carefully follow these instructions so that your comments are properly recorded. The Commission encourages electronic filing of comments and has staff available to assist you at (866) 208-3676 or FercOnlineSupport@ferc.gov.

(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 located 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 (CP26-130-000) on your letter. Submissions sent via the U.S. Postal Service must be addressed to: Debbie-Anne A. Reese, Secretary, Federal Energy Regulatory Commission, 888 First Street NE, Room 1A, Washington, DC 20426. Submissions sent via any other carrier must be addressed to: Debbie-Anne A. Reese, Secretary, Federal Energy Regulatory Commission, 12225 Wilkins Avenue, Rockville, MD 20852.

Additionally, the Commission offers a free service called eSubscription which makes it easy to stay informed of all issuances and submittals regarding the dockets/projects to which you subscribe. These instant email notifications are the fastest way to receive notification and provide a link to the document files which can reduce the amount of time you spend researching proceedings. Go to <https://www.ferc.gov/ferc-online/overview> to register for eSubscription.

For public inquiries and assistance with making filings such as interventions, comments, or requests for rehearing, contact the Office of Public Participation at (202) 502-6595 or *OPP@ferc.gov*.

Summary of the Proposed Project

Northern proposes two interdependent projects: the Ventura to Farmington A-Line Abandonment and Capacity Replacement Project (V2F Project) and the Northern Lights 2027 Expansion Project (NL27 Project). The V2F Project would abandon in-place 131 miles of aging pipeline and replace the lost capacity with the construction and operation of three extensions. The NL27 Project would construct and operate 28.5 miles of pipeline extensions to provide an additional 79.3 dekatherms per day of incremental firm service and uprating the turbine compressor unit at the Hugo Compressor Station. The two projects are being filed together because two of the proposed pipeline extensions are required for each project and will be constructed concurrently.

The proposed V2F Project includes the following facilities:

- abandonment in-place of approximately 106 miles of 16- and 18-inch-diameter mainline along the M500 A-line pipeline system from the Ventura Compressor Station in Hancock County, Iowa to the Farmington Compressor Station in Dakota County, Minnesota;
- abandonment in-place of 25.4 miles of 16-inch-diameter mainline along the M500 J-line pipeline system between Worth County, Iowa and Freeborn County, Minnesota;
- construction and operation of an 8.3-mile-long extension to the existing 36-inch-diameter Lake Mills M500 E-line in Freeborn County, Minnesota;
- construction and operation of a 2.1-mile-long extension to the existing Albert Lea M500 E-line in Steele County, Minnesota;
- Construction of a 7.5-mile-long extension to the existing 30-inch-diameter Faribault M500 D-line in Dakota County, Minnesota; and
- removal and replacement of associated aboveground appurtenances and aboveground facilities.

The proposed NL27 Project includes the following facilities:

- construction and operation of 10 pipeline extensions totaling approximately 28.5 miles of variable-diameter pipe in Freeborn, Steele, Scott, Carver, Martin, Stearns, Jackson, Watonwan, Isanti, and Morrison counties, Minnesota;
- modification of uprate and aboveground facility within the existing

Hugo Compressor Station in Washington County, Minnesota; and

- installation or relocation of associated auxiliary or appurtenant facilities.

The general location of the project facilities is shown in appendix 1.¹

Land Requirements for Construction

Northern proposes using a 25-foot offset from existing pipelines, where practicable, for both the V2F and NL27 projects. The V2F Project would utilize a 50- to 100-foot-wide construction right-of-way, totaling approximately 421 acres. Following construction, Northern would maintain about 92 acres for permanent operation of the project's facilities; the remaining acreage would be restored and could revert to former uses.

For the NL27 Project, Northern proposes utilizing a 60- to 100-foot-wide construction right-of-way, totaling approximately 567 acres. About 63 acres of this total would overlap existing operational footprints of other Northern facilities. Following construction, Northern would maintain about 162 acres for permanent operation of the project's facilities; the remaining acreage would be restored and could revert to former uses.

NEPA Process and the Environmental Document

Any environmental document issued by the Commission will discuss impacts that could occur as a result of the construction and operation of the proposed project under the relevant general resource areas:

- geology and soils;
- water resources and wetlands;
- vegetation and wildlife;
- threatened and endangered species;
- cultural resources;
- land use;
- air quality and noise; and
- reliability and safety.

Commission staff will also evaluate reasonable alternatives to the proposed project or portions of the project and make recommendations on how to lessen or avoid impacts on the various resource areas. Your comments will help Commission staff identify and focus on the issues that might have an effect on the human environment and potentially eliminate others from further

study and discussion in the environmental document.

Following this scoping period, Commission staff will determine whether to prepare an Environmental Assessment (EA) or an Environmental Impact Statement (EIS). The EA or the EIS will present Commission staff's independent analysis of the issues. If Commission staff prepares an EA, a *Notice of Schedule for the Preparation of an Environmental Assessment* will be issued. The EA may be issued for an allotted public comment period. The Commission would consider timely comments on the EA before making its decision regarding the proposed project. If Commission staff prepares an EIS, a *Notice of Intent to Prepare an EIS/ Notice of Schedule* will be issued, which will open up an additional comment period. Staff will then prepare a draft EIS which will be issued for public comment. Commission staff will consider all timely comments received during the comment period on the draft EIS and revise the document, as necessary, before issuing a final EIS. Any EA or draft and final EIS will be available in electronic format in the public record through eLibrary² and the Commission's natural gas environmental documents web page (<https://www.ferc.gov/industries-data/natural-gas/environment/environmental-documents>). If eSubscribed, you will receive instant email notification when the environmental document is issued.

With this notice, the Commission is asking agencies with jurisdiction by law and/or special expertise with respect to the environmental issues of this project to formally cooperate in the preparation of the environmental document.³ Agencies that would like to request cooperating agency status should follow the instructions for filing comments provided under the *Public Participation* section of this notice.

Consultation Under Section 106 of the National Historic Preservation Act

In accordance with the Advisory Council on Historic Preservation's implementing regulations for section 106 of the National Historic Preservation Act, the Commission is using this notice to initiate consultation with the applicable State Historic Preservation Office(s), and to solicit their views and those of other government agencies, interested Indian tribes, and the public on the project's

¹ The appendices referenced in this notice will not appear in the **Federal Register**. Copies of the appendices were sent to all those receiving this notice in the mail and are available at www.ferc.gov using the link called "eLibrary." For instructions on connecting to eLibrary, refer to the last page of this notice. For assistance, contact FERC at FERCOnlineSupport@ferc.gov or call toll free, (886) 208-3676 or TTY (202) 502-8659.

² For instructions on connecting to eLibrary, refer to the last page of this notice.

³ Cooperating agency responsibilities are addressed in Section 107(a)(3) of NEPA (42 U.S.C. 4336(a)(3)).

potential effects on historic properties.⁴ The environmental document for this project will document findings on the impacts on historic properties and summarize the status of consultations under section 106.

Environmental Mailing List

The environmental mailing list includes federal, state, and local government representatives and agencies; elected officials; environmental and public interest groups; Native American Tribes; other interested parties; and local libraries and newspapers. This list also includes all affected landowners (as defined in the Commission's regulations) who are potential right-of-way grantors, whose property may be used temporarily for project purposes, or who own homes within certain distances of aboveground facilities, and anyone who submits comments on the project and includes a mailing address with their comments. Commission staff will update the environmental mailing list as the analysis proceeds to ensure that Commission notices related to this environmental review are sent to all individuals, organizations, and government entities interested in and/or potentially affected by the proposed project.

If you need to make changes to your name/address, or if you would like to remove your name from the mailing list, please complete one of the following steps:

(1) Send an email to GasProjectAddressChange@ferc.gov stating your request. You must include the docket number CP26–130–000 in your request. If you are requesting a change to your address, please be sure to include your name and the correct address. If you are requesting to delete your address from the mailing list, please include your name and address as it appeared on this notice. This email address is unable to accept comments.

Or

(2) Return the attached "Mailing List Update Form" (appendix 2).

Additional Information

Additional information about the project is available from the FERC website at www.ferc.gov 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.

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: April 13, 2026.

Debbie-Anne A. Reese,
Secretary.

[FR Doc. 2026–07444 Filed 4–15–26; 8:45 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 electric rate filings:

Docket Numbers: ER11–2029–011.
Applicants: Cedar Creek II, LLC.
Description: Response to 03/11/2026, Deficiency Letter of Cedar Creek II, LLC.
Filed Date: 4/10/26.
Accession Number: 20260410–5218.
Comment Date: 5 p.m. ET 5/1/26.
Docket Numbers: ER25–324–002.
Applicants: Midcontinent Independent System Operator, Inc., Citizens Electric Corporation.
Description: Compliance filing: Citizens Electric Corporation submits tariff filing per 35: 2026–04–13 Citizens Electric Corporation (CEC) Settlement Compliance to be effective 2/1/2025.
Filed Date: 4/13/26.
Accession Number: 20260413–5156.
Comment Date: 5 p.m. ET 5/4/26.
Docket Numbers: ER26–414–002.
Applicants: Southwest Power Pool, Inc.

Description: Compliance filing: Compliance Filing—Revisions to Implement the Consolidated Planning Process to be effective 3/1/2026.

Filed Date: 4/13/26.
Accession Number: 20260413–5122.
Comment Date: 5 p.m. ET 5/4/26.
Docket Numbers: ER26–1007–001.
Applicants: Midcontinent Independent System Operator, Inc.
Description: Tariff Amendment: 2026–04–13_SA 4651 Deficiency Resp.

MidAmerican-MidAmerican Sub GIA (E0002) to be effective 12/31/2025.

Filed Date: 4/13/26.
Accession Number: 20260413–5227.
Comment Date: 5 p.m. ET 5/4/26.
Docket Numbers: ER26–1085–001.
Applicants: Midcontinent Independent System Operator, Inc.
Description: Tariff Amendment: 2026–04–13_SA 4656 ATXI-Ameren MO Substitute GIA (E0013) to be effective 3/22/2026.

Filed Date: 4/13/26.
Accession Number: 20260413–5182.
Comment Date: 5 p.m. ET 5/4/26.
Docket Numbers: ER26–2119–000.
Applicants: Sun Ridge Solar, LLC.
Description: Initial Rate Filing: Application for Blanket MBR Authorization with Waivers & Expedited Treatment to be effective 7/1/2026.

Filed Date: 4/13/26.
Accession Number: 20260413–5000.
Comment Date: 5 p.m. ET 5/4/26.
Docket Numbers: ER26–2120–000.
Applicants: MATL LLP.
Description: 205(d) Rate Filing: EIM Charge Code-Related Filing to be effective 5/1/2026.

Filed Date: 4/13/26.
Accession Number: 20260413–5011.
Comment Date: 5 p.m. ET 5/4/26.
Docket Numbers: ER26–2121–000.
Applicants: Southwest Power Pool, Inc.

Description: 205(d) Rate Filing: 4738 NextEra Energy Resources Interconnection Holdings GIA to be effective 3/17/2026.
Filed Date: 4/13/26.
Accession Number: 20260413–5038.
Comment Date: 5 p.m. ET 5/4/26.
Docket Numbers: ER26–2122–000.
Applicants: Evergreen Wind Power, LLC.

Description: 205(d) Rate Filing: Revised Market-Based Rate Tariff to be effective 4/16/2026.

Filed Date: 4/13/26.
Accession Number: 20260413–5058.
Comment Date: 5 p.m. ET 5/4/26.
Docket Numbers: ER26–2123–000.
Applicants: Imperial Valley Solar 1, LLC.

Description: 205(d) Rate Filing: Revised Market-Based Rate Tariff to be effective 4/16/2026.

Filed Date: 4/13/26.
Accession Number: 20260413–5060.
Comment Date: 5 p.m. ET 5/4/26.
Docket Numbers: ER26–2124–000.
Applicants: Niagara Wind Power, LLC.

Description: 205(d) Rate Filing: Revised Market-Based Rate Tariff to be effective 4/16/2026.

⁴ The Advisory Council on Historic Preservation's regulations are at Title 36, Code of Federal Regulations, Part 800. Those regulations define historic properties as any prehistoric or historic district, site, building, structure, or object included in or eligible for inclusion in the National Register of Historic Places.

Filed Date: 4/13/26.
Accession Number: 20260413–5062.
Comment Date: 5 p.m. ET 5/4/26.
Docket Numbers: ER26–2125–000.
Applicants: Prairie Breeze Wind Energy LLC.
Description: 205(d) Rate Filing: Revised Market-Based Rate Tariff to be effective 4/16/2026.

Filed Date: 4/13/26.
Accession Number: 20260413–5063.
Comment Date: 5 p.m. ET 5/4/26.
Docket Numbers: ER26–2126–000.
Applicants: Regulus Solar, LLC.
Description: 205(d) Rate Filing: Revised Market-Based Rate Tariff to be effective 4/16/2026.

Filed Date: 4/13/26.
Accession Number: 20260413–5064.
Comment Date: 5 p.m. ET 5/4/26.
Docket Numbers: ER26–2127–000.
Applicants: TerraForm IWG Acquisition Holdings II, LLC.
Description: 205(d) Rate Filing: Revised Market-Based Rate Tariff to be effective 4/16/2026.

Filed Date: 4/13/26.
Accession Number: 20260413–5067.
Comment Date: 5 p.m. ET 5/4/26.
Docket Numbers: ER26–2128–000.
Applicants: Vermont Wind, LLC.
Description: 205(d) Rate Filing: Revised Market-Based Rate Tariff to be effective 4/16/2026.

Filed Date: 4/13/26.
Accession Number: 20260413–5068.
Comment Date: 5 p.m. ET 5/4/26.
Docket Numbers: ER26–2129–000.
Applicants: Stetson Holdings, LLC.
Description: 205(d) Rate Filing: Revised Market-Based Rate Tariff to be effective 4/16/2026.

Filed Date: 4/13/26.
Accession Number: 20260413–5085.
Comment Date: 5 p.m. ET 5/4/26.
Docket Numbers: ER26–2130–000.
Applicants: Stetson Wind II, LLC.
Description: 205(d) Rate Filing: Revised Market-Based Rate Tariff to be effective 4/16/2026.

Filed Date: 4/13/26.
Accession Number: 20260413–5096.
Comment Date: 5 p.m. ET 5/4/26.
Docket Numbers: ER26–2131–000.
Applicants: Canandaigua Power Partners II, LLC.
Description: 205(d) Rate Filing: Revised Market-Based Rate Tariff to be effective 4/16/2026.

Filed Date: 4/13/26.
Accession Number: 20260413–5100.
Comment Date: 5 p.m. ET 5/4/26.
Docket Numbers: ER26–2132–000.
Applicants: Evergreen Wind Power III, LLC.
Description: 205(d) Rate Filing: Revised Market-Based Rate Tariff to be effective 4/16/2026.

Filed Date: 4/13/26.
Accession Number: 20260413–5106.
Comment Date: 5 p.m. ET 5/4/26.
Docket Numbers: ER26–2133–000.
Applicants: Ameren Illinois Company, Midcontinent Independent System Operator, Inc.
Description: 205(d) Rate Filing: Ameren Illinois Company submits tariff filing per 35.13(a)(2)(iii): 2026–04–13 _ SA 3028 Ameren IL-Prairie Power Project #44 Incobrasa to be effective 6/13/2026.

Filed Date: 4/13/26.
Accession Number: 20260413–5108.
Comment Date: 5 p.m. ET 5/4/26.
Docket Numbers: ER26–2134–000.
Applicants: Bishop Hill Energy LLC.
Description: 205(d) Rate Filing: Revised Market-Based Rate Tariff to be effective 4/16/2026.

Filed Date: 4/13/26.
Accession Number: 20260413–5114.
Comment Date: 5 p.m. ET 5/4/26.
Docket Numbers: ER26–2135–000.
Applicants: Blue Sky East, LLC.
Description: 205(d) Rate Filing: Revised Market Based Tariff to be effective 4/16/2026.

Filed Date: 4/13/26.
Accession Number: 20260413–5124.
Comment Date: 5 p.m. ET 5/4/26.
Docket Numbers: ER26–2136–000.
Applicants: California Ridge Wind Energy LLC.
Description: 205(d) Rate Filing: Revised Market-Based Rate Tariff to be effective 4/16/2026.

Filed Date: 4/13/26.
Accession Number: 20260413–5127.
Comment Date: 5 p.m. ET 5/4/26.
Docket Numbers: ER26–2137–000.
Applicants: Canandaigua Power Partners, LLC.
Description: 205(d) Rate Filing: Revised Market-Based Rate Tariff to be effective 4/10/2026.

Filed Date: 4/13/26.
Accession Number: 20260413–5132.
Comment Date: 5 p.m. ET 5/4/26.
Docket Numbers: ER26–2138–000.
Applicants: BIF II Safe Harbor Holdings, LLC.
Description: 205(d) Rate Filing: Revised Market-Based Rate Tariff to be effective 4/16/2026.

Filed Date: 4/13/26.
Accession Number: 20260413–5133.
Comment Date: 5 p.m. ET 5/4/26.
Docket Numbers: ER26–2139–000.
Applicants: Erie Wind, LLC.
Description: 205(d) Rate Filing: Revised Market-Based Rate Tariff to be effective 4/16/2026.

Filed Date: 4/13/26.
Accession Number: 20260413–5134.
Comment Date: 5 p.m. ET 5/4/26.

Docket Numbers: ER26–2140–000.
Applicants: Safe Harbor Water Power Corporation.
Description: 205(d) Rate Filing: Revised Market-Based Rate Tariff to be effective 4/16/2026.

Filed Date: 4/13/26.
Accession Number: 20260413–5140.
Comment Date: 5 p.m. ET 5/4/26.
Docket Numbers: ER26–2141–000.
Applicants: Cherry Solar, LLC.
Description: 205(d) Rate Filing: Revised Market-Based Rate Tariff to be effective 4/16/2026.

Filed Date: 4/13/26.
Accession Number: 20260413–5146.
Comment Date: 5 p.m. ET 5/4/26.
Docket Numbers: ER26–2142–000.
Applicants: Pitt Solar, LLC.
Description: 205(d) Rate Filing: Revised Market-Based Rate Tariff to be effective 4/16/2026.

Filed Date: 4/13/26.
Accession Number: 20260413–5152.
Comment Date: 5 p.m. ET 5/4/26.
Docket Numbers: ER26–2143–000.
Applicants: Black Hills Power, Inc.
Description: 205(d) Rate Filing: Filing of LGIA with TGE Wyoming 212, LLC to be effective 3/31/2026.

Filed Date: 4/13/26.
Accession Number: 20260413–5210.
Comment Date: 5 p.m. ET 5/4/26.
Docket Numbers: ER26–2144–000.
Applicants: Black Hills Power, Inc.
Description: 205(d) Rate Filing: Filing of LGIA with NextEra Energy Resources Holdings, LLC to be effective 3/31/2026.

Filed Date: 4/13/26.
Accession Number: 20260413–5219.
Comment Date: 5 p.m. ET 5/4/26.
Docket Numbers: ER26–2145–000.
Applicants: Black Hills Power, Inc.
Description: 205(d) Rate Filing: Filing of LGIA with NextEra Energy Resources Interconnection Holdings, LLC to be effective 3/31/2026.

Filed Date: 4/13/26.
Accession Number: 20260413–5226.
Comment Date: 5 p.m. ET 5/4/26.
Docket Numbers: ER26–2146–000.
Applicants: PJM Interconnection, L.L.C.
Description: Tariff Amendment: Notice of Termination of DEA, SA No. 6891 between PJM and Potomac Edison to be effective 6/13/2026.

Filed Date: 4/13/26.
Accession Number: 20260413–5230.
Comment Date: 5 p.m. ET 5/4/26.
Docket Numbers: ER26–2147–000.
Applicants: 45MG 8me LLC.
Description: Initial Rate Filing: Application for Market Based Rate to be effective 4/14/2026.

Filed Date: 4/13/26.
Accession Number: 20260413–5231.

Comment Date: 5 p.m. ET 5/4/26.

Docket Numbers: ER26–2148–000.

Applicants: Black Mesa Energy, LLC.

Description: 205(d) Rate Filing;

Revised Market-Based Rate Tariff to be effective 4/16/2026.

Filed Date: 4/13/26.

Accession Number: 20260413–5236.

Comment Date: 5 p.m. ET 5/4/26.

Docket Numbers: ER26–2149–000.

Applicants: Cimarron Windpower II, LLC.

Description: 205(d) Rate Filing;

Revised Market-Based Rate Tariff to be effective 4/16/2026.

Filed Date: 4/13/26.

Accession Number: 20260413–5239.

Comment Date: 5 p.m. ET 5/4/26.

Take notice that the Commission received the following electric securities filings:

Docket Numbers: ES26–36–000; ES26–37–000.

Applicants: ATC Management Inc., American Transmission Company LLC.

Description: Application Under Section 204 of the Federal Power Act for Authorization to Issue Securities of American Transmission Company LLC, et al.

Filed Date: 4/10/26.

Accession Number: 20260410–5214.

Comment Date: 5 p.m. ET 5/1/26.

The filings are accessible in the Commission's eLibrary system by clicking on the links or 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: April 13, 2026.

Carlos D. Clay,

Deputy Secretary.

[FR Doc. 2026–07395 Filed 4–15–26; 8:45 am]

BILLING CODE 6717–01–P

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Project No. 15410–001]

Western Maine Energy Storage, LLC; Notice of Intent To File License Application, Filing of Pre-Application Document, and Approving Use of the Traditional Licensing Process

a. *Type of Filing:* Notice of Intent to File License Application and Request to Use the Traditional Licensing Process.

b. *Project No.:* 15410–001.

c. *Date Filed:* February 13, 2026.

d. *Submitted By:* Western Maine Energy Storage, LLC (WMES).

e. *Name of Project:* Western Maine Energy Storage Project.

f. *Location:* Tributaries of the Androscoggin River in Dixfield, Oxford County, Maine.

g. *Filed Pursuant to:* 18 CFR 5.3 of the Commission's regulations.

h. *Potential Applicant Contact:* Lauren Walsh, Corporate Environmental Manager, Western Maine Energy Storage, LLC, P.O. Box 1000, Pittsfield, ME 04967; (207) 487–3311, or email LLOHN@cianbro.com. *FERC Contact:* Justin R. Robbins at (202) 502–8308; or email at justin.robbins@ferc.gov.

i. WMES filed its request to use the Traditional Licensing Process on February 13, 2026. WMES provided documentation of public notice of its request on March 4, 2026. In a letter dated April 13, 2026, the Director of the Division of Hydropower Licensing approved WMES's request to use the Traditional Licensing Process.

j. With this notice, we are initiating informal consultation with the U.S. Fish and Wildlife Service and the National Marine Fisheries Service (NMFS) under section 7 of the Endangered Species Act and the joint agency regulations thereunder at 50 CFR, Part 402; and NMFS under section 305(b) of the Magnuson-Stevens Fishery Conservation and Management Act and implementing regulations at 50 CFR 600.920. We are also initiating consultation with the Maine State Historic Preservation Officer, as required by section 106 of the National Historic Preservation Act, and the implementing regulations of the Advisory Council on Historic Preservation at 36 CFR 800.2.

k. With this notice, we are designating WMES as the Commission's non-federal representative for carrying out informal consultation pursuant to section 7 of the Endangered Species Act and section 305(b) of the Magnuson-Stevens Fishery Conservation and Management Act; and

consultation pursuant to section 106 of the National Historic Preservation Act.

l. WMES filed a Pre-Application Document (PAD; including a proposed process plan and schedule) with the Commission, pursuant to 18 CFR 5.6 of the Commission's regulations.

m. A copy of the PAD may be viewed and/or printed on the Commission's website (<http://www.ferc.gov>), using the "eLibrary" link. Enter the docket number, excluding the last three digits in the docket number field to access the document (P–15410). For assistance, contact FERC at FERCOnlineSupport@ferc.gov or call toll free, (886) 208–3676 or TTY (202) 502–8659.

n. You may register online at <http://www.ferc.gov/docs-filing/esubscription.asp> to be notified via email of new filings and issuances related to this or other pending projects. For assistance, contact FERC Online Support.

o. 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.

(Authority: 18 CFR 2.1)

Dated: April 13, 2026.

Debbie-Anne A. Reese,
Secretary.

[FR Doc. 2026–07445 Filed 4–15–26; 8:45 am]

BILLING CODE 6717–01–P

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Docket No. CP26–180–000]

WBI Energy Transmission, Inc.; Notice of Request Under Blanket Authorization and Establishing Intervention and Protest Deadline

Take notice that on April 2, 2026, WBI Energy Transmission, Inc. (WBI Energy), 1250 West Century Avenue, Bismarck, North Dakota 58503, filed in the above referenced docket, a prior notice request pursuant to sections 157.205(b), and 157.216(b) of the Commission's regulations under the Natural Gas Act (NGA), and WBI Energy's blanket certificate issued in Docket No. CP82–487–000, for authorization to abandon five natural gas storage wells, approximately 4.12 miles of three-inch-diameter and four-inch-diameter natural gas storage pipeline and appurtenant facilities, and two aboveground measurement facilities located in WBI Energy's Baker Storage Field in Fallon County, Montana (2026

Baker Storage Well Abandonment Project). WBI Energy states the project is needed to maintain the integrity of the Baker Storage Field, 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 Andrew Bates, Manager, Regulatory Affairs, WBI Energy Transmission, Inc., 1250 West Century Avenue, Bismarck, North Dakota 58503, by phone at (701) 530-1576, or by email at Andrew.bates@wbienergy.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 June 12, 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 person² 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 June 12, 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 Procedure⁴ and the regulations under the NGA⁵ by the intervention deadline for the project, which is 5:00 p.m. Eastern Time on June 12, 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>.

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 June 12, 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 CP26-180-000 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"; or⁶

(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 CP26-180-000.

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 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.

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.

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: Andrew Bates, Manager, Regulatory Affairs, WBI Energy Transmission, Inc., 1250 West Century Avenue, Bismarck, North Dakota 58503, or by email (with a link to the document) at Andrew.bates@wbienergy.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: April 13, 2026.

Debbie-Anne A. Reese,
Secretary.

[FR Doc. 2026–07447 Filed 4–15–26; 8:45 am]

BILLING CODE 6717–01–P

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Project No. 2513–091]

Green Mountain Power Corporation; Notice of Reasonable Period of Time for Water Quality Certification Application

On April 6, 2026, Green Mountain Power Corporation (GMP) submitted to the Federal Energy Regulatory Commission (Commission) documentation from the Vermont Department of Environmental Conservation (Vermont DEC) that it

received a request for a Clean Water Act section 401(a)(1) water quality certification as defined in 40 CFR 121.5, from GMP, in conjunction with the above captioned project on April 1, 2026. Pursuant to the Commission's regulations,¹ we hereby notify Vermont DEC of the following dates.

Date of Receipt of the Certification Request: April 1, 2026.

Reasonable Period of Time to Act on the Certification Request: One year, April 1, 2027.

If Vermont DEC fails or refuses to act on the water quality certification request on or before the above date, then the certifying authority is deemed waived pursuant to section 401(a)(1) of the Clean Water Act, 33 U.S.C. 1341(a)(1).

(Authority: 18 CFR 2.1)

Dated: April 13, 2026.

Debbie-Anne A. Reese,
Secretary.

[FR Doc. 2026–07446 Filed 4–15–26; 8:45 am]

BILLING CODE 6717–01–P

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Docket No. CP26–80–000]

Transwestern Pipeline Company, LLC; Notice of Staff Protest to Proposed Blanket Certificate Activity

Federal Energy Regulatory Commission (FERC or Commission) staff (Protestor) hereby protests the prior notice request filed under the provisions of the Commission's regulations at Part 157, subpart F, by Transwestern Pipeline Company, LLC (Transwestern) on January 29, 2026, in the above-referenced docket. Pursuant to its Part 157, subpart F, blanket certificate authority, Transwestern proposes to construct and operate approximately a 17.77-mile-long, 24-inch-diameter, natural gas transmission pipeline lateral, two metering facilities, and appurtenances for the Green Chile Project (Project), in Doña Ana County, New Mexico. Section 157.205(f) provides that a protested prior notice filing shall be treated as though it had filed a case-specific application under NGA section 7, unless, pursuant to section 157.205(g), the protestor withdraws its protest within 30 days after protests were due.

Protestor notes that Transwestern did not provide a copy of a finding by the New Mexico State Historic Preservation Office of “no historic properties” or “no

historic properties affected.” This documentation is necessary to demonstrate the Project's compliance with the National Historic Preservation Act, as required under the Commission's regulations at sections 157.206(b)(3)(ii) and 157.208(c)(9) and Appendix II of subpart F. Without this documentation, the environmental concerns cannot be adequately addressed before the protest period expires on April 13, 2026.

Authority: 18 CFR 2.1.

Dated: April 13, 2026.

Debbie-Anne A. Reese,
Secretary.

[FR Doc. 2026–07448 Filed 4–15–26; 8:45 am]

BILLING CODE 6717–01–P

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: RP26–752–000.

Applicants: NEXUS Gas

Transmission, LLC.

Description: 4(d) Rate Filing; NEXUS West of Milford Surcharge Apr 2026 to be effective 4/1/2026.

Filed Date: 4/9/26.

Accession Number: 20260409–5097.

Comment Date: 5 p.m. ET 4/21/26.

Docket Numbers: RP26–753–000.

Applicants: Carlsbad Gateway, LLC.

Description: 4(d) Rate Filing; Carlsbad Gateway Capacity Allocation Filing to be effective 5/15/2026.

Filed Date: 4/9/26.

Accession Number: 20260409–5140.

Comment Date: 5 p.m. ET 4/21/26.

Docket Numbers: RP26–754–000.

Applicants: Florida Southeast

Connection, LLC.

Description: Annual System Balancing Adjustment of Florida Southeast Connection, LLC.

Filed Date: 4/9/26.

Accession Number: 20260409–5177.

Comment Date: 5 p.m. ET 4/21/26.

Docket Numbers: RP26–755–000.

Applicants: Viking Gas Transmission Company.

Description: Compliance filing; Conforming Displacement Agreements—Tenaska Marketing Ventures to be effective N/A.

Filed Date: 4/10/26.

Accession Number: 20260410–5036.

Comment Date: 5 p.m. ET 4/22/26.

¹ 18 CFR 5.23(b)(2).

Docket Numbers: RP26–756–000.
Applicants: East Cheyenne Gas Storage, LLC.
Description: Compliance filing: ECGS 2026–04–10 Annual Purchases and Sales Report to be effective N/A.
Filed Date: 4/10/26.
Accession Number: 20260410–5093.
Comment Date: 5 p.m. ET 4/22/26.
Docket Numbers: RP26–757–000.
Applicants: ANR Storage Company.
Description: Compliance filing: 2026 Operational Purchases & Sales Report to be effective N/A.

Filed Date: 4/13/26.
Accession Number: 20260413–5129.
Comment Date: 5 p.m. ET 4/27/26.
 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, contact the Office of Public Participation at (202) 502–6595 or OPP@ferc.gov.

Dated: April 13, 2026.

Carlos D. Clay,
Deputy Secretary.

[FR Doc. 2026–07394 Filed 4–15–26; 8:45 am]

BILLING CODE 6717–01–P

ENVIRONMENTAL PROTECTION AGENCY

[CERCLA–09–2026–07; FRL–13281–01–R9]

Tucson International Airport Area Site, Tucson, AZ; Notice of Proposed CERCLA Settlement Agreement for Removal Action

AGENCY: Environmental Protection Agency (EPA).

ACTION: Notice; request for comment.

SUMMARY: Notice is hereby given of a proposed administrative settlement with

the City of Tucson to conduct response actions at the Tucson International Area Superfund Site, in Tucson, Arizona. The settlement is entered into pursuant to the Comprehensive Environmental Response, Compensation and Liability Act of 1980, as amended (“CERCLA”) and requires the City of Tucson to construct a treatment system for certain per- and polyfluoroalkyl substances (PFAS) entering the Tucson Area Remediation Plant. The settlement includes a covenant not to sue and contribution protection regarding the work. The Agency will consider all comments received and may modify or withdraw its consent to the settlement if comments received disclose facts or considerations which indicate the proposed settlement is inappropriate, improper, or inadequate.

DATES: Comments must be received on or before May 18, 2026.

ADDRESSES: You may send comments, identified by the Docket ID No. CERCLA–09–2026–007, by any of the following methods.

- *Federal eRulemaking Portal:* <https://www.regulations.gov/> (our preferred method). Follow the online instructions for submitting comments.
- *Email:* Jon Owens, at owens.jon@epa.gov. Include Docket ID No. CERCLA–09–2026–007 in the subject line of the message.
- *Mail:* U.S. Environmental Protection Agency, Region 9, to Jon Owens, Mail Code ORC–3–1, 75 Hawthorne Street, San Francisco, CA 94105.

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. The Agency's response to any comments received will be available for public inspection at 75 Hawthorne Street, San Francisco, CA 94105.

FOR FURTHER INFORMATION CONTACT: Jon Owens, Assistant Regional Counsel (ORC–3), Office of Regional Counsel, U.S. EPA Region IX, 75 Hawthorne Street, San Francisco, CA 94105; telephone number: (415) 972–3620; email address: owens.jon@epa.gov.

SUPPLEMENTARY INFORMATION: This settlement is made pursuant to 42 U.S.C. 122(h). The Respondent to the Proposed Settlement is City of Tucson. The proposed settlement is available for public inspection at EPA Region IX, 75

Hawthorne Street, San Francisco, California. A copy of the proposed settlement may be obtained by request as noted in the **FOR FURTHER INFORMATION CONTACT** section of this document. Comments should reference the Tucson International Airport Area Superfund Site or the Docket ID No.

Michael Montgomery,

Director, Superfund Division, Region IX.

[FR Doc. 2026–07402 Filed 4–15–26; 8:45 am]

BILLING CODE 6560–50–P

ENVIRONMENTAL PROTECTION AGENCY

[EPA–HQ–OFA–2026–1882; FRL–13285–01–OMS]

Privacy Act of 1974; System of Records

AGENCY: Environmental Protection Agency (EPA).

ACTION: Notice of a modified system of records.

SUMMARY: The U.S. Environmental Protection Agency's (EPA or Agency) Office of Finance and Administration is giving notice that it proposes to modify a system of records pursuant to the provisions of the Privacy Act of 1974. Compass records and tracks accounts receivable to help the Agency collect debts owed; records and tracks accounts payable for authorized travel and other services; supports tracking and execution of the Agency's budget; and provides reporting across these activities. The modification is to add a new routine use as required by Executive Order 14249 and Office of Management and Budget (OMB) Memorandum M–25–32. The notice also updates the contact information for the Agency Privacy Officer.

DATES: This action will become effect on April 16, 2026. The routine uses in this action will become effective May 18, 2026, unless the EPA makes changes based on comments received. Written comments should be submitted on or before May 18, 2026.

Persons wishing to comment on this system of records notice must do so by May 18, 2026.

ADDRESSES: Submit your comments, identified by Docket ID No. EPA–HQ–OFA–2026–1882, by one of the following methods:

Federal eRulemaking Portal: <https://www.regulations.gov/>. Follow the online instructions for submitting comments.

Email: docket_oms@epa.gov. Include the Docket ID number in the subject line of the message.

Fax: 202–566–1752.

Mail: OMS Docket, Environmental Protection Agency, Mail Code: 2822T, 1200 Pennsylvania Ave. NW, Washington, DC 20460.

Hand Delivery: OMS Docket, EPA/DC, WJC West Building, Room 3334, 1301 Constitution Ave. NW, Washington, DC 20460. Such deliveries are only accepted during the Docket's normal hours of operation, and special arrangements should be made for deliveries of boxed information.

Instructions: Direct your comments to Docket ID No. EPA-HQ-OFA-2026-1882. The EPA 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 Controlled Unclassified Information (CUI) or other information for which disclosure is restricted by statute. Do not submit information that you consider to be CUI or otherwise protected through <https://www.regulations.gov>. The <https://www.regulations.gov> website is an "anonymous access" system for EPA, which means the EPA will not know your identity or contact information unless you provide it in the body of your comment. Each agency determines submission requirements within their own internal processes and standards. EPA has no requirement to include personal information. 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. 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 avoid the use of special characters, any form of encryption, and be free of any defects or viruses. For additional information about the EPA public docket, visit the EPA Docket Center homepage at <https://www.epa.gov/dockets>.

Docket: All documents in the docket are listed in the <https://www.regulations.gov> index. Although listed in the index, some information is not publicly available, e.g., CUI or other information for which disclosure is restricted by statute. Certain other material, such as copyrighted material, will be publicly available only in hard

copy. Publicly available docket materials are available either electronically in <https://www.regulations.gov> or in hard copy at the OMS Docket, EPA/DC, WJC West Building, Room 3334, 1301 Constitution Ave. NW, Washington, DC 20460.

We encourage the public to submit comments via <https://www.regulations.gov> or email, as there may be a delay in processing mail and faxes. Hand deliveries and couriers may be received by scheduled appointment only. For further information on EPA Docket Center services and the current status, please visit us online at <https://www.epa.gov/dockets>. The telephone number for the Public Reading Room is (202) 566-1744, and the telephone number for the OMS Docket is (202) 566-1752.

FOR FURTHER INFORMATION CONTACT: Please submit questions to Lee Kelly, Agency Privacy Act Officer, 1200 Pennsylvania Ave. NW, Washington, DC 20460; telephone number: (202) 566-1197, email address: kelly.lee@epa.gov.

SUPPLEMENTARY INFORMATION: EPA is modifying this system of records notice (SORN) to comply with Executive Order 14249 and OMB Memorandum M-25-32, which require agencies to modify relevant SORNs to include a routine use that allows for the disclosure of records to the U.S. Department of the Treasury for the purpose of identifying, preventing, or recouping fraud and improper payments. Additionally, EPA is updating the contact information for the Agency Privacy Officer. This system of records is composed of an accounts receivable module and travel and other accounts payable modules. The system contains personal identifying information such as names, addresses, and Social Security numbers of people indebted to or owed money by EPA. The accounts receivable module contains information about the nature of the debt or claim, the amount owed, the historical status of the debt, and information that relates to and documents efforts to collect debts owed the Agency. The travel and other accounts payable modules contain information about the travel authorization; travel vouchers, which support the claim for the reimbursement to the travel; travel advance authorizations, which provide fund advances to pay travel expenses incurred in the performance of official government business; and finally itemized invoices for other services performed for EPA. In both modules, banking information necessary to support electronic funds transfers may be maintained.

SYSTEM NAME AND NUMBER:

Compass Financials IT System, EPA-29.

SECURITY CLASSIFICATION:

Unclassified.

SYSTEM LOCATION:

National Computer Center, Environmental Protection Agency, Research Triangle Park, North Carolina 27711; other EPA offices.

SYSTEM MANAGER(S):

Controller, Office of Financial Operations and Management, Environmental Protection Agency, William Jefferson Clinton Building, 1200 Pennsylvania Avenue NW, Washington, DC 20460.

AUTHORITY FOR MAINTENANCE OF THE SYSTEM:

OMB Circular A-127; Chief Financial Officers Act of 1990, Public Law 101-576; Federal Managers Financial Integrity Act of 1982, Public Law 97-255 (31 U.S.C. 3512 *et seq.*); 31 U.S.C. Chapter 11.

PURPOSE(S) OF THE SYSTEM:

Records in the accounts receivable module is used primarily to create a record of, and track, all accounts receivable and to assist the EPA in collecting debts owed the Agency. Records in the travel and other accounts payable modules are used primarily to create a record of and to track all monies owed by the EPA for authorized travel and for other services performed for the EPA. Tracks and executes the Agency's budget. The system provides reporting in all areas listed above.

CATEGORIES OF INDIVIDUALS COVERED BY THE SYSTEM:

Individuals who owe monies to and individuals who are owed monies from the Environmental Protection Agency are covered by the system. This includes, but is not limited to, individuals who owe monies to the EPA for refunds, penalties, travel advances, Interagency Agreements, or Freedom of Information Act Requests. This system also contains information on corporations and other entities that are in debt to the EPA. This system also includes monies owed by the EPA to Agency employees, consultants, private citizens, and others who travel or perform other services for the EPA.

CATEGORIES OF RECORDS IN THE SYSTEM:

This system of records is composed of an accounts receivable module, travel, other accounts payable modules and reporting. The system contains personal identifying information such as names, addresses, and Social Security numbers

of persons indebted to or owed money by the EPA. The accounts receivable module contain information about the nature of the debt or claim, the amount owed, the historical status of the debt, and information that relates to and documents efforts to collect debts owed the Agency. The travel and other accounts payable modules contain information about the travel authorization; travel vouchers, which support the claim for the reimbursement to the travel; travel advance authorizations, which provide fund advances to pay travel expenses incurred in the performance of official government business; and itemized invoices for other services performed for the EPA. In both modules, banking information necessary to support electronic funds transfers may be maintained.

RECORD SOURCE CATEGORIES:

Record subjects, supervisors, consumer reporting agencies, debt collection agencies, the Department of the Treasury and other Federal agencies.

ROUTINE USES OF RECORDS MAINTAINED IN THE SYSTEM, INCLUDING CATEGORIES OF USERS AND PURPOSES OF SUCH USES:

General routine uses D, E, F, G, K and L apply to this system. Records may also be disclosed:

1. To the Department of Treasury for Purpose of carrying out the EPA's financial management functions and responsibilities. This refers to the routine, system-driven processes that enable core financial management activities, such as payment processing, financial reporting, reconciliations, and other operational transactions necessary to support the agency's financial operations. Another use for Treasury is to identify and prevent payment errors, waste, fraud, and abuse within federal spending.

2. To disclose limited debtor information to debt collection agencies under contract with the EPA solely for the purpose of collecting debts owed to the Agency. For this routine use, "debtor information" is limited to the individual's name, address, Social Security number, and other information necessary to identify the individual; the amount, status, and history of the claim; and the agency or program under which the claim arose. Debt collection agencies must comply with the Privacy Act, and their agents are subject to the Act's criminal penalty provisions.

3. To the U.S. Department of the Treasury when disclosure of the information is relevant to review payment and award eligibility through the Do Not Pay Working System for the

purposes of identifying, preventing, or recouping improper payments to an applicant for, or recipient of, Federal funds, including funds disbursed by a state (meaning a state of the United States, the District of Columbia, a territory or possession of the United States, or a federally recognized Indian Tribe) in a state-administered, federally funded program.

Disclosure to Consumer Reporting Agencies

Pursuant to 5 U.S.C. 552a(b)(12), disclosure may be made to a consumer reporting agency as defined in the Fair Credit Reporting Act (15 U.S.C. 1681a(f)) or the Federal Claims Collection Act of 1966 (31 U.S.C. 3701(a)(30)).

POLICIES AND PRACTICES FOR STORAGE OF RECORDS:

The Compass Momentum component stores records on a storage area network (SAN), located at Research Triangle Park, North Carolina. Backup tapes are maintained at a disaster recovery site. The Compass Data Warehouse also stores data on a SAN, located at Research Triangle Park, North Carolina.

POLICIES AND PRACTICES FOR RETRIEVAL OF RECORDS:

Accounts receivable module records are indexed by account receivable control number (a number assigned to each "incoming" account receivable). Individual records can be accessed by using a cross-reference table which links accounts receivable control numbers with the debtor's name and records. Travel and other accounts payable module records are retrievable by name and social security number.

POLICIES AND PRACTICES FOR RETENTION AND DISPOSAL OF RECORDS:

Records are maintained for 6 years and 3 months after final payment, in accordance with applicable federal records schedules. They are deleted when applicable records schedules allow and when no longer needed for agency business, unless related to the Superfund program cost recovery efforts. In accordance with applicable federal records schedules, Superfund cost recovery records are maintained more than 30 years after the completion of cost recovery at the site. The Records Control Schedule is #054.

ADMINISTRATIVE, TECHNICAL, AND PHYSICAL SAFEGUARDS:

Security controls used to protect personally identifiable information in Compass Financials IT are commensurate with those required for an information system rated moderate

for confidentiality, integrity, and availability, as prescribed in NIST Special Publication, 800-53, "Security and Privacy Controls for Information Systems and Organizations," Revision 5.

1. *Administrative Safeguards:* EPA personnel are required to complete annual agency Information Security and Privacy training. EPA personnel are instructed to lock their computers when they leave their desks.

2. *Technical Safeguards:* Electronic records are maintained in a secure, password protected electronic system. Compass Financials IT System access is limited to authorized, authenticated users. All of the system's electronic communication utilizes Transport Layer Security (TLS) secure communication protocol for all transactions.

3. *Physical Safeguards:* All records are maintained in secure, access-controlled areas or buildings.

RECORD ACCESS PROCEDURES:

All requests for access to personal records should cite the Privacy Act of 1974 and reference the type of request being made (*i.e.*, access). Requests must include: (1) the name and signature of the individual making the request; (2) the name of the Privacy Act system of records to which the request relates; (3) a statement whether a personal inspection of the records or a copy of them by mail is desired; and (4) proof of identity. A full description of EPA's Privacy Act procedures for requesting access to records is included in EPA's Privacy Act regulations at 40 CFR part 16.

CONTESTING RECORD PROCEDURES:

Requests for correction or amendment must include: (1) the name and signature of the individual making the request; (2) the name of the Privacy Act system of records to which the request relates; (3) a description of the information sought to be corrected or amended and the specific reasons for the correction or amendment; and (4) proof of identity. A full description of EPA's Privacy Act procedures for the correction or amendment of a record is included in EPA's Privacy Act regulations at 40 CFR part 16.

NOTIFICATION PROCEDURES:

Individuals who wish to be informed whether a Privacy Act system of records maintained by EPA contains any record pertaining to them, should make a written request to EPA, Attn: Agency Privacy Officer, MC 2810A, 1200 Pennsylvania Ave. NW, Washington, DC 20460, privacy@epa.gov, or submit their request online at <https://epabap.my.site.com/privacy/s/>. A full

description of EPA's Privacy Act procedures is included in EPA's Privacy Act regulations at 40 CFR part 16.

EXEMPTIONS PROMULGATED FOR THE SYSTEM:

None.

History: N/A.

FRL-7145-7-posted on February 22, 2002: The EPA provided notice that it proposed to establish a new system of records, the EPA Travel, Other Accounts Payable, and Accounts Receivable Files.

Carter Farmer,

Senior Agency Official for Privacy.

[FR Doc. 2026-07406 Filed 4-15-26; 8:45 am]

BILLING CODE 6560-50-P

EXPORT-IMPORT BANK

Notice of Open Meeting for the 2026–2027 EXIM Advisory and Sub-Saharan Africa Advisory Committees

Time and Date: Tuesday, April 28th, 2026.

Advisory Committee: 1:30–2:45 p.m. EDT.

Joint Committees: 2:45–3:15 p.m. EDT.

Sub-Saharan Africa Advisory Committee: 3:15–4:30 p.m. EDT.

Place: Hybrid: The joint meeting will be held in-person for the committees, EXIM's Board of Directors, support staff, and virtually for all other participants.

Registration and Public Comment: Virtual Public Participation: The meeting will be open to public participation virtually and time will be allotted for questions or comments submitted online. Members of the public may also file written statements before or after the meeting to advisory@exim.gov.

Interested parties may register for the meeting at: <https://events.teams.microsoft.com/event/2738c715-5ff5-4c9d-9d67-f301a89748a9/b953013c-c791-4d32-996f-518390854527>.

Matters To Be Considered: Discussion of EXIM policies and programs designed to support the expansion of financing support for U.S. manufactured goods and services.

Contact Person for More Information: For more information about applying for membership to any of the committees, please contact India Walker at advisory@exim.gov.

Authority: The Committee was established by the Bank as directed by Section 2(b)(9) of the Export Import Bank Act of 1945. These Advisory Committees are chartered in accordance

with the Federal Advisory Committee Act ("FACA"), 5 U.S.C. App.

India Walker,

Deputy Vice President, Office of External Affairs.

[FR Doc. 2026-07413 Filed 4-15-26; 8:45 am]

BILLING CODE 6690-01-P

FEDERAL COMMUNICATIONS COMMISSION

[OMB 3060-0723; FR ID 341008]

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 June 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:

OMB Control Number: 3060-0723.

Title: 47 U.S.C. 276, Public Disclosure of Network Information by Bell Operating Companies (BOCs).

Form Number: N/A.

Type of Review: Extension of a currently approved collection.

Respondents: Business or other for-profit.

Number of Respondents and Responses: 3 respondents; 3 responses.

Estimated Time per Response: 20 hours.

Frequency of Response: On occasion reporting requirement and third party disclosure requirement.

Obligation to Respond: Mandatory. Statutory authority for this information collection is contained in 47 U.S.C. 276.

Total Annual Burden: 60 hours.

Total Annual Cost: No cost.

Needs and Uses: The Commission will submit this information collection to the Office of Management and Budget (OMB) after this 60-day comment period in order to obtain the full three year clearance from OMB. Under 47 U.S.C. 276(b)(1)(C), the Bell Operating Companies (BOCs) are required to publicly disclose changes in their networks or new network services. Section 276(b)(1)(C) directs the Commission to "prescribe a set of nonstructural safeguards for BOC payphone service to implement the provisions of paragraphs (1) and (2) of subsection (a), which safeguards shall, at a minimum, include the nonstructural safeguards equal to those adopted in the Computer Inquiry-III (CC Docket No. 90-623) proceeding." The Computer Inquiry-III network information disclosure requirements specifically state that the disclosure would occur at two different points in time. First, disclosure would occur at the make/buy point: When a BOC decides to make for itself, or procure from an unaffiliated entity, any product whose design affects or relies on the network interface. Second, a BOC would publicly disclose technical information about a new service 12 months before it is introduced. If the BOC can introduce the service within 12 months of the make/buy point, it would make a public disclosure at the make/buy point. In no event, however, would the public disclosure occur less than six months before the introduction of the service.

While the scope and applicability of the Computer III safeguards have changed with the Commission's 2015 decision regarding forbearance from enforcement of the Computer III requirements (Petition of USTelecom for Forbearance Pursuant to 47 U.S.C. 160(c) from Enforcement of Obsolete ILEC Regulations that Inhibit Deployment of Next Generation Networks, Memorandum Opinion and Order, FCC 15–166 (2015)), these are minimum requirements under section 276(b)(1)(C) of the Act. Without information disclosures, the industry would be unable to ascertain whether the BOCs are designing new network services or changing network technical specifications to the advantage of their own payphones, or in a manner that might disadvantage BOC payphone competitors. These requirements ensure that BOCs comply with their obligations under the Telecommunications Act of 1996.

Federal Communications Commission.

Marlene Dortch,

Secretary, Office of the Secretary.

[FR Doc. 2026–07357 Filed 4–15–26; 8:45 am]

BILLING CODE 6712–01–P

FEDERAL COMMUNICATIONS COMMISSION

[DA 26–311; FR ID 341197]

Notice of Suspension and Commencement of Proposed Debarment Proceedings

AGENCY: Federal Communications Commission.

ACTION: Notice.

SUMMARY: The Enforcement Bureau (the Bureau) gives notice of the suspension of Charles A. Jones from the schools and libraries universal service support mechanism (or E-Rate Program) and all universal service support mechanisms. Additionally, the Bureau gives notice that debarment proceedings are commencing against Mr. Jones, or any person who has an existing contract with or intends to contract with him to provide or receive services in matters arising out of activities associated with or related to the schools and libraries support, may respond by filing an opposition request, supported by documentation.

DATES: Opposition requests must be submitted within 30 days of receiving the suspension letter or by May 18, 2026, whichever comes first. The Bureau will decide on any opposition request within 90 days.

ADDRESSES: Federal Communications Commission, Enforcement Bureau, Investigations and Hearings Division, 45 L Street NE, Washington, DC 20554.

FOR FURTHER INFORMATION CONTACT: Christopher Sova, Federal Communications Commission, Enforcement Bureau, Investigations and Hearings Division, 45 L Street NE, Washington, DC 20554. Christopher Sova may be contacted by phone at (202) 418–1868 or by email at Christopher.Sova@fcc.gov.

SUPPLEMENTARY INFORMATION: The Bureau has suspension and debarment authority pursuant to 47 CFR 54.8 and 47 CFR 0.111(a)(14). Suspensions ensure that suspended parties cannot continue to benefit from the schools and libraries mechanism pending resolution of the debarment process. Attached is the suspension letter, DA 26–311, which was mailed to Mr. Jones, and released on April 16, 2026. The complete text of the notice of suspension and initiation of debarment proceedings is available on the FCC's website at <https://docs.fcc.gov/public/attachments/DA-26-311A1.pdf>.

Federal Communications Commission.

Christopher Sova,

Chief, Investigations and Hearings Division, Enforcement Bureau.

BILLING CODE 6712–01–P

**Federal Communications Commission**

Enforcement Bureau
Investigations and Hearings Division
45 L Street, NE
Washington, DC 20554

April 7, 2026

DA 26-311

VIA CERTIFIED MAIL, RETURN RECEIPT REQUESTED

Charles A. Jones
c/o William D. Massey, Esq.
Massey McClusky Fuchs & Ballenger
3074 East Road
Memphis, TN 38128

**Re: Notice of Suspension and Initiation of Debarment Proceeding
File No. EB-IHD-25-00038361**

Dear Mr. Jones,

The Enforcement Bureau (Bureau) of the Federal Communications Commission (Commission or FCC) received notice of your conviction of conspiracy to commit wire fraud, in violation of 18 U.S.C. 371, arising out of activities associated with the federal schools and libraries universal service support mechanism (E-Rate program).¹ The conspiracy involved submitting fabricated documents regarding public school districts in Tennessee and Missouri to the E-Rate Program and false co-pay documentation to the Universal Service Administrative Company (USAC), under the E-Rate program.² Consequently, pursuant to 47 CFR 54.8, this letter constitutes official notice of your suspension from the E-Rate program and all federal universal service support mechanisms.³ While suspended, you are prohibited from participating in or receiving any benefit associated with all federal universal service support mechanisms, including the E-Rate program. Additionally, in accordance with the Commission's rules, the Bureau is commencing a proceeding to debar you from future participation in all federal universal service support mechanisms for three years.⁴

¹ Any further reference in this letter to "your conviction" refers to your guilty plea and subsequent sentencing in *United States v. Charles A. "Chuck" Jones*, Case No. 2:19-cr-20025-MSN, Plea Agreement (W.D. Tenn., filed Feb. 9, 2022) (*Plea Agreement*).

² *United States v. Charles A. "Chuck" Jones*, Case No. 2:19-cr-20025-MSN, Second Superseding Indictment, at 7 (W.D. Tenn., filed Aug. 26, 2021) (*Indictment*).

³ 47 CFR 54.8. On March 26, 2026, new rules were adopted allowing the Commission to take quicker and more comprehensive action to exclude bad actors from participating in Congressionally-mandated funding programs, such as the E-Rate program. See *Modernizing Suspension & Debarment Rules*, GN Docket No. 19-309, Report & Order, Direct Final Rule, and Further Notice of Proposed Rulemaking, FCC 26-18 (Mar. 27, 2026).

⁴ 47 CFR 54.8; *Id.* 0.111 (delegating to the Enforcement Bureau authority to resolve universal service suspension and debarment proceedings). The Commission adopted debarment rules for the E-Rate program in 2003. See *Schools and Libraries Universal Service Support Mechanism*, Second Report and Order and Further Notice of Proposed Rulemaking, 18 FCC Rcd 9202 (2003) (*Second Report and Order*) (adopting section 54.521 to suspend and debar parties from the E-Rate program). In 2007, the Commission extended the debarment rules to apply to all federal universal service support mechanisms. See *Comprehensive Review of the Universal Service Fund Management, Administration, & Oversight*, Report and Order, 22 FCC Rcd 16372, 16410–12 (2007) (*Program Management Order*) (renumbering section 54.521 of the universal service debarment rules as section 54.8 and amending subsections (a)(1), (a)(5), (c), (d), (e)(2)(i), (e)(3), (e)(4), and (g)).

I. Notice of Suspension

The Commission has established procedures to prevent persons who have defrauded the government or engaged in similar acts through activities associated with or related to the [E-Rate program] from receiving the benefits associated with that program.⁵ The statutory provisions and Commission rules relating to the E-Rate program are designed to ensure E-Rate funds are used for their intended purpose.⁶ Schools may receive E-Rate program funding for eligible goods and services by filing application forms, seeking competitive bids, and selecting the most cost-effective vendor.⁷ The E-Rate program rules prohibit an E-Rate vendor or anyone associated with an E-Rate vendor from participating in the application process or vendor selection.⁸ Solicitations for E-Rate services must be based on fair and open competitive bidding free from conflicts of interest.⁹

You pleaded guilty to a wire fraud conspiracy that involved knowingly and willfully devising a scheme and conspiracy to defraud the E-Rate program.¹⁰ From in or about 2004 through at least August 2014, you conspired with others to siphon more than \$6,000,000 from the E-Rate Program to companies you owned.¹¹ You directed others to submit fabricated documents to the E-Rate Program and false co-pay documents to USAC.¹² Your actions to circumvent the E-Rate Program rules and review resulted in your companies fraudulently receiving approximately \$6,900,000.¹³

In April 2023, the United States District Court for the Western District of Tennessee sentenced you to eighteen months of imprisonment followed by three years of supervised release.¹⁴ The court also ordered you to pay \$3,500,000 in restitution and \$100 as a special assessment fee.¹⁵

Pursuant to section 54.8(d) of the Commission's rules,¹⁶ your conviction requires the Bureau to suspend you from: (a) participating in any activities associated with or related to the E-Rate program, including the receipt of funds or discounted services through the E-Rate program, or consulting with, assisting, or advising applicants or service providers regarding the E-Rate program; and (b) participating in any activities associated with or related to all federal universal service support mechanisms.¹⁷ Your suspension becomes effective upon either your receipt of this letter or its publication in the Federal Register, whichever comes first.¹⁸

In accordance with the Commission's suspension and debarment rules, you may contest this suspension or the scope of this suspension by filing arguments, with any relevant documents, within thirty calendar days of your receipt of this letter or publication of notice of the suspension in the Federal Register, whichever comes first.¹⁹ Such requests, however, will not ordinarily be granted.²⁰ The Bureau

⁵ *Second Report and Order*, 18 FCC Rcd at 9225, para. 66; *Program Management Order*, 22 FCC Rcd at 16387, para. 32. The Commission's debarment rules define a "person" as "[a]ny individual, group of individuals, corporation, partnership, association, unit of government or legal entity, however organized." 47 CFR 54.8(a)(6).

⁶ *NEC-Business Network Solutions, Inc.*, Notice of Debarment and Order Denying Waiver Petition, 21 FCC Rcd 7491, 7493, para. 7 (2006).

⁷ 47 CFR 54.503, 54.504(a), 54.511(a).

⁸ See *id.* 54.503, 54.511(a); see also Universal Service Administrative Company, *Open & Fair Process*, <https://www.usac.org/c-rate/applicant-process/competitive-bidding/open-fair-process/> (last visited April 13, 2026).

⁹ 47 CFR 54.503, 54.511(a).

¹⁰ *Plea Agreement*, *supra* note 1; *Indictment*, *supra* note 2, at 8.

¹¹ *Indictment*, *supra* note 2, at 6-7.

¹² *Id.* at 7-8.

¹³ *Id.* at 6.

¹⁴ *United States v. Charles A. "Chuck" Jones*, Case No. 2:19-cr-20025-MSN, Judgment in a Criminal Case (W.D. Tenn., filed Apr. 5, 2023).

¹⁵ *Id.* at 6. The restitution amount in its entirety is payable to USAC.

¹⁶ 47 CFR 54.8(d); see *Second Report and Order*, *supra* note 4, at 9225-27, paras. 67-74.

¹⁷ 47 CFR 54.8(a)(1), (d).

¹⁸ *Id.* 54.8(c)(1); *Second Report and Order*, *supra* note 4, at 9226, para. 69.

¹⁹ 47 CFR 54.8(e)(4).

²⁰ *Id.*

may reverse or limit the scope of a suspension only upon a finding of extraordinary circumstances.²¹ The Bureau will decide any request to reverse or modify a suspension within ninety calendar days of its receipt of such request.²²

II. Initiation of Debarment Proceedings

In addition to requiring your immediate suspension from all federal universal service support mechanisms, including the E-Rate program, your conviction is cause for debarment as defined in section 54.8(c) of the Commission's rules.²³ Therefore, pursuant to section 54.8(b) of the Commission's rules, your conviction requires the Bureau to commence debarment proceedings against you.²⁴

As with the suspension process, you may contest the proposed debarment or the scope of the proposed debarment by filing arguments and any relevant documentation within thirty calendar days of receipt of this letter or its publication in the Federal Register, whichever comes first.²⁵ The Bureau, in the absence of extraordinary circumstances, will notify you of its decision to debar within ninety calendar days of receiving any information you may have filed.²⁶ If the Bureau decides to debar you, its decision will become effective upon either your receipt of a debarment notice or publication of the decision in the Federal Register, whichever comes first.²⁷

If and when your debarment becomes effective, you will be prohibited from participating in activities associated with or related to all federal universal service support mechanisms, including the E-Rate program, for three years from the date of debarment.²⁸ The Bureau may set a longer debarment period or extend an existing debarment period if necessary to protect the public interest.²⁹ Pursuant to the Commission's rules, should you choose to contest the scope or length of any such debarment, you must file arguments and any relevant documentation within thirty calendar days of receipt of this letter or the publication in the Federal Register of such proposed debarment, whichever is earlier.³⁰

Please direct any response as follows:

If sent by messenger or hand delivery, or by commercial overnight mail (other than U.S. Postal Service Priority Mail, Priority Mail Express, and Priority Mail), the response must be sent to Marlene H. Dortch, Secretary, Federal Communications Commission, to the attention of Christopher J. Sova, Chief, Investigations and Hearings Division, Enforcement Bureau, Federal Communications Commission, 9050 Junction Drive, Annapolis Junction, MD, 20701. 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

²¹ *Id.* 54.8(f).

²² *Id.* 54.8(e)(5), (f); *Second Report and Order*, *supra* note 4, at 9226, para. 70.

²³ "Causes for suspension and debarment are conviction of or civil judgment for attempt or commission of criminal fraud, theft, embezzlement, forgery, bribery, falsification or destruction of records, making false statements, receiving stolen property, making false claims, obstruction of justice and other fraud or criminal offense arising out of activities associated with or related to the schools and libraries support mechanism, the high-cost support mechanism, the rural healthcare support mechanism, and the low-income support mechanism." 47 CFR 54.8(c). Associated activities "include the receipt of funds or discounted services through [the federal universal service] support mechanisms, or consulting with, assisting, or advising applicants or service providers regarding [the federal universal service] support mechanisms." *Id.* 54.8(a)(1).

²⁴ *Id.* 54.8(b).

²⁵ *Id.* 54.8(e)(3); *Second Report and Order*, *supra* note 4, at 9226, para. 70.

²⁶ 47 CFR 54.8(e)(5); *Second Report and Order*, *supra* note 4, at 9226, para. 70.

²⁷ 47 CFR 54.8(e)(5). The Commission may reverse a debarment, or may limit the scope or period of debarment, upon a finding of extraordinary circumstances, following the filing of a petition by you or an interested party or upon motion by the Commission. *Id.* 4.8(f).

²⁸ 47 CFR 54.8(d), (g); *Second Report and Order*, *supra* note 4, at 9225, para. 67.

²⁹ 47 CFR 54.8(g).

³⁰ *Id.* 54.8(e)(4).

together with rubber bands or fasteners. Any envelopes and boxes must be disposed of before entering the building.

If sent by First-Class Mail, Priority Mail Express, or Priority Mail, the response must be sent to Christopher J. Sova, Chief, Investigations and Hearings Division, Enforcement Bureau, Federal Communications Commission, 45 L Street, NE, Washington, DC 20554.

You must also transmit an electronic copy of the response and all Documents produced with the response via e-mail to IHDTelecom@fcc.gov. The electronic copy shall be produced in a format that allows the Commission to access and use it, together with instructions and all other materials necessary to use or interpret the data, including record layouts, data dictionaries, and a description of the data's source. If you have any questions, please contact Jeffrey Brown at Jeffrey.Brown@fcc.gov or (202) 418-2527.

Sincerely,

Christopher J. Sova
Chief
Investigations and Hearings Division
Enforcement Bureau

[FR Doc. 2026-07411 Filed 4-15-26; 8:45 am]

BILLING CODE 6712-01-C

FEDERAL COMMUNICATIONS COMMISSION

[OMB 3060-0017, OMB 3060-0928; FR ID 340558]

Information Collections 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), the Federal Communications Commission (FCC or Commission) invites the general public and other Federal agencies to take this opportunity to comment on the following information collections. Comments are requested concerning: whether the proposed collection of information is necessary for the proper performance of the functions of the Commission, including whether the information shall have practical utility; the accuracy of the Commission's burden estimate; ways to enhance the quality, utility, and clarity of the information collected; ways to minimize the burden of the collection of information on the respondents, including the use of automated

collection 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 comments should be submitted on or before June 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 contacts below as soon as possible.

ADDRESSES: Direct all PRA comments to Cathy Williams, FCC, via email PRA@fcc.gov and to Cathy.Williams@fcc.gov.

FOR FURTHER INFORMATION CONTACT: For additional information about the information collection, contact Cathy Williams at (202) 418-2918.

SUPPLEMENTARY INFORMATION: The FCC may not conduct or sponsor a collection of information unless it displays a currently valid Office of Management and Budget (OMB) control number. No person shall be subject to any penalty for failing to comply with a collection of information subject to the PRA that does not display a valid OMB control number.

As part of its continuing effort to reduce paperwork burdens, and as required by the PRA of 1995 (44 U.S.C. 3501-3520), the FCC invites the general public and other Federal agencies to take this opportunity to comment on the following information collections. Comments are requested concerning:

whether the proposed collection of information is necessary for the proper performance of the functions of the Commission, including whether the information shall have practical utility; the accuracy of the Commission's burden estimate; ways to enhance the quality, utility, and clarity of the information collected; ways to minimize the burden of the collection of information on the respondents, including the use of automated collection 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.

OMB Control No.: 3060-0017.

Title: FCC Form 2100, Application for Media Bureau Audio and Video Service Authorization, Schedule D (Former FCC Form 347); Sections 74.787(a)(1)(ii) and (a)(2)(ii); and 74.799.

Form No.: FCC Form 2100, Schedule D.

Type of Review: Revision of a currently approved form and collection.

Respondents: Business or other for-profit entities; Not for profit institutions; State, local or Tribal government.

Number of Respondents and Responses: 1,105 respondents and 1,105 responses.

Estimated Time per Response: 1.5 hours.

Frequency of Response: On occasion reporting requirement.

Obligation to Respond: Required to obtain or retain benefits. The statutory

authority for this collection is contained in section 154(i), 303, 307, 308 and 309 of the Communications Act of 1934, as amended.

Total Annual Burden: 1,658 hours.

Annual Cost Burden: \$132,600.

Needs and Uses: On December 19, 2025, the Commission released a Report and Order, FCC 25–84, concerning the advancement of the Class A, LPTV and TV translator services (LPTV Service). Two of the rules adopted included the requirement that stations file an application for modification of license (FCC Form 2100, Schedule D)—74.787(a)(1)(ii) and 74.787(a)(2)(ii) when seeking to change their community of license or when seeking to change their designation from one to the other service. This submission is being made to OMB for approval of the modified FCC Form 2100, Schedule D.

OMB Control Number: 3060–0928.

Title: FCC Form 2100, Application for Media Bureau Audio and Video Service Authorization, Schedule F (Formerly FCC 302–CA); 47 CFR 73.6028; Section 73.6030(c); Section 73.3700(b)(3); Section 73.3700(h); Section 73.3572(h); Section 73.3580(c); Section 73.3572(h); Section 73.6023, Section 73.6002(b)(2), Section 73.6001(d) and Section 73.6002(a)(2).

Form Number: FCC Form 2100, Schedule F.

Type of Review: Revision of currently approved collection.

Respondents: Business or other for-profit, Not-for-profit institutions; and State, local, or tribal government.

Number of Respondents and

Responses: 95 respondents; 395 responses.

Estimated Hours per Response: 2.0 hours.

Frequency of Response: On occasion reporting requirements.

Total Annual Burden: 380 hours.

Total Annual Cost: \$40,375.

Obligation to Respond: Required to obtain or retain benefits. The statutory authority for this collection is contained in Sections 154(i) and 303 of the

Communications Act of 1934, as amended.

Needs and Uses: On December 19, 2025, the Commission released a Report and Order, FCC 25–84, concerning the advancement of the Class A, LPTV and TV translator services (LPTV Service). Two of the rules adopted included the requirement that Class A stations file an application for modification of license (FCC Form 2100, Schedule F)—73.6002(b)(2) when seeking to change their community of license. In addition, Class A stations requesting to downgrade to low power television station status file a modification of license (FCC Form 2100, Schedule F) rather than a letter—73.6001(d). Finally, an administrative change is being made to rule 73.6002(a)(2) that provides that Class A station licenses are filed on FCC Form 2100, Schedule F and not FCC Form 302–CA. The form changes were already approved and this just change the language of the rule to refer to the correct form. This submission is being made to OMB for approval of the modified FCC Form 2100, Schedule F.

Federal Communications Commission.

Marlene Dortch,

Secretary.

[FR Doc. 2026–07355 Filed 4–15–26; 8:45 am]

BILLING CODE 6712–01–P

FEDERAL COMMUNICATIONS COMMISSION

[DA 26–309; FR ID 341196]

Notice of Suspension and Commencement of Proposed Debarment Proceedings

AGENCY: Federal Communications Commission.

ACTION: Notice.

SUMMARY: The Enforcement Bureau (the Bureau) gives notice of the suspension of Donna Woods from the schools and libraries universal service support mechanism (or E-Rate Program) and all universal service support mechanisms.

Additionally, the Bureau gives notice that debarment proceedings are commencing against Ms. Woods, or any person who has an existing contract with or intends to contract with him to provide or receive services in matters arising out of activities associated with or related to the schools and libraries support, may respond by filing an opposition request, supported by documentation.

DATES: Opposition requests must be submitted within 30 days of receiving the suspension letter or by May 18, 2026, whichever comes first. The Bureau will decide on any opposition request within 90 days.

ADDRESSES: Federal Communications Commission, Enforcement Bureau, Investigations and Hearings Division, 45 L Street NE, Washington, DC 20554.

FOR FURTHER INFORMATION CONTACT: Christopher Sova, Federal Communications Commission, Enforcement Bureau, Investigations and Hearings Division, 45 L Street NE, Washington, DC 20554. Christopher Sova may be contacted by phone at (202) 418–1868 or by email at Christopher.Sova@fcc.gov.

SUPPLEMENTARY INFORMATION: The Bureau has suspension and debarment authority pursuant to 47 CFR 54.8 and 47 CFR 0.111(a)(14). Suspensions ensure that suspended parties cannot continue to benefit from the schools and libraries mechanism pending resolution of the debarment process. Attached is the suspension letter, DA 26–309, which was mailed to Ms. Woods, and released on April 16, 2026. The complete text of the notice of suspension and initiation of debarment proceedings is available on the FCC’s website at <https://docs.fcc.gov/public/attachments/DA-26-309A1.pdf>.

Federal Communications Commission.

Christopher Sova,

Chief, Investigations and Hearings Division, Enforcement Bureau.

BILLING CODE 6712–01–P

**Federal Communications Commission**

Enforcement Bureau
Investigations and Hearings Division
45 L Street, NE
Washington, DC 20554

April 7, 2026

DA 26-309

VIA CERTIFIED MAIL, RETURN RECEIPT REQUESTED

Ms. Donna Woods
c/o Franklin Ray Mickelsen, Esq.
Broden & Mickelsen, LLP
2600 State St.
Dallas, TX 75204

**Re: Notice of Suspension and Initiation of Debarment Proceeding
File No. EB-IHD-25-00038521**

Dear Ms. Woods:

The Enforcement Bureau (Bureau) of the Federal Communications Commission (Commission or FCC) received notice of your convictions for wire fraud and conspiracy to commit mail and wire fraud, in violation of 18 U.S.C. 1341, 1343, and 1349, arising out of activities associated with the federal schools and libraries universal service support mechanism (E-Rate program).¹ The crime involved knowingly conspiring with another to defraud the E-Rate program by using your position as CEO of Nova Charter School (Nova) in Texas, to select your co-conspirator's company, ADI Engineering, Inc. (ADI), as the school's E-Rate provider.² Consequently, pursuant to 47 CFR 54.8, this letter constitutes official notice of your suspension from the E-Rate program and all federal universal service support mechanisms.³ While suspended, you are prohibited from participating in or receiving any benefit associated with all federal universal service support mechanisms, including the E-Rate program. Additionally, in accordance with the Commission's rules, the Bureau is commencing a proceeding to debar you from future participation in all federal universal service support mechanisms for three years.⁴

¹ Any further reference in this letter to your conviction refers to your conviction and subsequent sentencing in *United States v. Donna Woods*, Case No. 3:17-cr-00655-D, Judgment and Sentencing Order (N.D. Tex., issued Jan. 30, 2020) (*Sentencing Order*).

² *United States v. Donna Woods*, Case No. 3:17-cr-00655-D, Indictment, at 4 (N.D. Tex., Dec. 20, 2017) (*Indictment*).

³ 47 CFR 54.8. On March 26, 2026, new rules were adopted allowing the Commission to take quicker and more comprehensive action to exclude bad actors from participating in Congressionally-mandated funding programs, such as the E-Rate program. See *Modernizing Suspension & Debarment Rules*, GN Docket No. 19-309, Report & Order, Direct Final Rule, and Further Notice of Proposed Rulemaking, FCC 26-18 (Mar. 27, 2026).

⁴ 47 CFR 54.8; *Id.* 0.111 (delegating to the Enforcement Bureau authority to resolve universal service suspension and debarment proceedings). The Commission adopted debarment rules for the E-Rate program in 2003. See *Schools and Libraries Universal Service Support Mechanism*, CC Docket No. 02-6, Second Report and Order and Further Notice of Proposed Rulemaking, 18 FCC Rcd 9202 (2003) (*Second Report and Order*) (adopting section 54.521 to suspend and debar parties from the E-Rate program). In 2007, the Commission extended the debarment rules to apply to all federal universal service support mechanisms. See *Comprehensive Review of the Universal Service Fund Management, Administration, & Oversight*, Report and Order, 22 FCC Rcd 16372, 16410-12 (2007).

I. Notice of Suspension

The Commission has established procedures to prevent persons who have defrauded the government or engaged in similar acts through activities associated with or related to the [E-Rate program] from receiving the benefits associated with that program.⁵ The statutory provisions and Commission rules relating to the E-Rate program are designed to ensure E-Rate funds are used for their intended purpose.⁶ Schools may receive E-Rate program funding for eligible goods and services by filing application forms, seeking competitive bids, and selecting the most cost-effective vendor.⁷ The E-Rate program rules prohibit an E-Rate vendor or anyone associated with an E-Rate vendor from participating in the application process or vendor selection.⁸ Solicitations for E-Rate services must be based on fair and open competitive bidding, free from any conflicts of interest.⁹

You were found guilty by a jury on three counts of wire fraud and one count of conspiracy to commit mail and wire fraud that involved knowingly and intentionally devising a scheme to defraud the E-Rate program in exchange for a kickback.¹⁰ You and your co-conspirator caused Nova to choose ADI as its E-Rate service provider, even though ADI was not chosen through a fair and open competitive bidding process as required by E-Rate rules.¹¹ You and your co-conspirator made false representations to the Universal Service Administrative Company (USAC) to convince USAC's agents that Nova's selection of ADI complied with the E-Rate program rules, that ADI completed the E-Rate discount work for which it had been selected, and that Nova paid ADI the required 10% co-pay for its 90% E-Rate discount.¹² You and your co-conspirator produced fraudulent invoices used to induce USAC to pay ADI approximately \$337,951.06 in E-Rate discount funds for work that ADI was not entitled to perform and did not perform.¹³

In January 2020, the United States District Court for the Northern District of Texas sentenced you to eighty-seven months in prison followed by two years of supervised release.¹⁴ The court also ordered you to pay \$337,951.06 in restitution, a \$25,000 fine, and a \$400 special assessment fee.¹⁵

Pursuant to section 54.8(d) of the Commission's rules,¹⁶ your conviction requires the Bureau to suspend you from: (a) participating in any activities associated with or related to the E-Rate program, including the receipt of funds or discounted services through the E-Rate program, or consulting with, assisting, or advising applicants or service providers regarding the E-Rate program; and (b) participating in any activities associated with or related to all federal universal service support mechanisms.¹⁷ Your

(*Program Management Order*) (renumbering section 54.521 of the universal service debarment rules as section 54.8 and amending subsections (a)(1), (a)(5), (c), (d), (e)(2)(i), (e)(3), (e)(4), and (g)).

⁵ *Second Report and Order*, 18 FCC Rcd at 9225, para. 66; *Program Management Order*, 22 FCC Rcd at 16387, para. 32. The Commission's debarment rules define a person as [a]ny individual, group of individuals, corporation, partnership, association, unit of government or legal entity, however organized. 47 CFR 54.8(a)(6).

⁶ *NEC-Business Network Solutions, Inc.*, Notice of Debarment and Order Denying Waiver Petition, 21 FCC Rcd 7491, 7493, para. 7 (2006).

⁷ 47 CFR 54.503, 54.504(a), 54.511(a).

⁸ See *id.* 54.503, 54.511(a); see also Universal Service Administrative Company, *Open & Fair Process*, <https://www.usac.org/e-rate/applicant-process/competitive-bidding/open-fair-process/> (last visited March 12, 2026).

⁹ 47 CFR 54.503, 54.511(a).

¹⁰ *Indictment*, *supra* note 2, at 4; *United States v. Donna Woods*, Case No. 3:17-cr-00655-D, Verdict (N.D. Tex., Oct. 4, 2019); *Sentencing Order*, *supra* note 1, at 1.

¹¹ *Indictment*, *supra* note 2, at 5.

¹² *Id.*

¹³ *Id.* at 5-6.

¹⁴ *Sentencing Order*, *supra* note 1, at 2-3.

¹⁵ *Id.* at 6; see *United States v. Donna Woods*, 839 Fed. Appx. 896 (5th Cir. 2021) (order affirming the conviction and sentence on appeal).

¹⁶ 47 CFR 54.8(d); see *Second Report and Order*, *supra* note 4, at 9225-27, paras. 67-74.

¹⁷ 47 CFR 54.8(a)(1), (d).

suspension becomes effective upon either your receipt of this letter or its publication in the Federal Register, whichever comes first.¹⁸

In accordance with the Commission's suspension and debarment rules, you may contest this suspension or the scope of this suspension by filing arguments, with any relevant documents, within thirty calendar days of your receipt of this letter or publication of notice of the suspension in the Federal Register, whichever comes first.¹⁹ Such requests, however, will not ordinarily be granted.²⁰ The Bureau may reverse or limit the scope of a suspension only upon a finding of extraordinary circumstances.²¹ The Bureau will decide any request to reverse or modify a suspension within ninety calendar days of its receipt of such request.²²

II. Initiation of Debarment Proceedings

In addition to requiring your immediate suspension from all federal universal service support mechanisms, including the E-Rate program, your conviction is cause for debarment as defined in section 54.8(c) of the Commission's rules.²³ Therefore, pursuant to section 54.8(b) of the Commission's rules, your conviction requires the Bureau to commence debarment proceedings against you.²⁴

As with the suspension process, you may contest the proposed debarment or the scope of the proposed debarment by filing arguments and any relevant documentation within thirty calendar days of receipt of this letter or its publication in the Federal Register, whichever comes first.²⁵ The Bureau, in the absence of extraordinary circumstances, will notify you of its decision to debar within ninety calendar days of receiving any information you may have filed.²⁶ If the Bureau decides to debar you, its decision will become effective upon either your receipt of a debarment notice or publication of the decision in the Federal Register, whichever comes first.²⁷

If and when your debarment becomes effective, you will be prohibited from participating in activities associated with or related to all federal universal service support mechanisms, including the E-Rate program, for three years from the date of debarment.²⁸ The Bureau may set a longer debarment period or extend an existing debarment period if necessary to protect the public interest.²⁹ Pursuant to the Commission's rules, should you choose to contest the scope or length of any such debarment, you must file arguments and any relevant documentation within thirty calendar days of receipt of this letter or the publication in the Federal Register of such proposed debarment, whichever is earlier.³⁰

¹⁸ *Id.* 54.8(e)(1); *Second Report and Order*, *supra* note 4, at 9226, para. 69.

¹⁹ 47 CFR 54.8(e)(4).

²⁰ *Id.*

²¹ *Id.* 54.8(f).

²² *Id.* 54.8(e)(5), (f); *Second Report and Order*, *supra* note 4, at 9226, para. 70.

²³ Causes for suspension and debarment are conviction of or civil judgment for attempt or commission of criminal fraud, theft, embezzlement, forgery, bribery, falsification or destruction of records, making false statements, receiving stolen property, making false claims, obstruction of justice and other fraud or criminal offense arising out of activities associated with or related to the schools and libraries support mechanism, the high-cost support mechanism, the rural healthcare support mechanism, and the low-income support mechanism. 47 CFR 54.8(c). Associated activities include the receipt of funds or discounted services through [the federal universal service] support mechanisms, or consulting with, assisting, or advising applicants or service providers regarding [the federal universal service] support mechanisms. *Id.* 54.8(a)(1).

²⁴ *Id.* 54.8(b).

²⁵ *Id.* 54.8(e)(3); *Second Report and Order*, *supra* note 4, at 9226, para. 70.

²⁶ 47 CFR 54.8(e)(5); *Second Report and Order*, *supra* note 4, at 9226, para. 70.

²⁷ 47 CFR 54.8(e)(5). The Commission may reverse a debarment, or may limit the scope or period of debarment, upon a finding of extraordinary circumstances, following the filing of a petition by you or an interested party or upon motion by the Commission. *Id.* 54.8(f).

²⁸ 47 CFR 54.8(d), (g); *Second Report and Order*, *supra* note 4, at 9225, para. 67.

²⁹ 47 CFR 54.8(g).

³⁰ *Id.* 54.8(e)(4).

Please direct any response as follows:

If sent by messenger or hand delivery, or by commercial overnight mail (other than U.S. Postal Service Priority Mail, Priority Mail Express, and Priority Mail), the response must be sent to Marlene H. Dortch, Secretary, Federal Communications Commission, to the attention of Christopher J. Sova, Chief, Investigations and Hearings Division, Enforcement Bureau, Federal Communications Commission, 9050 Junction Drive, Annapolis Junction, MD, 20701. 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.

If sent by First-Class Mail, Priority Mail Express, or Priority Mail, the response must be sent to Christopher J. Sova, Chief, Investigations and Hearings Division, Enforcement Bureau, Federal Communications Commission, 45 L Street, NE, Washington, DC 20554.

You must also transmit an electronic copy of the response and all Documents produced with the response via e-mail to IHDTelecom@fcc.gov. The electronic copy shall be produced in a format that allows the Commission to access and use it, together with instructions and all other materials necessary to use or interpret the data, including record layouts, data dictionaries, and a description of the data's source. If you have any questions, please contact Jeffrey Brown at Jeffrey.Brown@fcc.gov or (202) 418-2527.

Sincerely,

Christopher J. Sova
Chief
Investigations and Hearings Division
Enforcement Bureau

[FR Doc. 2026-07404 Filed 4-15-26; 8:45 am]

BILLING CODE 6712-01-C

FEDERAL COMMUNICATIONS COMMISSION

[GN Docket No. 26-74; WT Docket Nos. 22-323 and 24-629; DA 26-314; FR ID 340786]

Unleashing American Drone Dominance

AGENCY: Federal Communications Commission.

ACTION: Notice and request for comments.

SUMMARY: In this document, the Federal Communications Commission (FCC or Commission) seeks comment on additional means by which the Commission can continue to fulfill its public interest mandate and achieve American drone dominance. The Commission's Wireless Telecommunications Bureau and Office of Engineering and Technology seek

input on an array of reforms the Commission might take to unleash American drone dominance, including: alleviating unnecessary regulatory burdens; ensuring that American drone manufacturers and users have sufficient spectrum for drone testing and operations; facilitating and encouraging American firms' investment in drone capabilities, infrastructure development, and innovative and advanced capabilities; ensuring regulatory clarity and technical access for United States-based manufacturers and trusted suppliers; coordinating more effectively with other federal agencies; streamlining the Commission's experimental licensing rules; and establishing additional dedicated drone innovation zones or testbeds in partnership with other entities.

DATES: Interested parties may file comments on or before May 1, 2026; and reply comments on or before May 18, 2026.

ADDRESSES: 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 on or before the dates indicated on the first page of this document. You may submit comments, identified by GN Docket No. 26-74, WT Docket No. 22-323, WT Docket No. 24-629, by any of the following methods:

- **Electronic Filers:** Comments may be filed electronically using the internet by accessing the Commission's Electronic Comment Filing System (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 Commission's 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 & Governmental Affairs Bureau at (202) 418-0530 (voice).

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: For additional information on this proceeding, contact Thomas Struble, Office of Engineering and Technology, at Thomas.Struble@fcc.gov or (202) 418-7581 or John Lockwood, Wireless Telecommunications Bureau, at John.Lockwood@fcc.gov or (202) 418-0558.

SUPPLEMENTARY INFORMATION: This is a summary of the Commission's Public Notice, in GN Docket No. 26-74; WT Docket No. 22-323; WT Docket No. 24-629; DA 26-314, released on April 1, 2026. The full text of this document is available for public inspection online at <https://www.fcc.gov/document/unleashing-american-drone-dominance>.

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 this Public Notice is available at <https://www.fcc.gov/proposed-rulemakings>.

Ex Parte Status: The proceeding this Public Notice initiates shall be treated as a "permit-but-disclose" proceeding in accordance with the Commission's *ex parte* rules. 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). In proceedings governed by § 1.49(f) 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.

Synopsis

1. President Trump is unleashing American drone dominance. In furtherance of this Administration priority, President Trump has directed all relevant federal agencies to support this initiative by cutting red tape, modernizing obsolete regulations, and securing our supply chain from foreign adversaries. The production, deployment, and export of *American* unmanned aircraft systems (UAS or drones) and anti-drone defense systems (Counter-UAS) have become core elements of our economic and military superiority. In addition, emerging technologies like electric Vertical Takeoff and Landing (eVTOL) aircraft are expected to enable new capabilities for transporting cargo and people, including in hard to reach areas and in emergencies. By this Public Notice, the FCC's Wireless Telecommunications Bureau (WTB) and Office of Engineering and Technology (OET) seek comment on a range of actions that the agency can take to further advance American drone dominance.

2. President Trump's coordinated national strategy to achieve U.S. supremacy in drone technology, manufacturing, and operations is anchored by two Executive Orders (EOs): *Unleashing American Drone Dominance* and *Restoring American Airspace Sovereignty*. Together, these EOs reflect a sweeping policy shift: one that frames U.S. drone leadership not only as an economic imperative but as a cornerstone of our national security, technological sovereignty, and global competitiveness.

3. The FCC is taking aggressive action to implement President Trump's policy of American drone dominance. Late last year, following an Executive Branch national security determination, the FCC added foreign-produced UAS and UAS critical components to its Covered List. Because such devices are now prohibited from receiving FCC equipment authorization for importation, marketing, or sale in the United States, the FCC will continue to advance consumer and business access to trusted drone technology. Then, following a further specific determination from the Department of War (DoW) that certain UAS and UAS critical components *did not* pose "unacceptable risks," the FCC updated its Covered List to reflect that determination.

4. In this Public Notice, WTB and OET seek input on an array of reforms the Commission might take to unleash American drone dominance, including:

- Alleviating unnecessary regulatory burdens that frustrate drone deployment, including Commission rules or policies—such as siting or device certification—that may create friction for the growth of a competitive, secure, and innovative domestic drone ecosystem.
- Ensuring that American drone manufacturers and users have access to sufficient spectrum for drone testing and operations, including services to the public.
- Facilitating and encouraging American firms' investment in drone capabilities, developing infrastructure, and offering innovative and advanced capabilities.
- Ensuring that U.S.-based manufacturers and trusted suppliers have the regulatory clarity and technical access needed to scale production and secure investment.
- Coordinating more effectively with other federal agencies to align spectrum policies with national security imperatives and reduce the risk posed by untrusted foreign-origin UAS operating in U.S. airspace.

- Streamlining the FCC's experimental licensing rules to facilitate more agile testing of UAS communications systems—including beyond visual line of sight (BVLOS) links, command and control (C2) systems, detect-and-avoid (DAA) technologies, and secure navigation tools—across a broader range of spectrum bands.
- Establishing additional dedicated drone innovation zones or testbeds, in partnership with federal, state, academic, or private entities, and streamlining authorizations to help spur early-stage experimentation and commercialization.

Background

5. *U.S. Government Efforts on UAS Leadership.* Two E.O.s underpin the Administration's coordinated national strategy to achieve American dominance in drone technology, manufacturing, and operations. These E.O.s signal a profound policy transformation. UAS leadership now represents more than an economic priority; it has become a critical pillar of U.S. national security, technological independence, and global competitiveness.

6. The first E.O., *Unleashing American Drone Dominance*, sets a whole-of-government mandate to accelerate the commercialization of drone technologies, scale up domestic production, and expand the export of trusted, American-manufactured UAS. This E.O. directs federal agencies—including the FCC and the National Telecommunications and Information Administration (NTIA)—to prioritize spectrum access and modernization efforts critical for the safe and scalable deployment of autonomous and remotely piloted drones, particularly those operating BVLOS. It also calls for the development of a national drone corridor network and establishes interagency coordination mechanisms to streamline certification, export approvals, and integration into the national airspace system. The E.O. directed “[a]ll agencies,” including the Commission, to “prioritize the integration of UAS manufactured in the United States over those made abroad to the maximum extent permitted by law.”

7. The second E.O., *Restoring American Airspace Sovereignty*, tightens restrictions on foreign-manufactured drones operating in sensitive or regulated environments and mandates a phased transition to domestically produced or allied-nation UAS across federal and critical infrastructure sectors. It builds on earlier security-oriented directives, like E.O. 13981, but goes further by

authorizing NTIA to update federal procurement guidelines to reflect new security benchmarks, and by directing several agencies, including the FCC, to take all appropriate steps to implement the recommendations of the March 2022 Feasibility Report to Congress regarding the creation of the National Training Center for Counter-Unmanned Aircraft Systems.

8. *Recent FCC Covered List Actions.* Late last year, the FCC received a specific determination from an interagency body with appropriate national security expertise that found, among other things, that UAS and UAS critical components produced in a foreign country pose an unacceptable risk to the national security of the United States and to the safety and security of U.S. persons and should be included on the FCC's Covered List, unless the DoW or the Department of Homeland Security (DHS) makes a specific determination that certain such UAS and UAS critical components do not pose such risks. The Determination found that:

UAS and UAS critical components must be produced in the United States. This will reduce the risk of direct UAS attacks and disruptions, unauthorized surveillance, sensitive data exfiltration, and other UAS threats to the homeland. Furthermore, it will ensure our domestic UAS and UAS critical component manufacturing is resilient and independent, a critical national security imperative. UAS are inherently dual-use: they are both commercial platforms and potentially military or paramilitary sensors and weapons. UAS and UAS critical components, including data transmission devices, communications systems, flight controllers, ground control stations, controllers, navigation systems, batteries, smart batteries, and motors produced in a foreign country could enable persistent surveillance, data exfiltration, and destructive operations over U.S. territory, including over World Cup and Olympic venues and other mass gathering events. U.S. cybersecurity and critical infrastructure guidance has repeatedly highlighted how foreign-manufactured UAS can be used to harvest sensitive data, used to enable remote unauthorized access, or disabled at will via software updates.

9. As a result of this specific determination, the FCC updated its Covered List to include “UAS and UAS critical components produced in a foreign country.” Going forward, foreign-produced UAS and UAS critical components may no longer receive authorization for importation, marketing, or sale in the United States,

although already-authorized devices can continue to be used.

10. Then, following a further specific determination from DoW that certain UAS and UAS critical components *did not* pose “unacceptable risks,” the FCC again updated its Covered List to remove “until January 1, 2027, (a) UAS and UAS critical components included on the Defense Contract Management Agency's (DCMA's) Blue UAS list, and (b) UAS and UAS critical components that qualify as ‘domestic end products’ under the Buy American Standard, 48 CFR 25.101(a).” DoW also established a process for individual entities to apply for DoW and DHS to make further determinations that would exempt these entities' otherwise-covered UAS and UAS critical components from the Covered List. Such entities would have to provide information about their corporate structure, manufacturing and supply chain, and their U.S. manufacturing and onshoring plan. Following a third National Security Determination that 4 UAS devices do not pose “unacceptable risks,” the FCC updated its Covered List once again on March 18, 2026, to exempt “devices which have been granted a Conditional Approval by DoW or DHS.”

11. *Non-Federal Spectrum for Drones.* Most drones in the U.S. have relied on unlicensed spectrum, or the same frequencies used by Wi-Fi routers and other consumer devices, for their command-and-control communications, including the 2.4 GHz and 5.8 GHz ISM (Industrial, Scientific, and Medical) bands. These frequencies include: 900 MHz band (902–928 MHz); 2.4 GHz band (2400–2500 MHz); 5.2 GHz band (5000–5725 MHz); and 5.8 GHz band (5725–5875 MHz). Although these bands are popular due to their relatively high power output capability and wide bandwidth for high definition broadband transmission, these unlicensed bands may be susceptible to interference from other users. We seek comment on the ongoing viability of the unlicensed bands for UAS operations.

12. With respect to licensed spectrum, the 2012 World Radiocommunication Conference allocated the 5030–5091 MHz band for aeronautical mobile route service to support UAS control links. The FCC mirrored the international allocation of that band, and in August 2024, it adopted service rules under a new Part 88 to allow operators to obtain direct frequency assignments in a portion of the band for nonnetworked operations. The 2024 decision adopted an interim access mechanism providing temporary access to 20 megahertz (5040–5060 MHz) through Federal Aviation Administration (FAA)

coordination and FCC registration. As a medium-term solution, the FCC specified use of a dynamic frequency management systems that would provide requesting operators with temporary frequency assignments to support UAS control link communications with a level of reliability suitable for operations in controlled airspace and other safety-critical circumstances. Longer term, the FCC anticipated a final band plan including both networked and non-networked services.

13. In addition, the Commission is participating in a multi-agency effort to accelerate the development and deployment of Advanced Air Mobility (AAM) technologies, including eVTOL aircraft in the United States. Through that effort, in December, 2025, the Advanced Air Mobility Interagency Working Group released the Advanced Air Mobility National Strategy, which recommends a number of actions the Federal government can take to develop U.S. AAM technologies and facilitate their rapid integration into the national airspace system. Among other efforts, the strategy recognizes the need for modernization of communications, navigation and surveillance technology to enable future aviation operations, and recommends that the FCC, NTIA, FAA, and law enforcement and security agencies should collaborate with standards bodies and industry to evaluate the equipage and spectrum needs of the aviation industry.

14. Relatedly, the Commission is currently considering proposals to update its rules to permit UAS, including AAM, in specific frequency ranges. One option under review is the 450 MHz band, pursuant to a rulemaking petition by AURA Networks to support long-range links and flexible use. The 24 GHz band is also under consideration for radar and detection operations, enhancing situational awareness and public safety, as are millimeter-wave bands for payload data and non-critical communications over short ranges.

Discussion

15. The Commission intends to give U.S. innovators the resources and regulatory clarity they need to develop a domestic UAS ecosystem for commercial and military applications. The FCC's recent update to the Covered List, prohibiting the authorization of almost all foreign-produced UAS and UAS critical components, reflects that national imperative. We now seek comment on additional means by which we can fulfill our public-interest mandate and achieve American drone

dominance consistent with the directives set forth in President Trump's recent EOs.

16. *Modernizing UAS Licensing.* Today, the FCC's experimental licensing framework—while foundational to U.S. technological leadership—was not designed with the scale, pace, and complexity of modern UAS in mind. Experimental licenses are currently available through OET to facilitate research, development, and testing of new radio technologies. However, the current process can be time-consuming, geographically limited, and administratively burdensome for developers seeking to test emerging UAS capabilities, particularly those that rely on multiple frequency bands, mobile operations, or beyond visual line of sight (BVLOS) communications. These constraints can slow innovation and disadvantage U.S. firms attempting to compete globally in the fast-evolving drone sector.

17. We seek comment on ways to modernize and streamline the experimental licensing process specifically for UAS-related testing. Should the Commission consider establishing a dedicated UAS experimental license category with flexible terms tailored to drone developers, including longer durations, broader geographic coverage, or expedited renewals? Would a tiered licensing structure—e.g., differentiating between academic, commercial prototype, and production-scale testing—improve regulatory predictability and reduce administrative burdens? We also seek comment on whether the Commission should implement pre-cleared test ranges or corridors (in coordination with FAA and NTIA) where licensees could conduct UAS experiments with reduced paperwork and faster approvals.

18. We further seek comment on whether the Commission should explore a blanket experimental authorization for qualified drone developers operating within specified frequency bands and safety parameters. Would a modular “plug-and-play” approach—where applicants can select from a set of preapproved use cases, frequency bands, and technical standards—streamline approvals while preserving necessary safeguards against harmful interference? Should the Commission also allow more flexible use of temporary and special temporary authority (STA) grants for UAS innovation, particularly in support of public-private testbeds and emerging drone corridors?

19. Finally, we seek comment on the utility of our Part 5 experimental

licensing rules for the testing of certain Counter-UAS technologies under controlled conditions. Our current rules limit Counter-UAS to research and development purposes—not for operational mitigation or enforcement. Do these restrictions unduly inhibit commercial development of Counter-UAS? Commenters are invited to propose reforms that might address such limitations, to the extent they exist.

20. *Releasing More Spectrum for UAS.* We seek comment on any and all non-Federal spectrum resources commenters believe are necessary to achieve American drone dominance.

21. As an initial matter, we seek comment on permitting more intensive UAS operations in flexible-use terrestrial bands typically relied upon for mobile broadband. Some commercial drones and advanced operators have used licensed commercial wireless networks (such as LTE/4G/5G) where permitted, especially for non-safety-critical payload data or in areas where FCC rules do not restrict airborne use of those bands. We seek comment on the scope and scale of UAS deployment over licensed flexible-use bands today and the extent to which these bands can support more intensive aerial operations.

22. At the same time, the operation of UAS remains prohibited in many flexible-use bands. For example, Parts 22 and 96 explicitly bar airborne use of Cellular Radiotelephone Service and CBRS spectrum, respectively, whereas the Table of Frequency Allocations prohibits aeronautical mobile use for several other spectrum bands, including all or portions of the 1670–1675 MHz, 1.4 GHz, 2.3 GHz, and 3.7 GHz bands. As one specific example, while CBRS can technically support private LTE/5G networks for drones, airborne use is currently prohibited under Part 96 rules. Despite this, some operators use CBRS for ground-based infrastructure supporting drone operations. We seek comment on the viability of these bands for UAS, including interference and coordination challenges to greater aerial flexibility.

23. We note that the Commission has previously considered some of these bands for UAS. In 2023, the Commission sought comment on a range of issues related to UAS operations in flexible-use bands. Its subsequent 2024 decision in that proceeding did not resolve those issues. We therefore seek comment and refresh the record on issues that were raised initially in 2023 but were not subsequently resolved. Should we remove or relax remaining airborne restrictions in bands like 800 MHz Cellular? To that end, should we

make a finding about the need for rules or best practices to avoid in-band interference? Are existing rules appropriate to protect terrestrial operations from a large number of potentially high-speed airborne transmitters? If not, what protections might we consider? Alternatively, would it be advisable for the Commission to provide more certainty about the limits (or lack thereof) of carriers' spectrum rights in vertical space? Finally, should the Commission permit UAS pilots on the ground to obtain licenses in the aeronautical VHF band (117.975–137 MHz) for communications with Air Traffic Control?

24. Next, we seek comment on all options to accelerate further UAS deployment in the 5030–5091 MHz band. Although the FCC adopted initial rules for the band in 2024, implementation work remains ongoing. We seek comment on ways to expedite implementation so as to permit more robust UAS operations in the band. For example, should the FCC establish a multi-stakeholder group, setting the stage for proposals in a future Further Notice proposing rules for accessing the entire band? We note and seek comment on the relevance of RTCA's ongoing work on these issues. Alternatively, should the FCC convene a Federal Advisory Committee or other similar group to develop consensus on key policy, technical, and operational issues in the band? Finally, are there steps that the FCC could take beyond the adoption of the Interim Access Mechanism to facilitate more imminent access to a portion of the band?

25. We also refresh the record on the possibility of allowing UAS in the 960–1164 MHz band. Section 374 of the FAA Reauthorization Act of 2018 directed the FAA, NTIA, and the Commission, after consultation with relevant stakeholders, to submit a report on, among other things, whether UAS operations should be permitted in 960–1164 MHz and 5030–5091 MHz. In a subsequent 2020 report, the Commission declined to recommend moving forward with a proceeding to make the 960–1164 MHz band available for UAS operations. The report instead recommended that the Commission continue to study the use of this band for UAS purposes, and to work with the FAA, NTIA, and other stakeholders regarding appropriate UAS rules and policies in the event that circumstances warrant initiating a rulemaking for this band. We seek comment on whether new facts or circumstances exist to revisit the Commission's 2020 determination regarding the 960–1164 MHz band.

26. We also seek comment on steps the FCC can take to facilitate UAS or Counter-UAS spectrum access in the context of any pending inter-agency proceedings or efforts in which the FCC is involved. For example, as mentioned above, Section 9 of the *Restoring American Airspace Sovereignty* E.O. directs the Attorney General in coordination with several agencies, including the FCC, to take all appropriate steps to implement the recommendations of the March 2022 Feasibility Report to Congress regarding the creation of the National Training Center for Counter-Unmanned Aircraft Systems. We seek comment on steps the FCC can take to help support the operations of this facility. In addition, the AAM National Strategy recommended that the FCC and other agencies, including NTIA and the FAA, should collaborate with standards bodies and industry to evaluate the equipment and spectrum needs of the aviation industry, to transition and enable communications, navigation, and surveillance efficiency for future aviation operations, including AAM. We seek comment on steps the FCC should take to engage with Federal partners, standards bodies, and industry to assess the spectrum needs of drones and AAM, to help enable their integration into the national airspace system.

27. We also note that the recently-passed National Defense Authorization Act for Fiscal Year 2026 (FY2026 NDAA) includes provisions related to spectrum access for UAS and Counter-UAS operations. In particular, Section 227 of the FY2026 NDAA directs the Secretary of Defense to establish, as a demonstration project, a Western Regional Range Complex capable of facilitating testing and training in electromagnetic spectrum operations and electromagnetic warfare, among other purposes. In addition, Section 1048 authorizes the Secretary of Defense to develop an Eastern Regional Range Complex to serve as a joint training, testing, and experimentation hub for various operations including both UAS and Counter UAS operations. For both of these ranges, Section 1048 further provides that the Secretary of Defense may consult with the FCC and NTIA to recommend spectrum access requirements in support of joint and service training, testing, and experimentation. We seek comment on how the FCC can help facilitate spectrum access in support of these purposes consistent with our jurisdiction over non-federal spectrum access, and what actions or requirements in connection with

spectrum access the FCC should recommend, if any, in this context.

28. Finally, we invite commenters to discuss proposals currently before the Commission to open specific frequencies for UAS-related activities, including AURA's petition to modify technical rules in the 450 MHz band and Echodyne's petition to use the 24.45–24.65 GHz band for federal and non-federal radiolocation operations that would better facilitate the detection of UAS. To what extent would adopting these proposals ease the spectrum crunch, if any, that currently faces UAS operators?

29. *Creating New Testbeds and Innovation Zones.* The FCC has established Innovation Zones to provide opportunities for qualified licensees to test new and advanced technologies and prototype networks outside a traditional small campus or laboratory setting. Emerging technologies ideal for Innovation Zones may include UAS, Open RAN, and other experiments that maximize the still-untapped potential of 5G networks.

30. In 2021, the FCC announced the expansion of its Innovation Zone program when it established a new testbed at North Carolina State University, known as the Aerial Experimentation and Research Platform for Advanced Wireless (AERPAW). The AERPAW testbed was “the first platform to allow testing at scale of open 5G-and-beyond solutions in unmanned aerial system verticals.” As the Commission noted, “AERPAW will focus on how cellular networks and advanced wireless technologies can enable beyond visual line-of-sight unmanned aerial systems to accelerate development, verification, and testing of transformative advances and breakthroughs in telecommunications, transportation, infrastructure monitoring, agriculture, and public safety.”

32. We seek comment on the success of AERPAW to date with respect to UAS deployment and testing. Does this site provide sufficient flexibility or capacity to develop UAS technologies at meaningful scale? We invite commenters to describe whether interagency coordination has proven manageable given the urban location of this Innovation Zone and the nature of the relevant federal equities. In addition, we solicit feedback on the value of AERPAW for the defense industry given that current Innovation Zones applicants are universities that tend to be more focused on academic research.

33. To the extent commenters find gaps in the utility of AERPAW, we seek

comment on the value of creating another type of Innovation Zone license that is exclusively designed for defense companies or non-academics who work on commercial or military UAS development. As one example, would it be advisable to create an Innovation Zone over waterways, in part to facilitate the interaction of UAS and ships and submarines per Section 20002 of the One Big Beautiful Bill Act? Should we consider creating new testbeds in sparsely populated regions with uninhabitable terrain, such as deserts or mountains, where the risk of harmful interference is expected to be minimal? What eligibility restrictions, if any, should govern use of an Innovation Zone for aerial operations? To what extent would new Innovation Zones ease or replicate challenges with respect to federal coordination at existing testbeds, such as AERPAW?

34. Clarifying the Permissible Use of Counter-UAS. Counter-UAS refers to technologies, systems, or operations designed to detect, track, identify, and, where authorized, mitigate or disable UAS that pose a threat to safety, security, or regulatory compliance. Although the Commission's rules do not specifically regulate Counter-UAS as a discrete category, the Communications Act and FCC regulations may nonetheless pose barriers to Counter-UAS deployment. We seek comment on any such barriers and reforms to address them, including Section 333 of the Communications Act of 1934, which provides: "No person shall willfully or maliciously interfere with or cause interference to any radio communications of any station licensed or authorized by or under this chapter."

35. Modernizing Coordination. Existing coordination or notification procedures, which were designed to protect non-Federal or Federal spectrum users from harmful interference, may nonetheless restrict the use of UAS or Counter-UAS operations more than necessary today. We seek comment on whether, and the extent to which, the Commission's rules are overprotective in that regard. Would it be feasible for the FCC to streamline its coordination or notification requirements to enable more intensive use of aerial technologies while avoiding disruption to spectrum-based operations that have greater priority? Commenters should provide specific comment as to the nature of any existing burdens created by coordination requirements and offer concrete proposals to reduce those burdens without creating a significant risk of harmful interference to protected services.

36. Creating Market-Based Incentives. The Commission has long recognized that secondary markets can offer a win-win mechanism to bring underused spectrum to more productive use. In special situations, the Commission has affirmatively incentivized such private transactions. For example, the Enhanced Competition Incentive Program (ECIP) was designed to boost wireless competition and rural broadband by incentivizing license holders to share spectrum with small carriers and Tribal Nations, offering benefits like longer licenses and flexible build-out rules for beneficial transactions like partitioning, disaggregation, or leasing underutilized airwaves. Could we consider similar inducements to promote UAS operations or other kinds of aerial testing? Commenters are encouraged to provide specific proposals about how to structure such market-based incentives.

37. Law Enforcement Use of UAS. While the Commission does not directly procure UAS, the Commission does often coordinate with State, Local, Tribal, and Territorial (SLTT) law enforcement agencies that frequently procure UAS. SLTT law enforcement agencies often procure UAS produced by foreign adversary entities. This seems especially problematic, given the sensitivity of the law enforcement missions. We seek comment on whether this is correct. If so, how can the Commission work with SLTT law enforcement to encourage the use of U.S.-made UAS? For example, should the Commission publish a trusted UAS list or issue public safety guidance recommending our SLTT partners prioritize U.S.-made drones? Should the Commission leverage its private sector relationships to promote the use of U.S.-made drones?

38. We also broadly seek comment on any other way that the Commission could—through rulemakings, enforcement, and public statements—promote and accelerate the deployment of UAS and UAS critical components.

39. Central UAS/C-UAS Information Resource. To foster investment and expedite the deployment of UAS and Counter-UAS technology, we seek comment on whether to establish a centralized "one-stop shopping" Commission web page for UAS and Counter-UAS operators. As the UAS and Counter-UAS environment develops, providing a centralized information resource to assist UAS and Counter-UAS operators with equipment authorizations, spectrum licensing, and waiver processes could expedite innovation. This resource could assist both commercial operators and public safety entities by consolidating relevant

information, links, precedents, and Commission contacts related to the Commission's national security, supply chain, equipment, and spectrum regulations. We seek comment on whether, and if so how, the formation of a centralized information resource can facilitate the rapid deployment of UAS and Counter-UAS?

40. Supporting a Skilled U.S. Drone Workforce. We seek comment on actions the Commission could take to support workforce development needed for American drone dominance. Strengthening the American drone industrial base will require a highly-skilled workforce to support development, manufacturing, and operation of drones, including in the fields of telecommunications and electrical engineering. How can the Commission partner with industry and other Federal agencies to foster a robust U.S. drone workforce?

Federal Communications Commission.

Amy Brett,

Chief of Staff, Wireless Telecommunications Bureau.

[FR Doc. 2026-07381 Filed 4-15-26; 8:45 am]

BILLING CODE 6712-01-P

FEDERAL COMMUNICATIONS COMMISSION

[OMB 3060-0944, 3060-1156, OMB 3060-0016, OMB 3060-0466, OMB 3060-1216; FR ID 341025]

Information Collections 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 ho3060-w it can further reduce the information collection burden for small business concerns with fewer than 25 employees.

DATES: Written comments and recommendations for the proposed information collection should be submitted on or before May 18, 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 Cathy Williams, FCC, via email to PRA@fcc.gov and to Cathy.Williams@fcc.gov. Include in the comments the OMB control number as shown in the **SUPPLEMENTARY INFORMATION** below.

FOR FURTHER INFORMATION CONTACT: For additional information or copies of the information collection, contact Cathy Williams at (202) 418–2918. To view a copy of this information collection request (ICR) submitted to OMB: (1) go to the web page <http://www.reginfo.gov/public/do/PRAMain>, (2) look for the section of the web page called “Currently Under Review,” (3) click on the downward-pointing arrow in the “Select Agency” box below the “Currently Under Review” heading, (4) select “Federal Communications Commission” from the list of agencies presented in the “Select Agency” box, (5) click the “Submit” button to the right of the “Select Agency” box, (6) when the list of FCC ICRs currently under review appears, look for the Title of this ICR and then click on the ICR Reference Number. A copy of the FCC submission to OMB will be displayed.

SUPPLEMENTARY INFORMATION: The Commission may not conduct or sponsor a collection of information unless it displays a currently valid Office of Management and Budget (OMB) control number. No person shall be subject to any penalty for failing to comply with a collection of information subject to the PRA that does not display a valid OMB control number.

As part of its continuing effort to reduce paperwork burdens, as required by the Paperwork Reduction Act (PRA) of 1995 (44 U.S.C. 3501–3520), the FCC invited the general public and other Federal Agencies to take this opportunity to comment on the following information collection. Comments are requested concerning: (a) Whether the proposed collection of information is necessary for the proper performance of the functions of the Commission, including whether the information shall have practical utility; (b) the accuracy of the Commission’s burden estimates; (c) ways to enhance the quality, utility, and clarity of the information collected; and (d) ways to minimize the burden of the collection of

information on the respondents, including the use of automated collection techniques or other forms of information technology. Pursuant to the Small Business Paperwork Relief Act of 2002, Public Law 107–198, see 44 U.S.C. 3506(c)(4), the FCC seeks specific comment on how it might “further reduce the information collection burden for small business concerns with fewer than 25 employees.”

OMB Control Number: 3060–0944.

Title: Cable Landing License Act, Executive Order 10530, 47 CFR 1.70000–1.70024, 1.40001, 1.40003.

Form Number: SCL–LIC—Submarine Cable Landing License Application (revising form); SCL–STA—Submarine Cable Landing License Special Temporary Authority (revising form); SCL–FCN—Submarine Cable Landing License Foreign Carrier Affiliation (revising form); SCL–ASG/TC—Submarine Cable Landing License Assignment or Transfer of Control of License (revising form); SCL–LPN—Submarine Cable Landing License Landing Point Notification (revising form); SCL–MOD—Submarine Cable Landing License Modification (revising form); SCL–RWL—Submarine Cable Landing License Renewal (revising form); Foreign Adversary Annual Report (new form); One-Time Covered List Certification (new form); One-Time Cybersecurity and Physical Security Certification (new form).

Type of Review: Revision of a currently approved collection.

Respondents: Business and other for profit entities and State, Local or Tribal Governments.

Number of Respondents and Responses: 429 respondents; 472 responses.

Estimated Time per Response: 4 to 320 hours.

Frequency of Response: On occasion reporting requirement, Annual reporting requirement, One time reporting requirement, Recordkeeping requirement, and third-party disclosure requirement.

Obligation To Respond: Required to obtain or retain benefits. The statutory authority for this information collection is contained in Sections 1, 4(i), 4(j), 201–255, 303(r), 403, 413 of the Communications Act of 1934, as amended, 47 U.S.C. 151, 154(i), 154(j), 201–255, 303(r), 403, 413, and the Cable Landing License Act of 1921, 47 U.S.C. 34–39, and Executive Order No. 10530, Section 5(a) (May 12, 1954) reprinted as amended in 3 U.S.C. 301.

Total Annual Burden: 14,180 hours.

Total Annual Cost: \$4,354,490.

Needs and Uses: The Federal Communications Commission

(Commission) is requesting that the Office of Management and Budget (OMB) approve revisions to OMB Control No. 3060–0944 to incorporate the requirements adopted by the Commission in the Submarine Cable Report and Order, FCC 25–49. The Submarine Cable Report and Order modernized the Commission’s submarine cable rules to facilitate infrastructure deployment, while strengthening national security. Submarine cables serve as the backbone of global communications, carrying 99% of global internet traffic. To support growing demand and address evolving national security threats, the Commission updated its rules and procedures to streamline and improve the timeliness and transparency of its submarine cable licensing process. The Commission also modernized the process by identifying entities that pose a threat to submarine cable systems, such as foreign adversaries, and adopted common sense measures to preclude them from accessing the nation’s communications networks. The updates will provide greater certainty for applicants, while making targeted improvements to address national security threats.

Specifically, in the Submarine Cable Report and Order, the Commission clarified when a cable landing license is required under the Cable Landing License Act to provide regulatory certainty to submarine cable owners and operators. The Commission updated application requirements and definitions to provide a clear regulatory framework, while also making targeted adjustments for national security purposes. The Commission modernized the definition of “submarine cable system” to better reflect the range of technological advancements and components of current systems. The Commission adopted foreign adversary definitions to protect the security of submarine cables by presumptively precluding the grant of applications filed by an applicant owned by, controlled by, or subject to the jurisdiction or direction of a foreign adversary and/or identified on the Commission’s Covered List, among others; adopting a presumption that denial of an application is warranted where an applicant seeks to land a submarine cable in a foreign adversary country or add a new landing located in a foreign adversary country; and prohibiting licensees from entering into certain IRU or capacity lease arrangements, where it would give a foreign adversary-controlled entity the ability to install, own, or manage

Submarine Line Terminal Equipment (SLTE) on a submarine cable landing in the United States.

On September 11, 2025, OMB approved a non-substantive change approval request related to the Submarine Cable Report and Order. On October 27, 2025, the Commission published a notice in the **Federal Register** announcing the effective date of the rules adopted in the Submarine Cable Report and Order except for amendatory instructions (§ 1.767), 7 (§ 1.768), 10 (§ 1.70002), 11 (§ 1.70003), 12 (§§ 1.70005 and 1.70006), 13 (§ 1.70007), 14 (§§ 1.70008 and 1.70009), 15 (§§ 1.70011 through 1.70013), 16 (§ 1.70016), 17 (§ 1.70017), 18 (§ 1.70020), 19 (§§ 1.70023 and 1.70024), and 22 (§ 43.82).

Relatedly, the Commission transitioned its International Communications Filing System (ICFS) to a new cloud-based platform in June 2025. Following OMB's approval of modifications to this information collection, the Commission will develop and submit for OMB review revised submarine cable application forms and new forms to comply with the new requirements. Until the new and revised electronic forms are approved by OMB, submarine cable applicants and licensees will be required to provide the information required by the Submarine Cable Report and Order by submitting the current application forms and providing additional information as required in an attachment filed in ICFS.

OMB Control Number: 3060–1156.

Title: 47 CFR 43.82, Annual Circuit Capacity Reports.

Form Number: N/A.

Type of Review: Revision of a currently approved collection.

Respondents: Business and other for profit entities and State, Local or Tribal Governments.

Number of Respondents and Responses: 133 respondents; 266 responses.

Estimated Time per Response: 1 to 20 hours.

Frequency of Response: Annual reporting requirement.

Obligation To Respond: Required to obtain or retain benefits. The statutory authority for this information collection is contained in Sections 1, 4(i), 4(j), 201–255, 303(r), 403, 413 of the Communications Act of 1934, as amended, 47 U.S.C. 151, 154(i), 154(j), 201–255, 303(r), 403, 413, and the Cable Landing License Act of 1921, 47 U.S.C. 34–39, and Executive Order No. 10530, Section 5(a) (May 12, 1954) reprinted as amended in 3 U.S.C. 301.

Total Annual Burden: 2,793 hours.

Total Annual Cost: \$12,000.

Needs and Uses: The Federal Communications Commission (Commission) seeks approval from the Office of Management and Budget (OMB) for the revised information collection for the annual submarine cable circuit capacity reports required pursuant to the Cable Landing License Act of 1921 and section 43.82 of the Commission's rules. On August 7, 2025, the Commission adopted a Report and Order and Further Notice of Proposed Rulemaking (Submarine Report and Order), FCC 25–49, that modernized the Commission's submarine cable rules, including adopting new rules regarding the annual circuit capacity reports. With respect to the annual submarine cable circuit capacity data collection, the Commission modified the circuit capacity reporting requirements to enhance the quality and usefulness of the data for national security and other purposes, provide greater clarity to licensees and common carriers (Filing Entities) on the reporting requirements for Filing Entities, and eliminated duplicative burdens.

Specifically, in the Submarine Report and Order, the Commission streamlined the rules and eliminated the requirement for licensees to file a Cable Operator Report about the capacity on a cable and instead required Filing Entities to file one report, the Capacity Holder Report, on an individual basis. The Commission retained important information from the Cable Operator Report by integrating and clarifying information about available, planned, and design capacity that was previously reported in the Cable Operator Report. The Commission required Filing Entities to report their capacity on domestic cables, as the lack of this information created a critical gap regarding the ownership and use of capacity on submarine cables regulated by the Commission. The Commission also required Filing Entities to identify, with respect to each sale, lease, or purchase of a fiber pair and/or spectrum, the submarine cable, the U.S. and foreign landing points of the fiber pair and/or spectrum, and the entity that manages the fiber pair and/or spectrum, if different from the entity that owns it. The Commission also required Filing Entities to provide certain information about their submarine line terminal equipment (SLTEs) in the Capacity Holder Report as SLTEs are among the most important equipment associated with the submarine cable system for national security and law enforcement purposes.

Additionally, the Commission allowed any subsidiary, parent entity, or

affiliate to file the Capacity Holder Report on behalf of a licensee(s) or common carrier(s), so long as the legal name of the licensee or common carrier is identified in the report and an officer of the licensee or common carrier certifies that the information in the report is accurate and complete. The Commission codified a compliance provision in section 43.82 of the rules. The Commission modified section 43.82 of the rules to allow the Commission to share with the Committee for the Assessment of Foreign Participation in the U.S. Telecommunications Services Sector, Department of Homeland Security, and the State Department the capacity data filed on a confidential basis without the pre-notification requirements of 47 CFR 0.442(d).

The Commission directed its Office of International Affairs to revise the Filing Manual to conform with the changes adopted in the Submarine Cable Report and Order.

OMB Control No.: 3060–0016.

Title: FCC Form 2100, Application for Media Bureau Audio and Video Service Authorization, Schedule C (Former FCC Form 346); Sections 74.793(d) and 74.787, LPTV Out-of-Core Digital Displacement Application; Section 73.3700(g)(1)–(3), Post-Incentive Auction Licensing and Operations; Section 74.799, Low Power Television and TV Translator Channel Sharing; Section 74.720, Digital Low Power TV Distributed Transmission Systems.

Form No.: FCC Form 2100, Schedule C.

Type of Review: Revision of a currently approved collection.

Respondents: Business or other for-profit entities; Not for profit institutions; State, local or Tribal government.

Number of Respondents and Responses: 910 respondents and 910 responses.

Estimated Time per Response: 2 hours–2.5 hours.

Frequency of Response: On occasion reporting requirement; third party disclosure requirement.

Obligation to Respond: Required to obtain or retain benefits. The statutory authority for this collection is contained in section 154(i), 303, 307, 308 and 309 of the Communications Act of 1934, as amended.

Total Annual Burden: 4,090 hours.

Annual Cost Burden: \$4,698,511.

Needs and Uses: On December 19, 2025, the Federal Communications Commission (Commission) released a Report and Order, FCC 25–84, concerning the advancement of the Class A, Low Power Television (LPTV) and TV translator services (LPTV

Service). The Commission adopted a rule that provides that low power television and TV translator stations filing a displacement application (FCC Form 2100—Schedule C) include an exhibit explaining how their facilities were displaced—47 CFR 74.787(a)(4). The Commission also adopted a rule providing that an LPTV or TV translator channel sharee may cease channel sharing and seek to obtain a license for a non-shared channel by filing a major modification (FCC Form 2100, Schedule C) specifying a non-shared channel and facility—47 CFR 74.799(i). Finally, the Commission adopted a rule—47 CFR 74.793(j)—that requires that applicants seeking to construct facilities that would exceed the permissible interference levels in the rules pursuant to an agreement with the affected parties submit a copy of the agreement with their application. This submission is being made to OMB for approval of these new burdens.

OMB Control Number: 3060–0466.

Title: Sections 74.783, 74.791, 73.1201 and 74.1283, Station Identification.

Form Number: Not applicable.

Type of Review: Revision of a currently approved collection.

Respondents: Business or other for-profit entities; Not for-profit institutions; State, Local or Tribal Government.

Number of Respondents and Responses: 29,146 respondents; 29,146 responses.

Estimated Time per Response: 0.166–1 hour.

Frequency of Response: On occasion reporting requirement; Recordkeeping requirement; Third party disclosure requirement.

Obligation to Respond: Required to obtain or maintain benefits. The statutory authority for this collection of information is contained in 47 U.S.C. 151, 152, 154(i), 303, 307 and 308.

Total Annual Burden: 26,884 hours.

Total Annual Costs: No costs.

Needs and Uses: On December 19, 2025, the Federal Communications Commission (Commission) released a Report and Order concerning the advancement of the Class A, Low Power Television (LPTV) and TV translator services (LPTV Service). The Commission revised its LPTV Service call sign rule—74.791 to require that stations have a call sign that is appropriate for their service designation. Stations without an appropriate call sign will be required to file a call sign change to designate a rule complaint call sign. Grandfathering of

existing call signs is allowed for Class A and LPTV stations. This submission is being made to OMB for approval of these new burdens.

OMB Control No.: 3060–1216.

Title: Media Bureau Incentive Auction Implementation, Sections 73.3700(c), (h)(5) and (h)(6).

Form No.: N/A.

Type of Review: Revision of a currently approved collection.

Respondents: Business or other for-profit entities; Not for profit institutions.

Number of Respondents and Responses: 1,236 respondents and 40,686 responses.

Estimated Time per Response: .004–15 hours.

Frequency of Response: One-time reporting requirement; on occasion reporting requirement; recordkeeping requirement.

Obligation to Respond: Required to obtain or retain benefits. Statutory authority for these collections are contained in 47 U.S.C. 151, 154, 301, 303, 307, 308, 309, 310, 316, 319, 325(b), 332, 336(f), 338, 339, 340, 399b, 403, 534, 535, 1404, 1452, and 1454.

Total Annual Burden: 6,570 hours.

Annual Cost Burden: \$961,800.

Needs and Uses: On December 19, 2025, the Commission released a Report and Order, FCC 25–84, concerning the advancement of the Class A, Low Power Television (LPTV) and TV translator services (LPTV Service). The Commission eliminated the requirement in 47 CFR 73.3700(g)(4) that wireless licensees assigned to frequencies in the 600 MHz band under 47 CFR part 27 notify low power TV and TV translator stations of their intent to commence wireless operations and the likelihood of receiving harmful interference from the low power TV or TV translator station to such operations within the wireless licensee's licensed geographic service area. This submission is being made to OMB for approval of these new burdens.

Federal Communications Commission.

Marlene Dortch,

Secretary, Office of the Secretary.

[FR Doc. 2026–07358 Filed 4–15–26; 8:45 am]

BILLING CODE 6712–01–P

FEDERAL COMMUNICATIONS COMMISSION

[DA 26–312; FR ID 341200]

Notice of Suspension and Commencement of Proposed Debarment Proceedings

AGENCY: Federal Communications Commission.

ACTION: Notice.

SUMMARY: The Enforcement Bureau (the Bureau) gives notice of the suspension of Kenneth Collura from the schools and libraries universal service support mechanism (or E-Rate Program) and all universal service support mechanisms. Additionally, the Bureau gives notice that debarment proceedings are commencing against Mr. Collura, or any person who has an existing contract with or intends to contract with him to provide or receive services in matters arising out of activities associated with or related to the schools and libraries support, may respond by filing an opposition request, supported by documentation.

DATES: Opposition requests must be submitted within 30 days of receiving the suspension letter or by May 18, 2026, whichever comes first. The Bureau will decide on any opposition request within 90 days.

ADDRESSES: Federal Communications Commission, Enforcement Bureau, Investigations and Hearings Division, 45 L Street NE, Washington, DC 20554.

FOR FURTHER INFORMATION CONTACT: Christopher Sova, Federal Communications Commission, Enforcement Bureau, Investigations and Hearings Division, 45 L Street NE, Washington, DC 20554. Christopher Sova may be contacted by phone at (202) 418–1868 or by email at Christopher.Sova@fcc.gov.

SUPPLEMENTARY INFORMATION: The Bureau has suspension and debarment authority pursuant to 47 CFR 54.8 and 47 CFR 0.111(a)(14). Suspensions ensure that suspended parties cannot continue to benefit from the schools and libraries mechanism pending resolution of the debarment process. Attached is the suspension letter, DA 26–312, which was mailed to Mr. Collura, and released on April 16, 2026. The complete text of the notice of suspension and initiation of debarment proceedings is available on the FCC's website at <https://docs.fcc.gov/public/attachments/DA-26-312A1.pdf>.

Federal Communications Commission.

Christopher Sova,

Chief, Investigations and Hearings Division, Enforcement Bureau.

BILLING CODE 6712–01–P

**Federal Communications Commission**

Enforcement Bureau
Investigations and Hearings Division
45 L Street, NE
Washington, DC 20554

April 7, 2026

DA 26-312

VIA CERTIFIED MAIL, RETURN RECEIPT REQUESTED

Mr. Kenneth Collura
c/o David H. Thomas, Esq.
Taft Stettinius & Hollister LLP
41 South High Street, Suite 1800
Columbus, OH 43215-6106

**Re: Notice of Suspension and Initiation of Debarment Proceeding
File No. EB-IHD-25-00038477**

Dear Mr. Collura:

The Enforcement Bureau (Bureau) of the Federal Communications Commission (Commission or FCC) received notice of your conviction for making a false statement to the federal government, in violation of 18 U.S.C. 1001(a)(2), arising out of activities associated with the federal schools and libraries universal service support mechanism (E-Rate program).¹ The crime involved knowingly submitting a false certification to the Universal Service Administrative Company (USAC) that a contract between the Diocese of Columbus Office of Catholic Schools (Diocese) and the South Central Ohio Computer Association (SCOCA) covered no ineligible services, when the charges under the contract were inflated and included expenses not eligible for E-Rate funding.² Consequently, pursuant to 47 CFR 54.8, this letter constitutes official notice of your suspension from the E-Rate program and all federal universal service support mechanisms.³ While suspended, you are prohibited from participating in or receiving any benefit associated with all federal universal service support mechanisms, including the E-Rate program. Additionally, in accordance with the Commission's rules, the Bureau is commencing a proceeding to debar you from future participation in all federal universal service support mechanisms for three years.⁴

¹ Any further reference in this letter to "your conviction" refers to your guilty plea and subsequent sentencing in *United States v. Kenneth Collura*, Case No. 2:19-cr-00146-EAS, Judgment and Sentencing Order (S.D. Ohio, issued Jan. 15, 2020) (*Sentencing Order*).

² *United States v. Kenneth Collura*, Case No. 2:19-cr-00146-EAS, Information, at 4 (S.D. Ohio, Jun. 20, 2019) (*Information*).

³ 47 CFR 54.8. On March 26, 2026, new rules were adopted allowing the Commission to take quicker and more comprehensive action to exclude bad actors from participating in Congressionally-mandated funding programs, such as the E-Rate program. See *Modernizing Suspension & Debarment Rules*, GN Docket No. 19-309, Report & Order, Direct Final Rule, and Further Notice of Proposed Rulemaking, FCC 26-18 (Mar. 27, 2026).

⁴ 47 CFR 54.8; *Id.* 0.111 (delegating to the Enforcement Bureau authority to resolve universal service suspension and debarment proceedings). The Commission adopted debarment rules for the E-Rate program in 2003. See *Schools and Libraries Universal Service Support Mechanism*, CC Docket No. 02-6, Second Report and Order and Further Notice of Proposed Rulemaking, 18 FCC Rcd 9202 (2003) (*Second Report and Order*) (adopting section 54.521 to suspend and debar parties from the E-Rate program). In 2007, the Commission extended the debarment rules to apply to all federal universal service support mechanisms. See *Comprehensive Review of the Universal Service Fund Management, Administration, & Oversight*, Report and Order, 22 FCC Rcd 16372, 16410-12 (2007) (*Program Management Order*) (renumbering section 54.521 of the universal service debarment rules as section 54.8 and amending subsections (a)(1), (a)(5), (c), (d), (e)(2)(i), (e)(3), (e)(4), and (g)).

I. Notice of Suspension

The Commission has established procedures to prevent persons who have defrauded the government or engaged in similar acts through activities associated with or related to the [E-Rate program] from receiving the benefits associated with that program.⁵ The statutory provisions and Commission rules relating to the E-Rate program are designed to ensure E-Rate funds are used for their intended purpose.⁶ Schools may receive E-Rate program funding for eligible goods and services by filing application forms, seeking competitive bids, and selecting the most cost-effective vendor.⁷ The E-Rate program rules prohibit an E-Rate vendor or anyone associated with an E-Rate vendor from participating in the application process or vendor selection.⁸ Solicitations for E-Rate services must be based on fair and open competitive bidding, free from any conflicts of interest.⁹

You pleaded guilty to willfully and knowingly making a materially false statement to the federal government.¹⁰ You negotiated a contract between the Diocese and its service provider, SCOCA, knowing that the fees were inflated and included funding for expenses that were not eligible for E-Rate funding.¹¹ Nevertheless, you made false statements to the government that you and the Diocese had complied with all rules of the E-Rate program, disclosed all ineligible services that were covered by the contract, and that the contract covered no ineligible services.¹²

In January 2020, the United States District Court for the Southern District of Ohio sentenced you to thirty months of probation.¹³ The court also ordered you to pay a \$5,000 fine and a \$100 special assessment fee.¹⁴

Pursuant to section 54.8(d) of the Commission's rules,¹⁵ your conviction requires the Bureau to suspend you from: (a) participating in any activities associated with or related to the E-Rate program, including the receipt of funds or discounted services through the E-Rate program, or consulting with, assisting, or advising applicants or service providers regarding the E-Rate program; and (b) participating in any activities associated with or related to all federal universal service support mechanisms.¹⁶ Your suspension becomes effective upon either your receipt of this letter or its publication in the Federal Register, whichever comes first.¹⁷

In accordance with the Commission's suspension and debarment rules, you may contest this suspension or the scope of this suspension by filing arguments, with any relevant documents, within thirty calendar days of your receipt of this letter or publication of notice of the suspension in the Federal Register, whichever comes first.¹⁸ Such requests, however, will not ordinarily be granted.¹⁹ The Bureau may reverse or limit the scope of a suspension only upon a finding of extraordinary circumstances.²⁰ The

⁵ *Second Report and Order*, 18 FCC Rcd at 9225, para. 66; *Program Management Order*, 22 FCC Rcd at 16387, para. 32. The Commission's debarment rules define a "person" as "[a]ny individual, group of individuals, corporation, partnership, association, unit of government or legal entity, however organized." 47 CFR 54.8(a)(6).

⁶ *NEC-Business Network Solutions, Inc.*, Notice of Debarment and Order Denying Waiver Petition, 21 FCC Rcd 7491, 7493, para. 7 (2006).

⁷ 47 CFR 54.503, 54.504(a), 54.511(a).

⁸ See *id.* 54.503, 54.511(a); see also Universal Service Administrative Company, *Open & Fair Process*, <https://www.usac.org/e-rate/applicant-process/competitive-bidding/open-fair-process/> (last visited March 13, 2026).

⁹ 47 CFR 54.503, 54.511(a).

¹⁰ *Information*, *supra* note 2, at 3; *Sentencing Order*, *supra* note 1, at 1.

¹¹ *Information*, *supra* note 2, at 3.

¹² *Id.*

¹³ *Sentencing Order*, *supra* note 1, at 2.

¹⁴ *Id.* at 5.

¹⁵ 47 CFR 54.8(d); see *Second Report and Order*, *supra* note 4, at 9225–27, paras. 67–74.

¹⁶ 47 CFR 54.8(a)(1), (d).

¹⁷ *Id.* 54.8(e)(1); *Second Report and Order*, *supra* note 4, at 9226, para. 69.

¹⁸ 47 CFR 54.8(c)(4).

¹⁹ *Id.*

²⁰ *Id.* 54.8(f).

Bureau will decide any request to reverse or modify a suspension within ninety calendar days of its receipt of such request.²¹

II. Initiation of Debarment Proceedings

In addition to requiring your immediate suspension from all federal universal service support mechanisms, including the E-Rate program, your conviction is cause for debarment as defined in section 54.8(c) of the Commission's rules.²² Therefore, pursuant to section 54.8(b) of the Commission's rules, your conviction requires the Bureau to commence debarment proceedings against you.²³

As with the suspension process, you may contest the proposed debarment or the scope of the proposed debarment by filing arguments and any relevant documentation within thirty calendar days of receipt of this letter or its publication in the Federal Register, whichever comes first.²⁴ The Bureau, in the absence of extraordinary circumstances, will notify you of its decision to debar within ninety calendar days of receiving any information you may have filed.²⁵ If the Bureau decides to debar you, its decision will become effective upon either your receipt of a debarment notice or publication of the decision in the Federal Register, whichever comes first.²⁶

If and when your debarment becomes effective, you will be prohibited from participating in activities associated with or related to all federal universal service support mechanisms, including the E-Rate program, for three years from the date of debarment.²⁷ The Bureau may set a longer debarment period or extend an existing debarment period if necessary to protect the public interest.²⁸ Pursuant to the Commission's rules, should you choose to contest the scope or length of any such debarment, you must file arguments and any relevant documentation within thirty calendar days of receipt of this letter or the publication in the Federal Register of such proposed debarment, whichever is earlier.²⁹

Please direct any response as follows:

If sent by messenger or hand delivery, or by commercial overnight mail (other than U.S. Postal Service Priority Mail, Priority Mail Express, and Priority Mail), the response must be sent to Marlene H. Dortch, Secretary, Federal Communications Commission, to the attention of Christopher J. Sova, Chief, Investigations and Hearings Division, Enforcement Bureau, Federal Communications Commission, 9050 Junction Drive, Annapolis Junction, MD, 20701. 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.

²¹ *Id.* 54.8(e)(5), (f); *Second Report and Order*, *supra* note 4, at 9226, para. 70.

²² "Causes for suspension and debarment are conviction of or civil judgment for attempt or commission of criminal fraud, theft, embezzlement, forgery, bribery, falsification or destruction of records, making false statements, receiving stolen property, making false claims, obstruction of justice and other fraud or criminal offense arising out of activities associated with or related to the schools and libraries support mechanism, the high-cost support mechanism, the rural healthcare support mechanism, and the low-income support mechanism." 47 CFR 54.8(c). Associated activities "include the receipt of funds or discounted services through [the federal universal service] support mechanisms, or consulting with, assisting, or advising applicants or service providers regarding [the federal universal service] support mechanisms." *Id.* 54.8(a)(1).

²³ *Id.* 54.8(b).

²⁴ *Id.* 54.8(e)(3); *Second Report and Order*, *supra* note 4, at 9226, para. 70.

²⁵ 47 CFR 54.8(e)(5); *Second Report and Order*, *supra* note 4, at 9226, para. 70.

²⁶ 47 CFR 54.8(c)(5). The Commission may reverse a debarment, or may limit the scope or period of debarment, upon a finding of extraordinary circumstances, following the filing of a petition by you or an interested party or upon motion by the Commission. *Id.* 54.8(f).

²⁷ 47 CFR 54.8(d), (g); *Second Report and Order*, *supra* note 4, at 9225, para. 67.

²⁸ 47 CFR 54.8(g).

²⁹ *Id.* 54.8(e)(4).

If sent by First-Class Mail, Priority Mail Express, or Priority Mail, the response must be sent to Christopher J. Sova, Chief, Investigations and Hearings Division, Enforcement Bureau, Federal Communications Commission, 45 L Street, NE, Washington, DC 20554.

You must also transmit an electronic copy of the response and all Documents produced with the response via e-mail to IHDTelecom@fcc.gov. The electronic copy shall be produced in a format that allows the Commission to access and use it, together with instructions and all other materials necessary to use or interpret the data, including record layouts, data dictionaries, and a description of the data's source. If you have any questions, please contact Jeffrey Brown at Jeffrey.Brown@fcc.gov or (202) 418-2527.

<Sincerely,

Christopher J. Sova
Chief
Investigations and Hearings Division
Enforcement Bureau

[FR Doc. 2026-07438 Filed 4-15-26; 8:45 am]
BILLING CODE 6712-01-C

FEDERAL COMMUNICATIONS COMMISSION

[OMB 3060-1089; FR ID 340731]

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), the Federal Communications Commission (FCC or Commission) invites the general public and other Federal agencies to take this opportunity to comment on the following information collections. Comments are requested concerning: whether the proposed collection of information is necessary for the proper performance of the functions of the Commission, including whether the information shall have practical utility; the accuracy of the Commission's burden estimate; ways to enhance the quality, utility, and clarity of the information collected; ways to minimize the burden of the collection of information on the respondents, including the use of automated collection 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 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 should be submitted on or before June 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 contacts below as soon as possible.

ADDRESSES: Direct all PRA comments to Cathy Williams, FCC, via email PRA@fcc.gov and to Cathy.Williams@fcc.gov.

FOR FURTHER INFORMATION CONTACT: For additional information about the information collection, contact Cathy Williams at (202) 418-2918.

SUPPLEMENTARY INFORMATION:

OMB Control No.: 3060-1089.

Title: Structure and Practices of the Video Relay Service Program; Telecommunications Relay Services and Speech-to-Speech Services for Individuals with Hearing and Speech Disabilities, CG Docket Nos. 10-51 & 03-123.

Form No.: N/A.

Type of Review: Revision of a currently approved collection.

Respondents: Business or other for-profit entities; Individuals or households; Not-for-profit institutions; State, Local or Tribal Government.

Number of Respondents and Responses: 165,408 respondents; 1,764,771 responses.

Estimated Time per Response: 0.05 hours (3 minutes) to 300 hours.

Frequency of Response: Annual, monthly, on occasion, on-going, one-time, and quarterly reporting requirements; Recordkeeping requirement; and Third-Party Disclosure requirements.

Obligation to Respond: Required to obtain or retain benefits. The statutory authority for the collection is contained in section 225 of the Communications Act, 47 U.S.C. 225. The law was enacted on July 26, 1990, as Title IV of the Americans with Disabilities Act of 1990 (ADA), Public Law 101-336, 104 Stat. 327, 366-69, and amended by the Twenty-First Century Communications and Video Accessibility Act of 2010, Public Law 111-260, 103(a), 124 Stat. 2751, 2755 (2010) (CVAA); Public Law 111-265 (technical amendments to CVAA).

Total Annual Burden: 282,770 hours.

Annual Cost Burden: \$279,363.

Needs and Uses: The telecommunications relay service (TRS) program enables access to the nation's telephone network by persons with hearing and speech disabilities. In 1991, as required by the Americans with

Disabilities Act and codified at 47 U.S.C. 225, the Commission adopted rules governing the telecommunications relay services (TRS) program and procedures for each state TRS program to apply for initial Commission certification and renewal of Commission certification of each state program. *Telecommunications Services for Individuals with Hearing and Speech Disabilities, and the Americans with Disabilities Act of 1990*, Report and Order and Request for Comments, document FCC 91–213, published at 56 FR 36729, August 1, 1991 (*1991 TRS Implementation Order*).

Between 2008 and 2011, to integrate internet-based TRS into the North American Numbering plan and facilitate interoperability, universal calling, and 911 emergency services, the Commission adopted rules in three separate orders related to the telephone numbering system and enhanced 911 (E911) services for users of two forms of internet-based TRS: Video Relay Service (VRS) and internet Protocol Relay service (IP Relay). See document FCC 08–151, *Report and Order and Further Notice of Proposed Rulemaking*, published at 73 FR 41286, July 18, 2008 (*First Numbering Order*); document FCC 08–275, *Second Report and Order and Order on Reconsideration*, published at 73 FR 79683, December 30, 2008 (*Second Numbering Order*); and document FCC 11–123, *Report and Order*, published at 76 FR 59551, September 27, 2011 (*Internet-based TRS Toll Free Order*).

The rules adopted in these three orders have information collection requirements that include requiring VRS and IP Relay providers to: register each user who selects the provider as his or her default provider, including obtaining a self-certification from each user; verify the accuracy of each user's registration information; provision and maintain their registered users' routing information to the TRS Numbering Directory; place their users' Registered Location and certain callback information in Automatic Location Information (ALI) databases across the country and provide a means for their users to update their Registered Locations; include advisories on their websites and in any promotional materials addressing numbering and E911 services for VRS or IP Relay; verify in the TRS Numbering Directory whether each dial-around user is registered with another provider; and if they provide equipment to a consumer, make available to other VRS providers enough information about that equipment to enable another VRS provider selected as the consumer's

default provider to perform all of the functions of a default provider.

On July 28, 2011, the Commission released *Structure and Practices of the Video Relay Service Program*, document FCC 11–118, published at 76 FR 47469, August 5, 2011, and at 76 FR 47476, August 5, 2011 (*VRS Certification Order*), adopting final and interim rules—designed to help prevent waste, fraud, and abuse, and ensure quality service, in the provision of internet-based forms of TRS. On October 17, 2011, the Commission released *Structure and Practices of the Video Relay Service Program*, Memorandum Opinion and Order, Order, and Further Notice of Proposed Rulemaking, document FCC 11–155, published at 76 FR 67070, October 31, 2011 (*VRS Certification Reconsideration Order*), modifying two aspects of information collection requirements contained in the *VRS Certification Order*.

On June 10, 2013, the Commission made permanent the interim rules adopted in the *VRS Certification Order*. *Structure and Practices of the Video Relay Service Program; Telecommunications Relay Services and Speech-to-Speech Services for Individuals with Hearing and Speech Disabilities*, Report and Order and Further Notice of Proposed Rulemaking, document FCC 13–82, published at 78 FR 40582, July 5, 2013 (*2013 VRS Reform Order*).

The *VRS Certification Order* as modified by the *VRS Certification Reconsideration Order* and, as applicable, made permanent by the *2013 VRS Reform Order*, amended the Commission's process for certifying internet-based TRS providers as eligible for payment from the Interstate TRS Fund (Fund) for their provision of internet-based TRS to ensure that internet-based TRS providers receiving certification are qualified to provide internet-based TRS in compliance with the Commission's rules and to eliminate waste, fraud and abuse through improved oversight of such providers. They contain information collection requirements including: submission of detailed information in an application for certification that shows the applicant's ability to comply with the Commission's rules; submission of annual reports that include updates to the provider's information on file with the Commission or a certification that there are no changes to the information; requirements for a senior executive of an applicant for internet-based TRS certification or an internet-based TRS provider, when submitting an annual compliance report, to certify under penalty of perjury to its accuracy and

completeness; requirements for VRS providers to obtain prior authorization from the Commission for planned interruptions of service, to report to the Commission unforeseen interruptions of service, and to provide notification of temporary service outages, including updates, to consumers on their websites; and requirements for internet-based TRS providers that will no longer be providing service to give their customers at least 30-days notice.

In the *2013 VRS Reform Order*, the Commission adopted further measures to improve the structure, efficiency, and quality of the VRS program, reducing the noted inefficiencies in the program, as well as reducing the risk of waste, fraud, and abuse, and ensuring that the program makes full use of advances in commercially-available technology. The Commission required reporting of unauthorized and unnecessary use of VRS; established a central TRS user registration database (TRS-URD) for VRS, which incorporates a centralized eligibility verification requirement to ensure accurate registration and verification of users, as well as per-call validation, to achieve more effective prevention of waste, fraud, and abuse; established procedures to prevent unauthorized changes of a user's default TRS provider; and established procedures to protect TRS users' customer proprietary network information (CPNI) from disclosure.

On March 23, 2017, the Commission released *Structure and Practices of the Video Relay Services Program et al.*, FCC 17–26, published at 82 FR 17754, April 13, 2017, (*2017 VRS Improvements Order*), which among other things, allows VRS providers to assign TRS Numbering Directory 10-digit telephone numbers to hearing individuals for the limited purpose of making point-to-point video calls, and gives VRS providers the option to participate in an at-home call handling pilot program, subject to certain limitations, as well as recordkeeping and reporting requirements.

On May 15, 2019, the Commission released *Structure and Practices of the Video Relay Service Program; Telecommunications Relay Services and Speech-to-Speech Services for Individuals with Hearing and Speech Disabilities*, FCC 19–39, published at 84 FR 26364, June 6, 2019 (*2019 VRS Program Management Order*). The Commission further improved the structure, efficiency, and quality of the VRS program, reduced the risk of waste, fraud, and abuse, and ensured that the program makes full use of advances in commercially-available technology. These improvements include

information collection requirements, including: the establishment of procedures to register enterprise and public videophones to the TRS-URD; and permitting Qualified Direct Video Calling (DVC) Entities to access the TRS Numbering Directory and establishing an application procedure to authorize such access, including rules governing DVC entities and entry of information in the TRS Numbering Directory and the TRS-URD.

On August 2, 2019, the Commission released *Implementing Kari's Law and Section 506 of RAY BAUM's Act; Inquiry Concerning 911 Access, Routing, and Location in Enterprise Communications Systems; Amending the Definition of Interconnected VoIP Service in Section 9.3 of the Commission's Rules*, FCC 19–76, published at 84 FR 66716, December 5, 2019 (*MLTS 911 and Dispatchable Location Order*). The Commission amended its rules to ensure that the dispatchable location is conveyed to a Public Safety Answering Point (PSAP) with a 911 call, regardless of the technological platform used. Based on the directive in section 506 of RAY BAUM'S Act, the Commission adopted dispatchable location requirements that in effect modified the existing information collection requirements applicable to VRS, IP Relay and covered Internet Protocol captioned telephone service (IP CTS) by improving the options for providing accurate location information to PSAPs as part of 911 calls.

Fixed internet-based TRS devices must provide automated dispatchable location. For non-fixed devices, when dispatchable location is not technically feasible, internet-based TRS providers may fall back to Registered Location or provide alternative location information. As a last resort, internet-based providers may route calls to Emergency Relay Calling Centers after making a good faith effort to obtain location data from all available alternative location sources. Dispatchable location means a location delivered to the PSAP with a 911 call that consists of the validated street address of the calling party, plus additional information such as suite, apartment or similar information necessary to adequately identify the location of the calling party. Automated dispatchable location means automatic generation of dispatchable location. Alternative location information is location information (which may be coordinate-based) sufficient to identify the caller's civic address and approximate in-building location, including floor level, in large buildings.

On January 31, 2020, the Commission released *Structure and Practices of the Video Relay Service Program; Telecommunications Relay Services and Speech-to-Speech Services for Individuals with Hearing and Speech Disabilities*, FCC 20–7, 85 FR 27309, May 8, 2020 (*VRS At-Home Call Handling Order*). The Commission amended its rules to convert the VRS at-home call handling pilot program into a permanent one, thereby allowing CAs to work from home. To ensure user privacy and call confidentiality and to help prevent waste, fraud, and abuse, the modified information collections include requirements for VRS providers to apply for certification to allow their communications assistants to handle calls while working at home; monitoring and oversight requirements; and reporting requirements.

On June 30, 2022, the Commission released *Telecommunications Relay Services and Speech-to-Speech Services for Individuals with Hearing and Speech Disabilities; Structure and Practices of the Video Relay Service Program; Misuse of Internet Protocol Captioned Telephone Service*, FCC 22–51, published at 87 FR 57645, September 21, 2022 (*Registration Grace Period Order*). To offer more efficient service to VRS and IP CTS users without risk of waste, fraud, and abuse to the TRS Fund, the Commission amended its rules to allow VRS and IP CTS providers to provide compensable service to a new user for up to two weeks after submitting the user's information to the TRS URD if the user's identity is verified within that period.

On September 30, 2022, the Commission released *Rates for Interstate Inmate Calling Services*, FCC 22–76, published at 87 FR 75496, December 9, 2022 (*Accessible Carceral Communications Order*). To improve access to communications services for incarcerated people with communications disabilities, the Commission adopted modifications to the user registration and verification requirements for use of internet-based TRS in correctional facilities.

On December 21, 2023, the Commission released *Data Breach Reporting Requirements*, FCC 23–111, published at 89 FR 9968, February 12, 2024 (*2023 Data Breach Reporting Order*). To align with the CPNI reporting requirements applicable to telecommunications and VoIP providers, the Commission amended TRS CPNI notification requirements; expanded the definition of the term “breach” for telecommunications carriers, VoIP providers, and TRS providers; and amended the ways and

circumstances in which providers must notify the Commission, the United States Secret Service and the Federal Bureau of Investigations of data breaches.

On December 20, 2023, the Commission released *Telecommunications Relay Services and Speech-to-Speech Services for Individuals with Hearing and Speech Disabilities; Structure and Practices of the Video Relay Service Program; Petition for Rulemaking and Limited Waiver of Convo Communications, LLC*, FCC 23–116, published at 89 FR 20125, March 21, 2024 (*2023 VRS Improvements Order*). To promote improvement in the efficacy and quality of relay services supported by the TRS Fund or Fund, the Commission modified several VRS rules relating to communications assistants (CAs) working at home, the use of contractors for VRS interpreting, and the use of VRS by registered users when traveling abroad.

On July 18, 2024, the Commission released the *Incarcerated People's Communications Services; Implementation of the Martha Wright-Reed Act; Rates for Interstate Inmate Calling Services*, FCC 24–75, published at 89 FR 77244, September 20, 2024 (*2024 Accessible Carceral Communications Order*). To ensure the accessibility of communications service for incarcerated people, the Commission amended the carceral facility enterprise registration rules to allow for IP CTS and IP Relay enterprise registration and align those new requirements with the requirement for VRS enterprise registration and combining the requirements into a single paragraph section of the rules. Enterprise registration helps ensure that only eligible users are making use of the service, prevent waste, fraud, and abuse, protect the integrity of the TRS Fund, and ensure the continued provision of TRS.

On September 27, 2024, the Commission released *Access to Video Conferencing; Implementation of Sections 716 and 717 of the Communications Act of 1934, as enabled by the Twenty-First Century Communications and Video Accessibility Act of 2010; Telecommunications Relay Services and Speech-to-Speech Services for Individuals with Hearing and Speech Disabilities; Petition of Sorenson Communications, LLC for Limited Waiver of the Privacy Screen Rule*, FCC 24–95, published at 89 FR 100878, December 13, 2024 (*2024 IVCS Order*). The Commission required VRS provider that integrate VRS in video conference

to provide in its annual report, a detailed explanation of the instructions and training provided to CAs on implementation of the requirements for integrating VRS in video conferences and identifying the requesting VRS users. The records maintained by VRS providers and records submitted to FCC and the TRS Fund administrator by these providers are used to ensure that VRS providers have adopted and are adhering to the safeguards that are required to protect against waste, fraud, and abuse.

Federal Communications Commission.

Marlene Dortch,

Secretary, Office of the Secretary.

[FR Doc. 2026-07356 Filed 4-15-26; 8:45 am]

BILLING CODE 6712-01-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 May 1, 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. *The Baugh Family Trust, Betty C. Baugh, Lawrence N. Thompson, III, Lawrence Nathaniel Thompson, IV, Patricia B. Thompson, and Lillian Alexandria Thompson Waddell, all of Milledgeville, Georgia; and Lawren Thompson Hutchinson, and Timothy Hagan Thompson, both of Atlanta, Georgia; as a group acting in concert, to retain voting shares of Century Bancorp, Inc., and indirectly retain voting shares of Century Bank & Trust, both of Milledgeville, Georgia.*

B. Federal Reserve Bank of Kansas City (Jeffrey Imgarten, Assistant Vice President) 1 Memorial Drive, Kansas City, Missouri 64198-0001. Comments can also be sent electronically to KCApplicationComments@kc.frb.org:

1. *Brent R. Padgett Irrevocable Trust U.T.A. dated February 27, 2026, Brent R. Padgett as trustee, both of Lawrence, Kansas; Melissa R. Padgett Irrevocable Trust U.T.A. dated February 27, 2026, Melissa R. Padgett, and Gregory Lam, as trustees, all of Lawrence, Kansas; to become members of the Padgett Family Control Group, a group acting in concert, to acquire voting shares of Padgett Agency, Inc., and thereby indirectly acquire voting shares of The Citizens National Bank, both of Greenleaf, Kansas.*

Board of Governors of the Federal Reserve System.

Michele Taylor Fennell,

Associate Secretary of the Board.

[FR Doc. 2026-07457 Filed 4-15-26; 8:45 am]

BILLING CODE 6210-01-P

FEDERAL RETIREMENT THRIFT INVESTMENT BOARD

Notice of Board Meeting

DATES: April 28, 2026, at 10:00 a.m. ET.

ADDRESSES: Telephonic. Dial-in (listen only) information: Number: 1-202-599-1426, Code: 832 027 619#; or via web: <https://www.frtib.gov/>.

FOR FURTHER INFORMATION CONTACT: James Kaplan, Director, Office of External Affairs, (202) 864-7150.

SUPPLEMENTARY INFORMATION:

Board Meeting Agenda

Open Session

1. Approval of the March 24, 2026, Board Meeting Minutes
2. Monthly Reports
 - (a) Participant Report
 - (b) Legislative Report
3. Quarterly Reports
 - (d) Investment Review
 - (e) Budget Review
 - (f) Audit Status
4. DOL Annual Audit Presentation
5. Enterprise Risk Management Update
6. Internal Audit Update
7. ORM Office Presentation

Closed Session

8. Information Covered under 5 U.S.C. 552b(c)(9)(B) and (c)(10).
Authority: 5 U.S.C. 552b(e)(1).

Dated: April 14, 2026.

Dharmesh Vashee,

General Counsel, Federal Retirement Thrift Investment Board.

[FR Doc. 2026-07409 Filed 4-15-26; 8:45 am]

BILLING CODE 6760-01-P

FEDERAL TRADE COMMISSION

[File No. 242 3055]

Publishing.com, LLC, Christian Mikkelsen, and Rasmus Mikkelsen; Analysis of Proposed Consent Order To Aid Public Comment

AGENCY: Federal Trade Commission.

ACTION: Proposed consent agreement; request for comment.

SUMMARY: The consent agreement in this matter settles alleged violations of Federal law prohibiting unfair or deceptive acts or practices. The attached Analysis of Proposed Consent Order to Aid Public Comment describes both the allegations in the complaint and the terms of the consent order—embodied in the consent agreement—that would settle these allegations.

DATES: Comments must be received on or before May 18, 2026.

ADDRESSES: Interested parties may file comments online or on paper by following the instructions in the Request for Comment part of the **SUPPLEMENTARY INFORMATION** section below. Please write "Publishing.com; File No. 242 3055" on your comment and file your comment online at <https://www.regulations.gov> by following the instructions on the web-based form. If you prefer to file your comment on paper, please mail your comment to: Federal Trade Commission, Office of the Secretary, 600 Pennsylvania Ave. NW, Mail Stop H-144 (Annex P), Washington, DC 20580.

FOR FURTHER INFORMATION CONTACT:

Emily Cope Burton (phone: 415–848–5111), Assistant Regional Director, Western Region, Federal Trade Commission, 90 7th St., Suite 14–300, San Francisco, CA 94103.

SUPPLEMENTARY INFORMATION: Pursuant to section 6(f) of the Federal Trade Commission Act, 15 U.S.C. 46(f), and FTC Rule 2.34, 16 CFR 2.34, notice is hereby given that the above-captioned consent agreement containing a consent order to cease and desist, having been filed with and accepted, subject to final approval, by the Commission, has been placed on the public record for a period of 30 days. The following Analysis to Aid Public Comment describes the terms of the consent agreement and the allegations in the complaint. An electronic copy of the full text of the consent agreement package can be obtained at <https://www.ftc.gov/news-events/commission-actions>.

You can file a comment online or on paper. For the Commission to consider your comment, we must receive it on or before May 18, 2026. Write “Publishing.com; File No. 242 3055” on your comment. Your comment—including your name and your State—will be placed on the public record of this proceeding, including, to the extent practicable, on the <https://www.regulations.gov> website.

We encourage you to submit comments through the <https://www.regulations.gov> website. Postal mail addressed to the Commission will be subject to delay because of heightened security screening. If you prefer to file your comment on paper, write “Publishing.com; File No. 242 3055” on your comment and on the envelope, and send it via overnight service to: Federal Trade Commission, Office of the Secretary, 600 Pennsylvania Avenue NW, Mail Stop H–144 (Annex P), Washington, DC 20580.

Because your comment will be placed on the publicly accessible website at <https://www.regulations.gov>, you are solely responsible for making sure your comment does not include any sensitive or confidential information. In particular, your comment should not include sensitive personal information, such as your or anyone else’s Social Security number; date of birth; driver’s license number or other State identification number, or foreign country equivalent; passport number; financial account number; or credit or debit card number. You are also solely responsible for making sure your comment does not include sensitive health information, such as medical

records or other individually identifiable health information. In addition, your comment should not include any “trade secret or any commercial or financial information which . . . is privileged or confidential”—as provided by section 6(f) of the FTC Act, 15 U.S.C. 46(f), and FTC Rule 4.10(a)(2), 16 CFR 4.10(a)(2)—including competitively sensitive information such as costs, sales statistics, inventories, formulas, patterns, devices, manufacturing processes, or customer names.

Comments containing material for which confidential treatment is requested must be filed in paper form, must be clearly labeled “Confidential,” and must comply with FTC Rule 4.9(c). In particular, the written request for confidential treatment that accompanies the comment must include the factual and legal basis for the request and must identify the specific portions of the comment to be withheld from the public record. See FTC Rule 4.9(c). Your comment will be kept confidential only if the General Counsel grants your request in accordance with the law and the public interest. Once your comment has been posted on the <https://www.regulations.gov> website—as legally required by FTC Rule 4.9(b)—we cannot redact or remove your comment from that website, unless you submit a confidentiality request that meets the requirements for such treatment under FTC Rule 4.9(c), and the General Counsel grants that request.

Visit the FTC website at <https://www.ftc.gov> to read this document and the news release describing the proposed settlement. The FTC Act and other laws the Commission administers permit the collection of public comments to consider and use in this proceeding, as appropriate. The Commission will consider all timely and responsive public comments it receives on or before May 18, 2026. For information on the Commission’s privacy policy, including routine uses permitted by the Privacy Act, see <https://www.ftc.gov/site-information/privacy-policy>.

Analysis of Proposed Consent Order To Aid Public Comment

The Federal Trade Commission (“Commission”) has accepted, subject to final approval, an Agreement Containing Consent Order (“Consent Agreement”) with Publishing.com, LLC, Christian Mikkelsen, and Rasmus Mikkelsen (collectively, “Respondents”). The proposed Decision and Order (“Order”), included in the Consent Agreement and subject to final Commission approval, is designed to

remedy Respondents’ deceptive practices in connection with marketing their self-publishing programs.

The proposed Order has been placed on the public record for 30 days to receive comments from interested persons. Comments received during this period will become part of the public record. After 30 days, the Commission will again review the Consent Agreement, and the comments received, and will decide whether it should withdraw from the Consent Agreement and take appropriate action or make the proposed Order final.

The complaint alleges that Respondents violated section 5 of the FTC Act, 15 U.S.C. 45, by making false or unsubstantiated earnings claims about their self-publishing programs. The complaint further alleges that Respondents violated section 5 of the FTC Act by misrepresenting its refund policy as a simple money-back guarantee for 12 months. Finally, the complaint alleges that Respondents falsely represented that consumer reviews and testimonials for their programs represented the actual, genuine experiences and opinions of ordinary and impartial purchasers.

The proposed Order contains provisions designed to prevent Respondents from engaging in these and similar acts and practices in the future. Provision I of the proposed Order permanently restrains and enjoins Respondents from making earnings claims or assisting others in making earnings claims unless those claims are non-misleading and Respondents have a reasonable basis for them. Provision II prohibits Respondents from making the specific misrepresentations alleged in the complaint and misrepresentations concerning any other material fact in the sale of any product or service. Provision III prohibits Respondents from misrepresenting or failing to disclose material terms and conditions of any cancellation or refund policy or failing to promptly honor a consumer’s cancellation or refund request in compliance with company policies in effect at the time of the consumer’s purchase. Provision IV prohibits Respondents from making certain misrepresentations regarding testimonials and endorsements.

Provision V requires Respondents to disclose any unexpected material connections with endorsers or reviewers and any payments or incentives for posting reviews. Provision VI requires Respondents to pay \$1.5 million in monetary relief and Provision VII details additional monetary provisions necessary to ensure receipt of the monetary relief. Provision VIII requires

Respondents to provide the Commission with sufficient information about its customers so that the Commission can efficiently administer redress, if possible.

Provisions IX through XIII relate to notice and compliance. Provision IX requires Respondents to acknowledge receipt of the Order; distribute the Order to principals, officers, and certain employees and agents; and obtain signed acknowledgements from them. Provision X requires Respondents to submit compliance reports to the Commission one year after the Order's issuance and when certain events occur. Provision XI requires Respondents to create certain records for 15 years and retain them for five years thereafter. Provision XII requires Respondents to provide information or documents necessary to monitor compliance with the Order during the period of the Order's effective dates. Provision XIII provides the effective dates of the Order, including that, with exceptions, the Order will terminate in 20 years.

The purpose of this analysis is to facilitate public comment on the Consent Agreement and proposed Order to aid the Commission in determining whether it should make the proposed Order final. This analysis is not an official interpretation of the proposed Order and does not modify its terms in any way.

By direction of the Commission.

April J. Tabor,
Secretary.

[FR Doc. 2026-07420 Filed 4-15-26; 8:45 am]

BILLING CODE 6750-01-P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Centers for Medicare & Medicaid Services

[Document Identifier: CMS-10398 #99]

Medicaid and Children's Health Insurance Program (CHIP) Generic Information Collection Activities: Proposed Collection; Comment Request

AGENCY: Centers for Medicare & Medicaid Services, Health and Human Services (HHS).

ACTION: Notice.

SUMMARY: On May 28, 2010, the Office of Management and Budget (OMB) issued Paperwork Reduction Act (PRA) guidance related to the "generic" clearance process. Generally, this is an expedited process by which agencies may obtain OMB's approval of

collection of information requests that are "usually voluntary, low-burden, and uncontroversial collections," do not raise any substantive or policy issues, and do not require policy or methodological review. The process requires the submission of an overarching plan that defines the scope of the individual collections that would fall under its umbrella. On October 23, 2011, OMB approved our initial request to use the generic clearance process under control number 0938-1148 (CMS-10398). It was last approved on April 26, 2021, via the standard PRA process which included the publication of 60- and 30-day **Federal Register** notices. The scope of the April 2021 umbrella accounts for Medicaid and CHIP State plan amendments, waivers, demonstrations, and reporting. This **Federal Register** notice seeks public comment on one or more of our collection of information requests that we believe are generic and fall within the scope of the umbrella. Interested persons are invited to submit 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 April 30, 2026.

ADDRESSES: When commenting, please reference the applicable form number (CMS-10398 #45) and the OMB control number (0938-1148). 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: CMS-10398 #____/OMB control number: 0938-1148, 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/PRAListing>.

FOR FURTHER INFORMATION CONTACT: William N. Parham at (410) 786-4669.

SUPPLEMENTARY INFORMATION: Following is a summary of the use and burden associated with the subject information collection(s). More detailed information can be found in the collection's supporting statement and associated materials (see **ADDRESSES**).

Generic Information Collections

1. *Title of Information Collection:* Medicaid Certified Community Behavioral Health Clinic (CCBHC) Services State Plan Amendment Coverage Template; *Type of Information Collection Request:* New collection of information request; *Use:* On March 9, 2024, section 209 in Title I of Division G of the Consolidated Appropriations Act, 2024 (CAA, 2024) (Pub. L. 118-42) amended section 1905 of the Social Security Act (the Act) to establish a new, optional Certified Community Behavioral Health Clinic (CCBHC) State plan benefit at section 1905(a)(31), and as defined in section 1905(jj) of the Act. CCBHCs must be certified by the State Medicaid agency as meeting the most recent version of the CCBHC Certification Criteria ("the Certification Criteria") and must submit ongoing data on the provision of services, such as data on service encounters and clinical outcomes, to the State or Secretary. The Certification Criteria that States use to certify CCBHCs establish a basic level of service at which CCBHCs should operate. The amendments to the Act as a result of the passage of the CAA, 2024 provide the authority for SPAs to add this optional Medicaid coverage. The attached template has been developed to simplify the SPA submission by adding the 1905(a)(31) CCBHC services benefit to their State plan. States submitting State plan pages adding optional coverage for the section 1905(a)(31) will be required to utilize and submit the template no later than the end of the quarter in which their effective date falls. *Form Number:* CMS-10398 #99 (OMB control number: 0938-1148); *Frequency:* One time and on occasion; *Affected Public:* State, Local, or Tribal Governments; *Number of Respondents:* 56; *Total Annual Responses:* 56; *Total Annual Hours:* 280. (For policy questions regarding this collection

contact: Marlana Thieler at 410–786–6274.)

William N. Parham, III,

Director, Division of Information Collections and Regulatory Impacts, Office of Strategic Operations and Regulatory Affairs.

[FR Doc. 2026–07440 Filed 4–15–26; 8:45 am]

BILLING CODE 4120–01–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Centers for Medicare & Medicaid Services

[Document Identifier: CMS–10712 and CMS–10266]

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 May 18, 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:* Existing Collection in use without an OMB control number; *Title of Information Collection:* Religious Nonmedical Health Care Institutions (RNHCIs) Conditions of Participation; *Use:* The purpose of this package is to request approval for this existing collection in use without an OMB Control Number for Religious Nonmedical Health Care Institutions (RNHCIs) Conditions of Participation (CoPs). RNHCIs are facilities that provide non-medical nursing items and services to patients who choose to rely solely upon a religious method of healing and for whom the acceptance of medical health services would be inconsistent with their religious beliefs.

The information collections (ICs) for RNHCIs enable CMS to ensure these facilities comply with health and safety requirements under Title 42 Code of Regulations (CFR) Section 403, Subpart G. The specific ICs associated with burdens are as follows: IC–1: §§ 403.724(a)(2) & (a)(3)—Sign, Date & Notarize election statement; IC–2: § 403.724(a)(4)—Copy & Submit Election Statement to CMS; IC–3:

§ 403.730(a)—Provide Patients Notice of Rights; IC–4: § 403.736(a)—Provide Discharge Plan.

The previous iteration of this package included an estimated annual burden of 1,943 hours and an annual cost of \$79,998. For this iteration, the total annual hourly burden is revised to 824 hours, with an annual burden cost of \$38,113. There is no collection instrument. *Form Number:* CMS–10712 (OMB control number: 0938–NEW); *Frequency:* Quarterly; *Affected Public:* Private Sector—Not-for-profit institutions; *Number of Respondents:* 56; *Total Annual Responses:* 2,476; *Total Annual Hours:* 824. (For policy questions regarding this collection contact Claudia Molinar at (410) 786–8445.)

2. *Type of Information Collection Request:* Reinstatement with change of a previously approved collection; *Title of Information Collection:* Conditions of Participation for Transplant Programs; *Use:* The purpose of this package is to request approval from the Office of Management and Budget (OMB) to reinstate, with change, the information collection request for OMB Control No. 0938–1069, which expired on November 30, 2022. The information collection request described herein is associated with the Conditions of Participation (CoPs) for Transplant Programs, specified at Title 42 Code for Regulations (CFR) Sections §§ 482.68 to 482.104.

A certified Transplant Program is an approved Medicare provider type that is located within an approved Medicare Hospital provider type. Approved Medicare dialysis facilities also work in conjunction with Transplant Programs, as they support patients before and possibly after kidney transplants. Transplant Programs may receive payment for heart, heart-lung, intestine, kidney, liver, lung, and pancreas transplants if, and only if, they are in compliance with the Conditions of Participation (CoPs) specified in 42 CFR 482.68 to 482.104.

The previous iteration was approved on November 29, 2019, with an estimated annual burden of 2,593 hours and an annual cost of \$181,130. For this re-instatement, the total annual hourly burden is revised to 3,340, with an annual burden cost of \$352,462. The 29% increase in burden hours (from 2,593 to 3,340) is primarily due to the addition of one missing IC, (IC–3), minor corrections to burden estimates, and updating labor wage data to more recently available data. *Form Number:* CMS–10266 (OMB control number: 0938–1069); *Frequency:* Yearly; *Affected Public:* Private sector Business or other

for-profits and Not-for-profit institutions; *Number of Respondents:* 476; *Total Annual Responses:* 476; *Total Annual Hours:* 3,340. (For policy questions regarding this collection contact Claudia Molinar at 410–786–8445.)

William N. Parham III,

Director, Division of Information Collections and Regulatory Impacts, Office of Strategic Operations and Regulatory Affairs.

[FR Doc. 2026–07401 Filed 4–15–26; 8:45 am]

BILLING CODE 4120–01–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Food and Drug Administration

[Docket No. FDA–2026–N–3446]

Notice of Approval of Product Under Voucher: Rare Pediatric Disease Priority Review Voucher; AREXVY (Respiratory Syncytial Virus Vaccine, Adjuvanted)

AGENCY: Food and Drug Administration, HHS.

ACTION: Notice.

SUMMARY: The Food and Drug Administration (FDA) is announcing the approval of a product redeeming a rare pediatric disease priority review voucher. The Federal Food, Drug, and Cosmetic Act (FD&C Act) authorizes FDA to award priority review vouchers to sponsors of approved rare pediatric disease product applications that meet certain criteria. FDA is required to publish notice of the issuance of rare pediatric disease priority review vouchers as well as the approval of products redeeming vouchers. FDA has determined that AREXVY (Respiratory Syncytial Virus Vaccine, Adjuvanted), BLA supplement approved June 7, 2024, meets the criteria for redeeming a priority review voucher.

FOR FURTHER INFORMATION CONTACT:

Myrna Hanna, Center for Biologics Evaluation and Research, Food and Drug Administration, industry.biologics@fda.hhs.gov, 240–402–7911.

SUPPLEMENTARY INFORMATION: FDA is announcing the approval of a product redeeming a rare pediatric disease priority review voucher. Under section 529 of the FD&C Act (21 U.S.C. 360ff), FDA will report the issuance of rare pediatric disease priority review vouchers and the approval of products for which a voucher was redeemed. FDA has determined that AREXVY (Respiratory Syncytial Virus Vaccine,

Adjuvanted) meets the redemption criteria.

For further information about the Rare Pediatric Disease Priority Review Voucher Program and for a link to the full text of section 529 of the FD&C Act, go to <https://www.fda.gov/ForIndustry/DevelopingProducts/forRareDiseasesConditions/RarePediatricDiseasePriorityReviewVoucherProgram/default.htm>. For further information about AREXVY (Respiratory Syncytial Virus Vaccine, Adjuvanted), go to the Center for Biologics Evaluation and Research Approved Products website at <https://www.fda.gov/vaccines-blood-biologics/center-biologics-evaluation-and-research-cber-product-approval-information>.

Grace R. Graham,

Deputy Commissioner for Policy, Legislation, and International Affairs.

[FR Doc. 2026–07368 Filed 4–15–26; 8:45 am]

BILLING CODE 4164–01–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Food and Drug Administration

[Docket No. FDA–2026–N–3400]

Agency Information Collection Activities; Proposed Collection; Comment Request; Orphan Drugs

AGENCY: Food and Drug Administration, HHS.

ACTION: Notice.

SUMMARY: The Food and Drug Administration (FDA, Agency, or we) is announcing an opportunity for public comment on the proposed collection of certain information by the Agency. 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 of an existing collection of information, and to allow 60 days for public comment in response to the notice. This notice solicits comments on information collection associated with orphan drug requirements.

DATES: Either electronic or written comments on the collection of information must be submitted by June 15, 2026.

ADDRESSES: You may submit comments as follows. Please note that late, untimely filed comments will not be considered. The <https://www.regulations.gov> electronic filing system will accept comments until 11:59 p.m. Eastern Time at the end of

June 15, 2026. Comments received by mail/hand delivery/courier (for written/paper submissions) will be considered timely if they are received on or before that date.

Electronic Submissions

Submit electronic comments in the following way:

- **Federal eRulemaking Portal:** <https://www.regulations.gov>. Follow the instructions for submitting comments. Comments submitted electronically, including attachments, to <https://www.regulations.gov> will be posted to the docket unchanged. Because your comment will be made public, you are solely responsible for ensuring that your comment does not include any confidential information that you or a third party may not wish to be posted, such as medical information, your or anyone else's Social Security number, or confidential business information, such as a manufacturing process. Please note that if you include your name, contact information, or other information that identifies you in the body of your comments, that information will be posted on <https://www.regulations.gov>.

- If you want to submit a comment with confidential information that you do not wish to be made available to the public, submit the comment as a written/paper submission and in the manner detailed (see “Written/Paper Submissions” and “Instructions”).

Written/Paper Submissions

Submit written/paper submissions as follows:

- **Mail/Hand Delivery/Courier (for written/paper submissions):** Dockets Management Staff (HFA–305), Food and Drug Administration, 5630 Fishers Lane, Rm. 1061, Rockville, MD 20852.

- For written/paper comments submitted to the Dockets Management Staff, FDA will post your comment, as well as any attachments, except for information submitted, marked and identified, as confidential, if submitted as detailed in “Instructions.”

Instructions: All submissions received must include the Docket No. FDA–2023–N–1929 for “Orphan Drug Designation.” Received comments, those filed in a timely manner (see **ADDRESSES**), will be placed in the docket and, except for those submitted as “Confidential Submissions,” publicly viewable at <https://www.regulations.gov> or at the Dockets Management Staff between 9 a.m. and 4 p.m., Monday through Friday, 240–402–7500.

- **Confidential Submissions—**To submit a comment with confidential information that you do not wish to be made publicly available, submit your

comments only as a written/paper submission. You should submit two copies total. One copy will include the information you claim to be confidential with a heading or cover note that states "THIS DOCUMENT CONTAINS CONFIDENTIAL INFORMATION." The Agency will review this copy, including the claimed confidential information, in its consideration of comments. The second copy, which will have the claimed confidential information redacted/blacked out, will be available for public viewing and posted on <https://www.regulations.gov>. Submit both copies to the Dockets Management Staff. If you do not wish your name and contact information to be made publicly available, you can provide this information on the cover sheet and not in the body of your comments and you must identify this information as "confidential." Any information marked as "confidential" will not be disclosed except in accordance with 21 CFR 10.20 and other applicable disclosure law. For more information about FDA's posting of comments to public dockets, see 80 FR 56469, September 18, 2015, or access the information at: <https://www.govinfo.gov/content/pkg/FR-2015-09-18/pdf/2015-23389.pdf>.

Docket: For access to the docket to read background documents or the electronic and written/paper comments received, go to <https://www.regulations.gov> and insert the docket number, found in brackets in the heading of this document, into the "Search" box and follow the prompts and/or go to the Dockets Management Staff, 5630 Fishers Lane, Rm. 1061, Rockville, MD 20852, 240-402-7500.

FOR FURTHER INFORMATION CONTACT: Amber Barrett, Office of Operations, Food and Drug Administration, Three White Flint North, 10A-12M, 11601 Landsdown St., North Bethesda, MD 20852, 301-796-8867, PRAStaff@fda.hhs.gov.

SUPPLEMENTARY INFORMATION: Under the PRA (44 U.S.C. 3501-3521), Federal Agencies must obtain approval from the Office of Management and Budget (OMB) for each collection of information they conduct or sponsor. "Collection of information" is defined in 44 U.S.C. 3502(3) and 5 CFR 1320.3(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 provide a 60-day notice in the **Federal Register** concerning each proposed collection of information, including each proposed extension of an

existing collection of information, before submitting the collection to OMB for approval. To comply with this requirement, FDA is publishing notice of the proposed collection of information set forth in this document.

With respect to the following collection of information, FDA invites comments on these topics: (1) whether the proposed collection of information is necessary for the proper performance of FDA's functions, including whether the information will have practical utility; (2) the accuracy of FDA's estimate of the burden of the proposed collection of information, including the validity of the methodology and assumptions used; (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, when appropriate, and other forms of information technology.

Orphan Drugs—21 CFR Part 316

OMB Control Number 0910-0167—Extension

This information collection helps support implementation of sections 525, 526, 527, and 528 of the Federal Food, Drug, and Cosmetic Act (FD&C Act) (21 U.S.C. 360aa, 360bb, 360cc, and 360dd), as well as related guidance and Agency forms. Sections 525, 526, 527, and 528 of the FD&C Act pertain to the development of drugs for rare diseases or conditions, including biological products and antibiotics, otherwise known or referred to as "orphan drugs." Specifically, section 525 of the FD&C Act requires written recommendations on studies required for approval of a marketing application for a drug for a rare disease or condition. Section 526 of the FD&C Act provides for designation of drugs as orphan drugs when certain conditions are met; section 527 provides conditions under which a sponsor of an approved orphan drug enjoys exclusive FDA marketing approval for that drug for the orphan indication for a period of 7 years; and, finally, section 528 is intended to encourage sponsors to make investigational orphan drugs available for treatment of persons in need on an open protocol basis before the drug has been approved for general marketing. Open protocols may permit patients who are not part of the formal clinical investigation to obtain treatment where adequate supplies exist and no alternative effective therapy is available.

Agency regulations in part 316, subpart A (21 CFR part 316, subpart A) (§§ 316.1 through 316.4) identify the

scope of coverage, applicable definitions, and statutory provisions applicable to orphan drugs. The regulations in part 316, subpart B (§§ 316.10 through 316.14) set forth content and format elements for written recommendation requests and discuss FDA providing or refusing to provide the requested written recommendations. Similarly, regulations in part 316, subpart C (§§ 316.20 through 316.30) prescribe content and format elements for requesting orphan drug designation; identify submission schedules for requisite information including amendments, updates, and reports; and provide for publication and revocation of orphan drug designation. Regulations in part 316, subparts D and E (§§ 316.31 through 316.40) address orphan drug exclusive approval and open protocols for investigations, respectively. Finally, regulations in part 316, subpart F (§§ 316.50 through 316.52) provide for the issuance of guidance documents that apply to the orphan drug provisions of the FD&C Act and regulations in part 316. The list is maintained on the internet and guidance documents are issued in accordance with our good guidance practices regulation in 21 CFR 10.115, which provide for public comment at any time.

The information collection includes the Agency guidance document entitled "Meetings with the Office of Orphan Products Development: Guidance for Industry, Researchers, Patient Groups, and Food and Drug Administration Staff" (July 2015), available for download at: <https://www.fda.gov/regulatory-information/search-fda-guidance-documents/meetings-office-orphan-products-development>. It provides recommendations to industry, researchers, patient groups, and other stakeholders interested in requesting a meeting, including a teleconference, with the Office of Orphan Products Development (OOPD) on issues related to orphan drug designation requests, humanitarian use device designation requests, rare pediatric disease designation requests, funding opportunities through the Orphan Products Grants Program and the Pediatric Device Consortia Grants Program, and orphan product patient-related topics of concern. It is also intended to assist OOPD staff in addressing such meeting requests. The guidance describes procedures for requesting, preparing, scheduling, conducting, and documenting such meetings and discusses background information we recommend be included in such requests.

The information collection includes Form FDA 4035, FDA Orphan Drug

Designation Request Form, intended to benefit sponsors who desire to seek orphan designation of drugs intended for rare diseases or conditions from FDA. The form is a simplified method for sponsors to provide only the information required by § 316.20 for FDA decision making. Orphan drug designation requests and related submissions (amendments, annual reports, etc.), humanitarian use device designation, and rare pediatric disease designation requests and submissions may be submitted electronically by email to the OOPD.

As communicated on our website at <https://www.fda.gov/industry/medical-products-rare-diseases-and-conditions/designating-orphan-product-drugs-and-biological-products>, respondents may

submit orphan drug designation requests electronically through the Center for Drug Evaluation and Research (CDER) NextGen portal, or by emailing the required information to orphan@fda.hhs.gov; or by mailing the required information to the OOPD at the address found on our website. New users of the CDER NextGen Portal must register for an account. For designation requests submitted by email, the Agency recommends using automated read receipt to verify receipt of the email.

Sponsors and others who plan to email information to FDA that is private, sensitive, proprietary, or commercial confidential are strongly encouraged to send it from an FDA-secured email address so the transmission is encrypted. The Agency

will assume the addresses of emails received or email addresses provided as a point of contact are secure when responding to those email addresses. Sponsors and others can establish a secure email address link to FDA by sending a request to SecureEmail@fda.hhs.gov. There may be a fee to a commercial enterprise for establishing a digital certificate before encrypted emails can be sent to FDA.

Respondents to the information collection are sponsors who develop investigational drugs and biologicals for commercial use and who seek orphan drug designation, and upon approval or licensure, orphan drug exclusivity.

We estimate the burden of this collection of information as follows:

TABLE 1—ESTIMATED ANNUAL RECORDKEEPING BURDEN ¹

21 CFR part or section; activity	Number of respondents	Number of records per recordkeeper	Total annual records	Average burden per record	Total hours
Part 316 associated records	864	1	1,080	135	145,800
§§ 316.20, 316.21, 316.26 (Form FDA 4035)	864	1	1,080	32	34,560
§ 316.22; Notifications of changes in agents	305	1	305	0.5	153
§ 316.24(a); Deficiency letters and granting orphan-drug designation	756	1	756	2	1,512
§ 316.27; Submissions to change ownership of orphan-drug designation	110	1	110	3	330
§ 316.30; Annual reports	2,210	1	2,210	3	6,630
§ 316.36; Assurance of the availability of sufficient quantities of the orphan drug; holder's consent for the approval of other marketing applications for the same drug	1	3	3	15	45
Guidance Recommendations: Meeting requests to OOPD and related submission packages	800	1.5	1,200	4	4,800
Total .....	.....	.....	6,744	.....	193,830

¹ There are no capital costs or operating and maintenance costs associated with this collection of information.

We base our burden figures on the number of submissions received and include those activities relating to: (1) requesting orphan drug designation; (2) responding to deficiencies letters with submissions of amendments; (3) keeping files current with contact information for agents and transfer of ownership, when applicable; (4) submitting annual reports while products have designation status; and (5) requesting and preparing for both informal and formal meetings. Because the PRA defines a recordkeeping requirement to include reporting those records to the Federal government, we account for these activities cumulatively in table 1 above. Our burden estimate reflects a nominal increase of approximately 9% annually.

Grace R. Graham,
Deputy Commissioner for Policy, Legislation, and International Affairs.
[FR Doc. 2026–07423 Filed 4–15–26; 8:45 am]
BILLING CODE 4164–01–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Food and Drug Administration
[Docket No. FDA–2026–N–3240]

Agency Information Collection Activities; Proposed Collection; Comment Request; Importation of Prescription Drugs

AGENCY: Food and Drug Administration, HHS.
ACTION: Notice.

SUMMARY: The Food and Drug Administration (FDA or Agency) is announcing an opportunity for public comment on the proposed collection of certain information by the Agency. 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 of an

existing collection of information, and to allow 60 days for public comment in response to the notice. This notice solicits comments on the information collection provisions related to FDA’s regulation on importation of prescription drugs.

DATES: Either electronic or written comments on the collection of information must be submitted by June 15, 2026.

ADDRESSES: You may submit comments as follows. Please note that late, untimely filed comments will not be considered. The <https://www.regulations.gov> electronic filing system will accept comments until 11:59 p.m. Eastern Time at the end of June 15, 2026. Comments received by mail/hand delivery/courier (for written/paper submissions) will be considered timely if they are received on or before that date.

Electronic Submissions

Submit electronic comments in the following way:

- **Federal eRulemaking Portal:** <https://www.regulations.gov>. Follow the instructions for submitting comments. Comments submitted electronically, including attachments, to <https://www.regulations.gov> will be posted to the docket unchanged. Because your comment will be made public, you are solely responsible for ensuring that your comment does not include any confidential information that you or a third party may not wish to be posted, such as medical information, your or anyone else's Social Security number, or confidential business information, such as a manufacturing process. Please note that if you include your name, contact information, or other information that identifies you in the body of your comments, that information will be posted on <https://www.regulations.gov>.

- If you want to submit a comment with confidential information that you do not wish to be made available to the public, submit the comment as a written/paper submission and in the manner detailed (see "Written/Paper Submissions" and "Instructions").

Written/Paper Submissions

Submit written/paper submissions as follows:

- **Mail/Hand Delivery/Courier (for written/paper submissions):** Dockets Management Staff (HFA-305), Food and Drug Administration, 5630 Fishers Lane, Rm. 1061, Rockville, MD 20852.

- For written/paper comments submitted to the Dockets Management Staff, FDA will post your comment, as well as any attachments, except for information submitted, marked, and identified, as confidential, if submitted as detailed in "Instructions."

Instructions: All submissions received must include the Docket No. FDA-2026-N-3240 for "Agency Information Collection Activities; Proposed Collection; Comment Request; Importation of Prescription Drugs." Received comments, those filed in a timely manner (see **ADDRESSES**), will be placed in the docket and, except for those submitted as "Confidential Submissions," publicly viewable at <https://www.regulations.gov> or at the Dockets Management Staff between 9 a.m. and 4 p.m., Monday through Friday, 240-402-7500.

- **Confidential Submissions—**To submit a comment with confidential information that you do not wish to be made publicly available, submit your comments only as a written/paper submission. You should submit two

copies total. One copy will include the information you claim to be confidential with a heading or cover note that states "THIS DOCUMENT CONTAINS CONFIDENTIAL INFORMATION." The Agency will review this copy, including the claimed confidential information, in its consideration of comments. The second copy, which will have the claimed confidential information redacted/blacked out, will be available for public viewing and posted on <https://www.regulations.gov>. Submit both copies to the Dockets Management Staff. If you do not wish your name and contact information to be made publicly available, you can provide this information on the cover sheet and not in the body of your comments and you must identify this information as "confidential." Any information marked as "confidential" will not be disclosed except in accordance with 21 CFR 10.20 and other applicable disclosure law. For more information about FDA's posting of comments to public dockets, see 80 FR 56469, September 18, 2015, or access the information at: <https://www.govinfo.gov/content/pkg/FR-2015-09-18/pdf/2015-23389.pdf>.

Docket: For access to the docket to read background documents or the electronic and written/paper comments received, go to <https://www.regulations.gov> and insert the docket number, found in brackets in the heading of this document, into the "Search" box and follow the prompts and/or go to the Dockets Management Staff, 5630 Fishers Lane, Rm. 1061, Rockville, MD 20852, 240-402-7500.

FOR FURTHER INFORMATION CONTACT: Ila S. Mizrahi, Office of Operations, Food and Drug Administration, Three White Flint North, 10A-12M, 11601 Landsdown St., North Bethesda, MD 20852, 301-796-1244, PRAStaff@fda.hhs.gov.

SUPPLEMENTARY INFORMATION: Under the PRA (44 U.S.C. 3501-3521), Federal Agencies must obtain approval from the Office of Management and Budget (OMB) for each collection of information they conduct or sponsor. "Collection of information" is defined in 44 U.S.C. 3502(3) and 5 CFR 1320.3(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 provide a 60-day notice in the **Federal Register** concerning each proposed collection of information, including each proposed extension of an existing collection of information, before submitting the collection to OMB

for approval. To comply with this requirement, FDA is publishing notice of the proposed collection of information set forth in this document.

With respect to the following collection of information, FDA invites comments on these topics: (1) whether the proposed collection of information is necessary for the proper performance of FDA's functions, including whether the information will have practical utility; (2) the accuracy of FDA's estimate of the burden of the proposed collection of information, including the validity of the methodology and assumptions used; (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, when appropriate, and other forms of information technology.

Importation of Prescription Drugs—21 CFR Part 251

OMB Control Number 0910-0888—Extension

This information collection supports implementation of section 804 of the Federal Food, Drug, and Cosmetic Act (FD&C Act) (21 U.S.C. 384), and applicable regulations in part 251 (21 CFR part 251). The purpose of section 804 of the FD&C Act is to reduce the cost of covered products to American consumers without imposing additional risk to public health and safety. The regulations in part 251 set forth procedures Section 804 Importation Program sponsors (SIP Sponsors) must follow when submitting plans to implement time-limited programs to begin importation of drugs from Canada. The regulations also establish criteria for FDA review and authorization of a SIP proposal or supplemental proposal. Additionally, the regulations set forth requirements for eligible prescription drugs and requirements for entities that engage in importation of eligible prescription drugs. Finally, the regulations provide for exempt eligible prescription drugs that meet certain requirements from section 502(f)(1) of the FD&C Act (21 U.S.C. 352(f)(1)).

Description of Respondents: Respondents to the collection of information are SIP Sponsors (States or Indian Tribes, or in certain future circumstances, pharmacists or wholesale distributors, and any cosponsor(s)), importers (pharmacists or wholesaler distributors), and manufacturers of eligible prescription drugs.

We estimate the burden of the collection of information as follows:

TABLE 1—ESTIMATED ANNUAL RECORDKEEPING BURDEN ¹

21 CFR section 251; information collection activity	Number of recordkeepers	Number of records per recordkeeper	Total annual records	Average burden per recordkeeping	Total hours
Subpart B; SIP proposals and pre-import requests	40	1.5	60	72	4,320
Subpart C; Certain requirements for importation programs	40	1	40	43	1,720
Total			100		6,040

¹ There are no capital costs or operating and maintenance costs associated with this collection of information.

We have established a web page at <https://www.fda.gov/drugs/importation-program-under-section-804-fdc-act/section-804-importation-program-policies-and-authorizations> to communicate news and information about FDA efforts to implement the SIP. We assume the burden attributable to the required retention, reporting, and disclosure of records pertaining to these information collection activities will be distributed among respondents at an average of 100 responses and 6,040 hours annually. Based on a review of the information collection since our last request for OMB approval we have made no adjustments to our burden estimate.

Grace R. Graham,
Deputy Commissioner for Policy, Legislation, and International Affairs.
[FR Doc. 2026-07421 Filed 4-15-26; 8:45 am]
BILLING CODE 4164-01-P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Food and Drug Administration

[Docket No. FDA-2025-P-4154]

Determination That CHEWTADZY (Tadalafil) Chewable Tablets, 5 Milligrams, 10 Milligrams, 20 Milligrams, Were Not Withdrawn From Sale for Reasons of Safety or Effectiveness

AGENCY: Food and Drug Administration, HHS.
ACTION: Notice.

SUMMARY: The Food and Drug Administration (FDA or Agency) has determined that CHEWTADZY (tadalafil) chewable tablets, 5 milligrams (mg), 10 mg, 20 mg, were not withdrawn from sale for reasons of safety or effectiveness. This determination will allow FDA to approve abbreviated new drug applications (ANDAs) for tadalafil, chewable tablets, 5 mg, 10 mg, 20 mg,

if all other legal and regulatory requirements are met.
FOR FURTHER INFORMATION CONTACT: Neerja Razdan, Center for Drug Evaluation and Research, Food and Drug Administration, 10903 New Hampshire Ave., Bldg. 51, Rm. 6217, Silver Spring, MD 20993-0002, (240) 402-1556, Neerja.Razdan@fda.hhs.gov.
SUPPLEMENTARY INFORMATION: Section 505(j) of the Federal Food, Drug, and Cosmetic Act (FD&C Act) (21 U.S.C. 355(j)) allows the submission of an ANDA to market a generic version of a previously approved drug product. To obtain approval, the ANDA applicant must show, among other things, that the generic drug product: (1) has the same active ingredient(s), dosage form, route of administration, strength, conditions of use, and (with certain exceptions) labeling as the listed drug, which is a version of the drug that was previously approved, and (2) is bioequivalent to the listed drug. ANDA applicants do not have to repeat the extensive clinical testing otherwise necessary to gain approval of a new drug application (NDA).
Section 505(j)(7) of the FD&C Act requires FDA to publish a list of all approved drugs. FDA publishes this list as part of the “Approved Drug Products With Therapeutic Equivalence Evaluations,” which is known generally as the “Orange Book.” Under FDA regulations, drugs are removed from the list if the Agency withdraws or suspends approval of the drug’s NDA or ANDA for reasons of safety or effectiveness or if FDA determines that the listed drug was withdrawn from sale for reasons of safety or effectiveness (21 CFR 314.162).

A person may petition the Agency to determine, or the Agency may determine on its own initiative, whether a listed drug was withdrawn from sale for reasons of safety or effectiveness. This determination may be made at any time after the drug has been withdrawn from sale, but must be made prior to approving an ANDA that refers to the

listed drug (§ 314.161 (21 CFR 314.161)). FDA may not approve an ANDA that does not refer to a listed drug.
CHEWTADZY (tadalafil) chewable tablets, 5 mg, 10 mg, 20 mg, is the subject of NDA 218527, held by B Better, LLC, and initially approved on June 28, 2024. CHEWTADZY is indicated for the treatment of erectile dysfunction, the signs and symptoms of benign prostatic hyperplasia, and erectile dysfunction and the signs and symptoms of benign prostatic hyperplasia.
B Better, LLC has never marketed CHEWTADZY (tadalafil) chewable tablets, 5 mg, 10 mg, 20 mg. In previous instances (see, e.g., 72 FR 9763 (March 5, 2007), 61 FR 25497 (May 21, 1996)), the Agency has determined that, for purposes of §§ 314.161 and 314.162, never marketing an approved drug product is equivalent to withdrawing the drug from sale.
Hyman, Phelps & McNamara, P.C. submitted a citizen petition dated September 22, 2025 (Docket No. FDA-2025-P-4154), under 21 CFR 10.30, requesting that the Agency determine whether CHEWTADZY (tadalafil) chewable tablets, 5 mg, 10 mg, 20 mg, were withdrawn from sale for reasons of safety or effectiveness.
After considering the citizen petition and reviewing Agency records and based on the information we have at this time, FDA has determined under § 314.161 that CHEWTADZY (tadalafil) chewable tablets, 5 mg, 10 mg, 20 mg, were not withdrawn for reasons of safety or effectiveness. The petitioner has identified no data or other information suggesting that CHEWTADZY (tadalafil) chewable tablets, 5 mg, 10 mg, 20 mg, were withdrawn for reasons of safety or effectiveness. We have carefully reviewed our files for records concerning the withdrawal of CHEWTADZY (tadalafil) chewable tablets, 5 mg, 10 mg, 20 mg, from sale. We have also independently evaluated relevant literature and data for possible postmarketing adverse events. We have

reviewed the available evidence and determined that these drug products were not withdrawn from sale for reasons of safety or effectiveness.

Accordingly, the Agency will continue to list CHEWTADZY (tadalafil) chewable tablets, 5 mg, 10 mg, 20 mg, in the “Discontinued Drug Product List” section of the Orange Book. The “Discontinued Drug Product List” delineates, among other items, drug products that have been discontinued from marketing for reasons other than safety or effectiveness. ANDAs that refer to CHEWTADZY (tadalafil) chewable tablets, 5 mg, 10 mg, 20 mg, may be approved by the Agency as long as they meet all other legal and regulatory requirements for the approval of ANDAs. If FDA determines that labeling for this drug product should be revised to meet current standards, the Agency will advise ANDA applicants to submit such labeling.

Grace R. Graham,

Deputy Commissioner for Policy, Legislation, and International Affairs.

[FR Doc. 2026-07443 Filed 4-15-26; 8:45 am]

BILLING CODE 4164-01-P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Food and Drug Administration

[Docket No. FDA-2025-N-6895]

Pharmacy Compounding Advisory Committee; Notice of Meeting; Establishment of a Public Docket; Request for Comments—Bulk Drug Substances Nominated for Inclusion on the Section 503A Bulk Drug Substances List

AGENCY: Food and Drug Administration, HHS.

ACTION: Notice; establishment of a public docket; request for comments.

SUMMARY: The Food and Drug Administration (FDA) announces a forthcoming public advisory committee meeting of the Pharmacy Compounding Advisory Committee (the Committee). The general function of the Committee is to provide advice and recommendations to FDA on regulatory issues. The meeting will be open to the public. FDA is establishing a docket for public comment on this document.

DATES: The meeting will be held on July 23, 2026, from 8:00 a.m. to 4:30 p.m. Eastern Time and July 24, 2026, from 8:00 a.m. to 3:50 p.m. Eastern Time.

ADDRESSES: The meeting will be held at FDA White Oak Campus, 10903 New Hampshire Ave., Bldg. 31 Conference

Center, the Great Room (Rm. 1503), Silver Spring, MD 20993-0002. The public will also have the option to participate, and the advisory committee meeting will be heard, viewed, captioned, and recorded through an online teleconferencing and/or video conferencing platform.

Answers to commonly asked questions about FDA advisory committee meetings, including information regarding special accommodations due to a disability, visitor parking, and transportation may be accessed at: <https://www.fda.gov/AdvisoryCommittees/AboutAdvisoryCommittees/ucm408555.htm>.

FDA is establishing a docket for public comment on this meeting. The docket number is FDA-2025-N-6895. The docket will close on July 22, 2026. Please note that late, untimely filed comments will not be considered. The <https://www.regulations.gov> electronic filing system will accept comments until 11:59 p.m. Eastern Time on July 22, 2026. Comments received by mail/hand delivery/courier (for written/paper submissions) will be considered timely if they are received on or before that date.

Comments received on or before July 9, 2026, will be provided to the Committee. Comments received after that date will be taken into consideration by FDA. In the event that the meeting is cancelled, FDA will continue to evaluate any relevant information, and consider any comments submitted to the docket, as appropriate.

You may submit comments as follows:

Electronic Submissions

Submit electronic comments in the following way:

- **Federal eRulemaking Portal:** <https://www.regulations.gov>. Follow the instructions for submitting comments. Comments submitted electronically, including attachments, to <https://www.regulations.gov> will be posted to the docket unchanged. Because your comment will be made public, you are solely responsible for ensuring that your comment does not include any confidential information that you or a third party may not wish to be posted, such as medical information, your or anyone else's Social Security number, or confidential business information, such as a manufacturing process. Please note that if you include your name, contact information, or other information that identifies you in the body of your comments, that information will be posted on <https://www.regulations.gov>.

- If you want to submit a comment with confidential information that you do not wish to be made available to the public, submit the comment as a written/paper submission and in the manner detailed (see “Written/Paper Submissions” and “Instructions”).

Written/Paper Submissions

Submit written/paper submissions as follows:

- **Mail/Hand Delivery/Courier (for written/paper submissions):** Dockets Management Staff (HFA-305), Food and Drug Administration, 5630 Fishers Lane, Rm. 1061, Rockville, MD 20852.

- For written/paper comments submitted to the Dockets Management Staff, FDA will post your comment, as well as any attachments, except for information submitted, marked and identified, as confidential, if submitted as detailed in “Instructions.”

Instructions: All submissions received must include the Docket No. FDA-2025-N-6895 for “Pharmacy Compounding Advisory Committee; Notice of Meeting; Establishment of a Public Docket; Request for Comments—Bulk Drug Substances Nominated for Inclusion on the Section 503A Bulk Drug Substances List.” Received comments, those filed in a timely manner (see **ADDRESSES**), will be placed in the docket and, except for those submitted as “Confidential Submissions,” publicly viewable at <https://www.regulations.gov> or at the Dockets Management Staff between 9 a.m. and 4 p.m., Monday through Friday, 240-402-7500.

- **Confidential Submissions—**To submit a comment with confidential information that you do not wish to be made publicly available, submit your comments only as a written/paper submission. You should submit two copies total. One copy will include the information you claim to be confidential with a heading or cover note that states “THIS DOCUMENT CONTAINS CONFIDENTIAL INFORMATION.” FDA will review this copy, including the claimed confidential information, in its consideration of comments. The second copy, which will have the claimed confidential information redacted/blacked out, will be available for public viewing and posted on <https://www.regulations.gov>. Submit both copies to the Dockets Management Staff. If you do not wish your name and contact information be made publicly available, you can provide this information on the cover sheet and not in the body of your comments and you must identify the information as “confidential.” Any information marked as “confidential” will not be disclosed

except in accordance with 21 CFR 10.20 and other applicable disclosure law. For more information about FDA’s posting of comments to public dockets, see 80 FR 56469, September 18, 2015, or access the information at: <https://www.govinfo.gov/content/pkg/FR-2015-09-18/pdf/2015-23389.pdf>.

Docket: For access to the docket to read background documents or the electronic and written/paper comments received, go to <https://www.regulations.gov> and insert the docket number, found in brackets in the heading of this document, into the “Search” box and follow the prompts and/or go to the Dockets Management Staff, 5630 Fishers Lane, Rm. 1061, Rockville, MD 20852, 240–402–7500.

FOR FURTHER INFORMATION CONTACT: Takyiah Stevenson, Center for Drug Evaluation and Research, Food and Drug Administration, 10903 New Hampshire Ave., Bldg. 31, Rm. 2417, Silver Spring, MD 20993–0002, 240–402–2507, email: PCAC@fda.hhs.gov, or FDA Advisory Committee Information Line at 301–796–8220. A notice in the **Federal Register** about last-minute modifications that impact a previously announced advisory committee meeting cannot always be published quickly enough to provide timely notice. Therefore, you should always check FDA’s website at <https://www.fda.gov/AdvisoryCommittees/default.htm> and scroll down to the appropriate advisory committee meeting link, or call the advisory committee information line to

learn about possible modifications before the meeting.

SUPPLEMENTARY INFORMATION:

Background: Section 503A of the Federal Food, Drug, and Cosmetic Act (FD&C Act) (21 U.S.C. 353a) describes the conditions that must be satisfied for human drug products compounded by a licensed pharmacist in a State-licensed pharmacy or a Federal facility, or a licensed physician, to be exempt from the following three sections of the FD&C Act: (1) section 501(a)(2)(B) (21 U.S.C. 351(a)(2)(B)) (concerning current good manufacturing practice requirements); (2) section 502(f)(1) (21 U.S.C. 352(f)(1)) (concerning the labeling of drugs with adequate directions for use); and (3) section 505 (21 U.S.C. 355) (concerning the approval of human drug products under new drug applications (NDAs) or abbreviated new drug applications (ANDAs)).

One of the conditions that must be satisfied for a drug product to qualify for the exemptions under section 503A of the FD&C Act is that the licensed pharmacist or licensed physician compounds the drug product using bulk drug substances (as defined in 21 CFR 207.3) that: (1) comply with the standards of an applicable United States Pharmacopoeia (USP) or National Formulary monograph, if a monograph exists, and the USP chapter on pharmacy compounding; (2) if an applicable monograph does not exist, are drug substances that are components of drugs approved by the Secretary of

Health and Human Services (the Secretary); or (3) if such a monograph does not exist and the drug substance is not a component of a drug approved by the Secretary, that appear on a list developed by the Secretary through regulations issued by the Secretary under section 503A(c) of the FD&C Act (the 503A Bulks List) (see section 503A(b)(1)(A)(i) of the FD&C Act).

Agenda: FDA, invited attendees, and the public will be able to attend the meeting in-person at FDA’s White Oak Campus (see **ADDRESSES**). The meeting presentations will also be heard, viewed, captioned, and recorded through an online teleconferencing and/or video conferencing platform. On July 23, 2026, the Committee will discuss the following bulk drug substances being considered for inclusion on the 503A Bulks List: BPC–157-related bulk drug substances (BPC–157 (free base)/BPC–157 acetate), KPV-related bulk drug substances (KPV (free base)/KPV acetate), TB–500-related bulk drug substances (TB–500 (free base)/TB–500 acetate), and MOTs-C-related bulk drug substances (MOTs-C (free base)/MOTs-C acetate). The chart below identifies the use(s) FDA reviewed for each of the bulk drug substances being discussed at this advisory committee meeting. For nominated bulk drug substances, the nominators of these substances will be invited to make a short presentation supporting the nomination.

Bulk drug substance	Uses evaluated
BPC–157 (free base), BPC–157 acetate	Ulcerative colitis (UC). Wound healing and inflammatory conditions. Wound healing. Obesity and osteoporosis.
KPV (free base), KPV acetate	
TB–500 (free base), TB–500 acetate	
MOTs-C (free base), MOTs-C acetate	

On July 24, 2026, the Committee will discuss the following bulk drug substances being considered for inclusion on the 503A Bulks List: Emideltide (also referred to as delta sleeping inducing peptide (DSIP))-related bulk drug substances

(Emideltide (free base)/Emideltide acetate), Semax-related bulk drug substances (Semax (free base)/Semax acetate), and Epitalon-related bulk drug substances (Epitalon (free base)/Epitalon acetate). The chart below identifies the use(s) FDA reviewed for each of the

bulk drug substances being discussed at this advisory committee meeting. For nominated bulk drug substances, the nominators of these substances will be invited to make a short presentation supporting the nomination.

Bulk drug substance	Uses evaluated
Emideltide (free base), Emideltide acetate	Opioid withdrawal, chronic insomnia, and narcolepsy. Cerebral ischemia, migraine, and trigeminal neuralgia. Insomnia.
Semax (free base), Semax acetate	
Epitalon (free base), Epitalon acetate	

FDA intends to make background material available to the public no later than 2 business days before the meeting. If FDA is unable to post the background material on its website prior to the meeting, the background material will

be made publicly available on FDA’s website at the time of the advisory committee meeting. Background material and the link to the online teleconference and/or video conference meeting will be available at the location

of the advisory committee meeting and at <https://www.fda.gov/AdvisoryCommittees/Calendar/default.htm>. Scroll down to the appropriate advisory committee meeting link. The meeting will include slide

presentations with audio and video components to allow the presentation of materials for online participants in a manner that most closely resembles an in-person advisory committee meeting.

Procedure: Interested persons may present data, information, or views, orally or in writing, on issues pending before the Committee. All electronic and written submissions to the Docket (see **ADDRESSES**) on or before July 9, 2026, will be provided to the Committee. Oral presentations from the public will be scheduled following FDA presentations. FDA has allotted approximately one hour for open public hearing presentations, which will be split to allow for public remarks on each substance. The sessions will begin at approximately 10:15 a.m., 11:50 a.m., 2:15 p.m., and 4:00 p.m. on July 23, 2026 Eastern Time. The sessions will begin at approximately 10:20 a.m., 12:30 p.m., and 3:20 p.m. on July 24, 2026 Eastern Time. Those individuals interested in making formal oral presentations should notify the contact person and submit a brief statement of the general nature of the evidence or arguments they wish to present, the names and addresses of proposed participants, whether they would like to present online or in-person, and an indication of the approximate amount of time requested to make their presentation on or before June 30, 2026. Time allotted for each presentation may be limited. If the number of registrants requesting to speak is greater than can be reasonably accommodated during the scheduled open public hearing session, FDA may conduct a lottery to determine the speakers for the scheduled open public hearing session. FDA may also extend the time scheduled for open public hearing presentations depending on interest. Similarly, room for interested persons to participate in-person may be limited. If the number of registrants requesting to speak in-person during the open public hearing is greater than can be reasonably accommodated in the venue for the in-person portion of the advisory committee meeting, FDA may conduct a lottery to determine the speakers who will be invited to participate in-person. The contact person will notify interested persons regarding their request to speak and the timeframe for the presentation by July 1, 2026. Persons attending FDA's advisory committee meetings are advised that FDA is not responsible for providing access to electrical outlets.

For press inquiries, please contact the HHS Press Room at <https://www.hhs.gov/press-room/index.html> or 202-690-6343.

FDA welcomes the attendance of the public at its advisory committee meetings and will make every effort to accommodate persons with disabilities. If you require accommodations due to a disability, please contact Takyiah Stevenson (see **FOR FURTHER INFORMATION CONTACT**) at least 7 days in advance of the meeting.

FDA is committed to the orderly conduct of its advisory committee meetings. Please visit our website at <https://www.fda.gov/AdvisoryCommittees/AboutAdvisoryCommittees/ucm111462.htm> for procedures on public conduct during advisory committee meetings.

Notice of this meeting is given under the Federal Advisory Committee Act (5 U.S.C. 1001 *et seq.*). This meeting notice also serves as notice that, pursuant to 21 CFR 10.19, the requirements in 21 CFR 14.22(b), (f), and (g) relating to the location of advisory committee meetings are hereby waived to allow for this meeting to take place using an online meeting platform in conjunction with the physical meeting room (see location). This waiver is in the interest of allowing greater transparency and opportunities for public participation, in addition to convenience for advisory committee members, speakers, and guest speakers. The conditions for issuance of a waiver under 21 CFR 10.19 are met.

Grace R. Graham,

Deputy Commissioner for Policy, Legislation, and International Affairs.

[FR Doc. 2026-07361 Filed 4-15-26; 8:45 am]

BILLING CODE 4164-01-P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Food and Drug Administration

[Docket No. FDA-2026-N-3500]

Notice of Approval of Product Under Priority Review Voucher; Material Threat Medical Countermeasure Priority Review Voucher; MRESVIA (Respiratory Syncytial Virus Vaccine)

AGENCY: Food and Drug Administration, HHS.

ACTION: Notice.

SUMMARY: The Food and Drug Administration (FDA) is announcing the approval of a product redeeming a material threat medical countermeasure (MCM) priority review voucher. The Federal Food, Drug, and Cosmetic Act (FD&C Act) authorizes FDA to award priority review vouchers to sponsors of approved material threat MCM product

applications that meet certain criteria. FDA is required to publish notice of the issuance of material threat MCM priority review vouchers as well as the approval of products redeeming a priority review voucher. FDA has determined that MRESVIA (Respiratory Syncytial Virus Vaccine), approved May 31, 2024, meets the redemption criteria.

FOR FURTHER INFORMATION CONTACT:

Myrna Hanna, Center for Biologics Evaluation and Research, Food and Drug Administration, industry.biologics@fda.hhs.gov, 240-402-7911.

SUPPLEMENTARY INFORMATION: FDA is announcing the approval of a product redeeming a material threat MCM priority review voucher. Under section 565A of the FD&C Act (21 U.S.C. 360bbb-4a), FDA will report the issuance of material threat MCM priority review vouchers and the approval of products for which a voucher was redeemed. FDA has determined that MRESVIA (Respiratory Syncytial Virus Vaccine), meets the redemption criteria.

For further information about the material threat MCM Priority Review Voucher Program and for a link to the full text of section 565A of the FD&C Act, go to <https://www.fda.gov/emergency-preparedness-and-response/mcm-legal-regulatory-and-policy-framework/21st-century-cures-act-mcm-related-cures-provisions#prv>. For further information about MRESVIA (Respiratory Syncytial Virus Vaccine), go to the Center for Biologics Evaluation and Research Approved Products website at <https://www.fda.gov/vaccines-blood-biologics/center-biologics-evaluation-and-research-cber-product-approval-information>.

Grace R. Graham,

Deputy Commissioner for Policy, Legislation, and International Affairs.

[FR Doc. 2026-07369 Filed 4-15-26; 8:45 am]

BILLING CODE 4164-01-P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Food and Drug Administration

[Docket Nos. FDA-2025-E-0501 and FDA-2025-E-0502]

Determination of Regulatory Review Period for Purposes of Patent Extension; UNLOXCYT

AGENCY: Food and Drug Administration.

ACTION: Notice.

SUMMARY: The Food and Drug Administration (FDA or the Agency) has

determined the regulatory review period for UNLOXCYT and is publishing this notice of that determination as required by law. FDA has made the determination because of the submission of an application to the Director of the U.S. Patent and Trademark Office (USPTO), Department of Commerce, for the extension of a patent which claims that human biological product.

DATES: Anyone with knowledge that any of the dates as published (see **SUPPLEMENTARY INFORMATION**) are incorrect must submit either electronic or written comments and ask for a redetermination by June 15, 2026. Furthermore, any interested person may petition FDA for a determination regarding whether the applicant for extension acted with due diligence during the regulatory review period by October 13, 2026. See "Petitions" in the **SUPPLEMENTARY INFORMATION** section for more information.

ADDRESSES: You may submit comments as follows. Please note that late, untimely filed comments will not be considered. The <https://www.regulations.gov> electronic filing system will accept comments until 11:59 p.m. Eastern Time at the end of June 15, 2026. Comments received by mail/hand delivery/courier (for written/paper submissions) will be considered timely if they are received on or before that date.

Electronic Submissions

Submit electronic comments in the following way:

- **Federal eRulemaking Portal:** <https://www.regulations.gov>. Follow the instructions for submitting comments. Comments submitted electronically, including attachments, to <https://www.regulations.gov> will be posted to the docket unchanged. Because your comment will be made public, you are solely responsible for ensuring that your comment does not include any confidential information that you or a third party may not wish to be posted, such as medical information, your or anyone else's Social Security number, or confidential business information, such as a manufacturing process. Please note that if you include your name, contact information, or other information that identifies you in the body of your comments, that information will be posted on <https://www.regulations.gov>.

- If you want to submit a comment with confidential information that you do not wish to be made available to the public, submit the comment as a written/paper submission and in the

manner detailed (see "Written/Paper Submissions" and "Instructions").

Written/Paper Submissions

Submit written/paper submissions as follows:

- Mail/Hand Delivery/Courier (for written/paper submissions): Dockets Management Staff (HFA-305), Food and Drug Administration, 5630 Fishers Lane, Rm. 1061, Rockville, MD 20852.

- For written/paper comments submitted to the Dockets Management Staff, FDA will post your comment, as well as any attachments, except for information submitted, marked and identified, as confidential, if submitted as detailed in "Instructions."

Instructions: All submissions received must include the Docket Nos. FDA-2025-E-0501 and FDA-2025-E-0502 for "Determination of Regulatory Review Period for Purposes of Patent Extension; UNLOXCYT." Received comments, those filed in a timely manner (see **ADDRESSES**), will be placed in the docket and, except for those submitted as "Confidential Submissions," publicly viewable at <https://www.regulations.gov> or at the Dockets Management Staff between 9 a.m. and 4 p.m., Monday through Friday, 240-402-7500.

- **Confidential Submissions**—To submit a comment with confidential information that you do not wish to be made publicly available, submit your comments only as a written/paper submission. You should submit two copies total. One copy will include the information you claim to be confidential with a heading or cover note that states "THIS DOCUMENT CONTAINS CONFIDENTIAL INFORMATION." The Agency will review this copy, including the claimed confidential information, in its consideration of comments. The second copy, which will have the claimed confidential information redacted/blacked out, will be available for public viewing and posted on <https://www.regulations.gov>. Submit both copies to the Dockets Management Staff. If you do not wish your name and contact information to be made publicly available, you can provide this information on the cover sheet and not in the body of your comments and you must identify this information as "confidential." Any information marked as "confidential" will not be disclosed except in accordance with § 10.20 (21 CFR 10.20) and other applicable disclosure law. For more information about FDA's posting of comments to public dockets, see 80 FR 56469, September 18, 2015, or access the information at: [https://](https://www.regulations.gov)

www.govinfo.gov/content/pkg/FR-2015-09-18/pdf/2015-23389.pdf.

Docket: For access to the docket to read background documents or the electronic and written/paper comments received, go to <https://www.regulations.gov> and insert the docket number, found in brackets in the heading of this document, into the "Search" box and follow the prompts and/or go to the Dockets Management Staff, 5630 Fishers Lane, Rm. 1061, Rockville, MD 20852, 240-402-7500.

FOR FURTHER INFORMATION CONTACT:

Patrick Clouser, Office of the Commissioner, Food and Drug Administration, 12420 Parklawn Drive, Rockville, MD 20852, 240-402-5276.

SUPPLEMENTARY INFORMATION:

I. Background

The Drug Price Competition and Patent Term Restoration Act of 1984 (Pub. L. 98-417) and the Generic Animal Drug and Patent Term Restoration Act (Pub. L. 100-670) generally provide that a patent may be extended for a period of up to 5 years so long as the patented item (human drug or biologic product, animal drug product, medical device, food additive, or color additive) was subject to regulatory review by FDA before the item was marketed. Under these acts, a product's regulatory review period forms the basis for determining the amount of extension an applicant may receive.

A regulatory review period consists of two periods of time: a testing phase and an approval phase. For human biological products, the testing phase begins when the exemption to permit the clinical investigations of the biological product becomes effective and runs until the approval phase begins. The approval phase starts with the initial submission of an application to market the human biological product and continues until FDA grants permission to market the biological product. Although only a portion of a regulatory review period may count toward the actual amount of extension that the Director of USPTO may award (for example, half the testing phase must be subtracted as well as any time that may have occurred before the patent was issued), FDA's determination of the length of a regulatory review period for a human biological product will include all of the testing phase and approval phase as specified in 35 U.S.C. 156(g)(1)(B).

FDA has approved for marketing the human biologic product UNLOXCYT (cosibelimab-ipdl). UNLOXCYT is indicated for the treatment of adults

with metastatic cutaneous squamous cell carcinoma (mCSCC) or locally advanced CSCC (laCSCC) who are not candidates for curative surgery or curative radiation. After this approval, the USPTO received a patent term restoration application for UNLOXCYT (U.S. Patent Nos. 10,590,199 and 11,834,505) from Checkpoint Therapeutics, Inc., and the USPTO requested FDA's assistance in determining these patents' eligibility for patent term restoration. In a letter dated October 8, 2025, FDA advised the USPTO that this human biological product had undergone a regulatory review period and that the approval of UNLOXCYT represented the first permitted commercial marketing or use of the product. On November 20, 2025, USPTO requested that FDA determine the product's regulatory review period.

II. Determination of Regulatory Review Period

FDA has determined that the applicable regulatory review period for UNLOXCYT is 2,000 days. Of this time, 1,289 days occurred during the testing phase of the regulatory review period, while 711 days occurred during the approval phase. These periods of time were derived from the following dates:

1. *The date an exemption under section 505(i) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 355(i)) became effective:* December 18, 2020. FDA has verified the applicant's claim that the date the investigational new drug application became effective was on December 18, 2020.

2. *The date the application was initially submitted with respect to the human biological product under section 351 of the Public Health Service Act (42 U.S.C. 262):* January 3, 2023. FDA has verified the applicant's claim that the biologics license application (BLA) for UNLOXCYT (BLA 761297) was initially submitted on January 3, 2023.

3. *The date the application was approved:* December 13, 2024. FDA has verified the applicant's claim that BLA 761297 was approved on December 13, 2024.

This determination of the regulatory review period establishes the maximum potential length of a patent extension. However, the USPTO applies several statutory limitations in its calculations of the actual period for patent extension. In its application for patent extension, this applicant seeks 196 days of patent term extension.

III. Petitions

Anyone with knowledge that any of the dates as published are incorrect may submit either electronic or written

comments and, under 21 CFR 60.24, ask for a redetermination (see **DATES**). Furthermore, as specified in § 60.30 (21 CFR 60.30), any interested person may petition FDA for a determination regarding whether the applicant for extension acted with due diligence during the regulatory review period. To meet its burden, the petition must comply with all the requirements of § 60.30, including but not limited to: must be timely (see **DATES**), must be filed in accordance with § 10.20, must contain sufficient facts to merit an FDA investigation, and must certify that a true and complete copy of the petition has been served upon the patent applicant. (See H. Rept. 857, part 1, 98th Cong., 2d sess., pp. 41–42, 1984.) Petitions should be in the format specified in 21 CFR 10.30.

Submit petitions electronically to <https://www.regulations.gov> at Docket No. FDA–2013–S–0610. Submit written petitions (two copies are required) to the Dockets Management Staff (HFA–305), Food and Drug Administration, 5630 Fishers Lane, Rm. 1061, Rockville, MD 20852.

Grace R. Graham,

Deputy Commissioner for Policy, Legislation, and International Affairs.

[FR Doc. 2026–07422 Filed 4–15–26; 8:45 am]

BILLING CODE 4164–01–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Food and Drug Administration

[Docket No. FDA–2021–D–0613]

International Cooperation on Harmonisation of Technical Requirements for Registration of Veterinary Medicinal Products; Stability Testing for Medicated Premixes (Revision 1); Draft Guidance for Industry; Availability

AGENCY: Food and Drug Administration, HHS.

ACTION: Notice of availability.

SUMMARY: The Food and Drug Administration (FDA or Agency) is announcing the availability of a draft revised guidance for industry (GFI) #91 (VICH GL8(R1)) entitled “Stability Testing for Medicated Premixes (Revision 1).” This draft guidance has been developed for veterinary use by the International Cooperation on Harmonisation of Technical Requirements for Registration of Veterinary Medicinal Products (VICH). Medicated premixes are intended for oral administration following

incorporation into animal feed. This draft guidance contains updated recommendations for stability testing of a medicated premix as well as considerations for demonstrating the stability of the medicated premix in the intended medicated feed.

DATES: Submit either electronic or written/paper comments on the draft guidance by June 15, 2026 to ensure that the Agency considers your comment on this draft guidance before it begins work on the final version of the guidance.

ADDRESSES: You may submit comments on any guidance at any time as follows:

Electronic Submissions

Submit electronic comments in the following way:

- **Federal eRulemaking Portal:** <https://www.regulations.gov>. Follow the instructions for submitting comments. Comments submitted electronically, including attachments, to <https://www.regulations.gov> will be posted to the docket unchanged. Because your comment will be made public, you are solely responsible for ensuring that your comment does not include any confidential information that you or a third party may not wish to be posted, such as medical information, your or anyone else's Social Security number, or confidential business information, such as a manufacturing process. Please note that if you include your name, contact information, or other information that identifies you in the body of your comments, that information will be posted on <https://www.regulations.gov>.

- If you want to submit a comment with confidential information that you do not wish to be made available to the public, submit the comment as a written/paper submission and in the manner detailed (see “Written/Paper Submissions” and “Instructions”).

Written/Paper Submissions

Submit written/paper submissions as follows:

- **Mail/Hand Delivery/Courier (for written/paper submissions):** Dockets Management Staff (HFA–305), Food and Drug Administration, 5630 Fishers Lane, Rm. 1061, Rockville, MD 20852.

- For written/paper comments submitted to the Dockets Management Staff, FDA will post your comment, as well as any attachments, except for information submitted, marked and identified, as confidential, if submitted as detailed in “Instructions.”

Instructions: All submissions received must include the Docket No. FDA–2021–D–0613 for “Stability Testing for Medicated Premixes (Revision 1).” Received comments will be placed in

the docket and, except for those submitted as “Confidential Submissions,” publicly viewable at <https://www.regulations.gov> or at the Dockets Management Staff between 9 a.m. and 4 p.m., Monday through Friday, 240–402–7500.

- **Confidential Submissions**—To submit a comment with confidential information that you do not wish to be made publicly available, submit your comments only as a written/paper submission. You should submit two copies total. One copy will include the information you claim to be confidential with a heading or cover note that states “THIS DOCUMENT CONTAINS CONFIDENTIAL INFORMATION.” The Agency will review this copy, including the claimed confidential information, in its consideration of comments. The second copy, which will have the claimed confidential information redacted/blacked out, will be available for public viewing and posted on <https://www.regulations.gov>. Submit both copies to the Dockets Management Staff. If you do not wish your name and contact information to be made publicly available, you can provide this information on the cover sheet and not in the body of your comments and you must identify this information as “confidential.” Any information marked as “confidential” will not be disclosed except in accordance with 21 CFR 10.20 and other applicable disclosure law. For more information about FDA’s posting of comments to public dockets, see 80 FR 56469 (September 18, 2015), or access the information at: <https://www.govinfo.gov/content/pkg/FR-2015-09-18/pdf/2015-23389.pdf>.

Docket: For access to the docket to read background documents or the electronic and written/paper comments received, go to <https://www.regulations.gov> and insert the docket number, found in brackets in the heading of this document, into the “Search” box and follow the prompts and/or go to the Dockets Management Staff, 5630 Fishers Lane, Rm. 1061, Rockville, MD 20852, 240–402–7500.

You may submit comments on any guidance at any time (see 21 CFR 10.115(g)(5)).

Submit written requests for single copies of the guidance to the Policy and Regulations Staff, Center for Veterinary Medicine, Food and Drug Administration, 5001 Campus Drive, College Park, MD 20740. Send one self-addressed adhesive label to assist that office in processing your requests. See the **SUPPLEMENTARY INFORMATION** section for electronic access to the draft guidance document.

FOR FURTHER INFORMATION CONTACT:
Heather Longstaff, Center for Veterinary Medicine, Food and Drug Administration, 5001 Campus Drive, College Park, MD 20740, 240–402–0651, Heather.Longstaff@fda.hhs.gov.

SUPPLEMENTARY INFORMATION:

I. Background

FDA is announcing the availability of a draft revised GFI #91 (VICH GL8 (R1) entitled “Stability Testing for Medicated Premixes (Revision 1).” Medicated premixes are intended for oral administration following incorporation into animal feed. This draft revised guidance contains updated recommendations for stability testing of a medicated premix as well as considerations for demonstrating the stability of the medicated premix in the intended medicated feed.

FDA has participated in efforts to enhance harmonization and is committed to seeking scientifically based harmonized technical procedures for pharmaceutical development. One of the goals of harmonization is to identify, and then reduce, differences in technical requirements for drug development among regulatory agencies in different countries. FDA has actively participated in the International Conference on Harmonization of Technical Requirements for Approval of Pharmaceuticals for Human Use to develop harmonized technical requirements for the approval of human pharmaceutical and biological products among the European Union, Japan, and the United States. The VICH is a parallel initiative for veterinary medicinal products. The goal of the VICH is to develop harmonized technical requirements for the approval of veterinary medicinal products in the European Union, Japan, and the United States, and receives input from both regulatory and industry representatives.

The VICH Steering Committee is composed of member representatives from the European Commission and European Medicines Agency; AnimalhealthEurope; FDA’s Center for Veterinary Medicine, and U.S. Department of Agriculture’s Center for Veterinary Biologics; the U.S. Animal Health Institute; the Japanese Ministry of Agriculture, Forestry and Fisheries; and the Japanese Veterinary Products Association. There are 10 observers to the VICH Steering Committee: 1 representative from government and 1 representative from industry of Australia, New Zealand, Canada, South Africa, and the United Kingdom. The World Organisation for Animal Health is an associate member of the VICH. The VICH Secretariat, which coordinates the

preparation of documentation, is provided by HealthforAnimals.

This level 1 draft guidance is being issued consistent with FDA’s good guidance practices regulation (21 CFR 10.115). The draft guidance, when finalized, will represent the current thinking of FDA on “Stability Testing for Medicated Premixes (Revision 1).” It does not establish any rights for any person and is not binding on FDA or the public. You can use an alternative approach if it satisfies the requirements of the applicable statutes and regulations.

As we develop final guidance on this topic, FDA will consider comments on costs or cost savings the guidance may generate, relevant for Executive Order 14192.

II. Paperwork Reduction Act of 1995

While this guidance contains no collection of information, it does refer to previously approved FDA collections of information. The previously approved collections of information are subject to review by the Office of Management and Budget (OMB) under the Paperwork Reduction Act of 1995 (PRA) (44 U.S.C. 3501–3521). The collections of information in 21 CFR part 514 and in 512(n)(1) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 360b(n)(1)) have been approved under OMB control number 0910–0032. The collections of information in 21 CFR part 511 have been approved under OMB control number 0910–0117.

III. Electronic Access

Persons with access to the internet may obtain the draft guidance at <https://www.fda.gov/AnimalVeterinary/GuidanceComplianceEnforcement/GuidanceforIndustry/default.htm>, <https://www.fda.gov/regulatory-information/search-fda-guidance-documents>, or <https://www.regulations.gov>.

Grace R. Graham,

Deputy Commissioner for Policy, Legislation, and International Affairs.

[FR Doc. 2026–07419 Filed 4–15–26; 8:45 am]

BILLING CODE 4164–01–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES**Food and Drug Administration****[Docket No. FDA–2026–N–3466]****Notice of Approval of Product Under Voucher: Rare Pediatric Disease Priority Review Voucher; MRESVIA (Respiratory Syncytial Virus Vaccine)****AGENCY:** Food and Drug Administration, HHS.**ACTION:** Notice.

SUMMARY: The Food and Drug Administration (FDA) is announcing the issuance of approval of a product redeeming a priority review voucher. The Federal Food, Drug, and Cosmetic Act (FD&C Act) authorizes FDA to award priority review vouchers to sponsors of approved rare pediatric disease product applications that meet certain criteria. FDA is required to publish notice of the issuance of priority review vouchers as well as the approval of products redeeming a priority review voucher. FDA has determined that MRESVIA (Respiratory Syncytial Virus Vaccine), BLA supplement approved June 12, 2025, meets the criteria for redeeming a priority review voucher.

FOR FURTHER INFORMATION CONTACT:

Myrna Hanna, Center for Biologics Evaluation and Research, Food and Drug Administration, industry.biologics@fda.hhs.gov, 240–402–7911.

SUPPLEMENTARY INFORMATION: FDA is announcing the approval of a product redeeming a rare pediatric disease priority review voucher. Under section 529 of the FD&C Act (21 U.S.C. 360ff), FDA will report the issuance of rare pediatric disease priority review vouchers and the approval of products for which a voucher was redeemed. FDA has determined that MRESVIA (Respiratory Syncytial Virus Vaccine) meets the redemption criteria.

For further information about the Rare Pediatric Disease Priority Review Voucher Program and for a link to the full text of section 529 of the FD&C Act, go to <https://www.fda.gov/ForIndustry/DevelopingProducts/forRareDiseasesConditions/RarePediatricDiseasePriorityVoucherProgram/default.htm>. For further information about MRESVIA (Respiratory Syncytial Virus Vaccine), go to the Center for Biologics Evaluation and Research Approved Products website at: <https://www.fda.gov/vaccines-blood-biologics/center->

biologics-evaluation-and-research-center-product-approval-information.

Grace R. Graham,

Deputy Commissioner for Policy, Legislation, and International Affairs.

[FR Doc. 2026–07370 Filed 4–15–26; 8:45 am]

BILLING CODE 4164–01–P**DEPARTMENT OF HEALTH AND HUMAN SERVICES****Food and Drug Administration****[Docket No. FDA–2025–P–4151]****Determination That REVIA (Naltrexone Hydrochloride) Tablets, 50 Milligrams Was Not Withdrawn From Sale for Reasons of Safety or Effectiveness****AGENCY:** Food and Drug Administration, HHS.**ACTION:** Notice.

SUMMARY: The Food and Drug Administration (FDA or Agency) has determined that REVIA (naltrexone hydrochloride) tablets, 50 milligrams (mg), was not withdrawn from sale for reasons of safety or effectiveness. This determination means that FDA will not begin procedures to withdraw approval of abbreviated new drug applications (ANDAs) that refer to this drug product, and it will allow FDA to continue to approve ANDAs that refer to the product as long as they meet relevant legal and regulatory requirements.

FOR FURTHER INFORMATION CONTACT:

Molly Arndt, Center for Drug Evaluation and Research, Food and Drug Administration, 10903 New Hampshire Ave., Bldg. 51, Rm. 6281, Silver Spring, MD 20993–0002, 240–402–6919, molly.arndt@fda.hhs.gov.

SUPPLEMENTARY INFORMATION: Section 505(j) of the Federal Food, Drug, and Cosmetic Act (FD&C Act) (21 U.S.C. 355(j)) allows the submission of an ANDA to market a generic version of a previously approved drug product. To obtain approval, the ANDA applicant must show, among other things, that the generic drug product: (1) has the same active ingredient(s), dosage form, route of administration, strength, conditions of use, and (with certain exceptions) labeling as the listed drug, which is a version of the drug that was previously approved, and (2) is bioequivalent to the listed drug. ANDA applicants do not have to repeat the extensive clinical testing otherwise necessary to gain approval of a new drug application (NDA).

Section 505(j)(7) of the FD&C Act requires FDA to publish a list of all approved drugs. FDA publishes this list

as part of the “Approved Drug Products With Therapeutic Equivalence Evaluations,” which is known generally as the “Orange Book.” Under FDA regulations, drugs are removed from the list if the Agency withdraws or suspends approval of the drug’s NDA or ANDA for reasons of safety or effectiveness or if FDA determines that the listed drug was withdrawn from sale for reasons of safety or effectiveness (21 CFR 314.162).

A person may petition the Agency to determine, or the Agency may determine on its own initiative, whether a listed drug was withdrawn from sale for reasons of safety or effectiveness. This determination may be made at any time after the drug has been withdrawn from sale, but must be made prior to approving an ANDA that refers to the listed drug (§ 314.161 (21 CFR 314.161)). FDA may not approve an ANDA that does not refer to a listed drug.

REVIA (naltrexone hydrochloride) tablets, 50 mg, is the subject of NDA 018932, held by Teva Women’s Health, Inc., and initially approved on November 20, 1984. REVIA is indicated for the treatment of alcohol dependence and for the blockade of the effects of exogenously administered opioids.

In a letter dated May 16, 2018, Teva Women’s Health, Inc. requested withdrawal of NDA 018932 for REVIA (naltrexone hydrochloride) tablets, 50 mg. In the **Federal Register** of April 1, 2019 (84 FR 12262), FDA announced that it was withdrawing approval of NDA 018932, effective May 1, 2019.

Hyman, Phelps & McNamara, P.C., submitted a citizen petition dated September 22, 2025 (Docket No. FDA–2025–P–4151), under 21 CFR 10.30, requesting that the Agency determine whether REVIA (naltrexone hydrochloride) tablets, 50 mg, was withdrawn from sale for reasons of safety or effectiveness.

After considering the citizen petition and reviewing Agency records and based on the information we have at this time, FDA has determined under § 314.161 that REVIA (naltrexone hydrochloride) tablets, 50 mg, was not withdrawn for reasons of safety or effectiveness. The petitioner has identified no data or other information suggesting that REVIA (naltrexone hydrochloride) tablets, 50 mg, was withdrawn for reasons of safety or effectiveness. We have carefully reviewed our files for records concerning the withdrawal of REVIA (naltrexone hydrochloride) tablets, 50 mg, from sale. We have also independently evaluated relevant literature and data for possible postmarketing adverse events. We have

reviewed the available evidence and determined that this drug product was not withdrawn from sale for reasons of safety or effectiveness.

Accordingly, the Agency will continue to list REVIA (naltrexone hydrochloride) tablets, 50 mg, in the “Discontinued Drug Product List” section of the Orange Book. The “Discontinued Drug Product List” delineates, among other items, drug products that have been discontinued from marketing for reasons other than safety or effectiveness. FDA will not begin procedures to withdraw approval of approved ANDAs that refer to this drug product. Additional ANDAs for this drug product may also be approved by the Agency as long as they meet all other legal and regulatory requirements for the approval of ANDAs. If FDA determines that labeling for this drug product should be revised to meet current standards, the Agency will advise ANDA applicants to submit such labeling.

Grace R. Graham,

Deputy Commissioner for Policy, Legislation, and International Affairs.

[FR Doc. 2026-07451 Filed 4-15-26; 8:45 am]

BILLING CODE 4164-01-P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Food and Drug Administration

[Docket No. FDA-2026-N-3447]

Notice of Approval of Product Under Voucher: Rare Pediatric Disease Priority Review Voucher; MNEXSPIKE (COVID-19 Vaccine, mRNA)

AGENCY: Food and Drug Administration, HHS.

ACTION: Notice.

SUMMARY: The Food and Drug Administration (FDA) is announcing the issuance of approval of a product redeeming a priority review voucher. The Federal Food, Drug, and Cosmetic Act (FD&C Act) authorizes FDA to award priority review vouchers to sponsors of approved rare pediatric disease product applications that meet certain criteria. FDA is required to publish notice of the issuance of priority review vouchers as well as the approval of products redeeming a priority review voucher. FDA has determined that MNEXSPIKE (COVID-19 Vaccine, mRNA), approved May 30, 2025, meets the criteria for redeeming a priority review voucher.

FOR FURTHER INFORMATION CONTACT: Myrna Hanna, Center for Biologics

Evaluation and Research, Food and Drug Administration, industry.biologics@fda.hhs.gov, 240-402-7911.

SUPPLEMENTARY INFORMATION: FDA is announcing the approval of a product redeeming a rare pediatric disease priority review voucher. Under section 529 of the FD&C Act (21 U.S.C. 360ff), FDA will report the issuance of rare pediatric disease priority review vouchers and the approval of products for which a voucher was redeemed. FDA has determined that MNEXSPIKE (COVID-19 Vaccine, mRNA) meets the redemption criteria.

For further information about the Rare Pediatric Disease Priority Review Voucher Program and for a link to the full text of section 529 of the FD&C Act, go to <https://www.fda.gov/ForIndustry/DevelopingProductsforRareDiseasesConditions/RarePediatricDiseasePriorityVoucherProgram/default.htm>. For further information about MNEXSPIKE (COVID-19 Vaccine, mRNA), go to the Center for Biologics Evaluation and Research Approved Products website at <https://www.fda.gov/vaccines-blood-biologics/center-biologics-evaluation-and-research-cber-product-approval-information>.

Grace R. Graham,

Deputy Commissioner for Policy, Legislation, and International Affairs.

[FR Doc. 2026-07371 Filed 4-15-26; 8:45 am]

BILLING CODE 4164-01-P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Health Resources and Services Administration

Agency Information Collection Activities: Proposed Collection: Public Comment Request; Information Collection Request Title: Transforming Pediatrics for Early Childhood Program Performance Measures

AGENCY: Health Resources and Services Administration (HRSA), Department of Health and Human Services.

ACTION: Notice.

SUMMARY: In compliance with the requirement for opportunity for public comment on proposed data collection projects of the Paperwork Reduction Act of 1995, HRSA announces plans to submit an Information Collection Request (ICR), described below, to the Office of Management and Budget (OMB). Prior to submitting the ICR to OMB, HRSA seeks comments from the public regarding the burden estimate, below, or any other aspect of the ICR.

DATES: Comments on this ICR should be received no later than June 15, 2026.

ADDRESSES: Submit your comments to paperwork@hrsa.gov or mail the HRSA Information Collection Clearance Officer, Room 13N82, 5600 Fishers Lane, Rockville, Maryland 20857.

FOR FURTHER INFORMATION CONTACT: To request more information on the proposed project or to obtain a copy of the data collection plans and draft instruments, email paperwork@hrsa.gov or call Samantha Miller, the HRSA Information Collection Clearance Officer, at (301) 443-3983.

SUPPLEMENTARY INFORMATION: When submitting comments or requesting information, please include the ICR title for reference.

Information Collection Request Title: Transforming Pediatrics for Early Childhood Program Performance Measures, OMB No. 0906-New.

Abstract: The Transforming Pediatrics for Early Childhood (TPEC) Program is authorized by 42 U.S.C. 701(a)(2) (Title V, § 501(a)(2) of the Social Security Act), which authorizes awards for special projects of regional and national significance in maternal and child health. Special projects of regional and national significance support HRSA's mission to improve the health and well-being of America's mothers, children, and families. Through the TPEC Program, HRSA directly funds organizations with statewide or tribal reach to place early childhood development experts in local pediatric practices to deliver team-based care to young children and their families. All TPEC funding recipients will collect data and report standardized annual performance measures included in this ICR.

Need and Proposed Use of the Information: HRSA will use the information to monitor and provide oversight to TPEC funding recipients so the recipients can successfully access, analyze, and use pediatric practice-level and state-level data to meet program goals. HRSA will also use the performance information to demonstrate program accountability and impact to young children and their families served by the TPEC-funded pediatric practices.

Likely Respondents: TPEC funding recipients.

Burden Statement: Burden in this context means the time expended by persons to generate, maintain, retain, disclose, or provide the information requested. This includes the time needed to review instructions; to develop, acquire, install, and utilize technology and systems for the purpose of collecting, validating, and verifying

information, processing and maintaining information, and disclosing and providing information; to train personnel and to be able to respond to

a collection of information; to search data sources; to complete and review the collection of information; and to transmit or otherwise disclose the

information. The total annual burden hours estimated for this ICR are summarized in the table below.

TOTAL ESTIMATED ANNUALIZED BURDEN HOURS

Form Name	Number of respondents	Number of responses per respondent	Total responses	Average burden per response (in hours)	Total burden hours
TPEC Performance Measures	10	1	10	120	1,200
Total	10	1	10	120	1,200

HRSA specifically requests comments on: (1) the necessity and utility of the proposed information collection for the proper performance of the agency's functions; (2) the accuracy of the estimated burden; (3) ways to enhance the quality, utility, and clarity of the information to be collected; and (4) the use of automated collection techniques or other forms of information technology to minimize the information collection burden.

Maria G. Button,

Director, Executive Secretariat.

[FR Doc. 2026-07458 Filed 4-15-26; 8:45 am]

BILLING CODE 4165-15-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; Training and Career Development: Behavioral Neuroscience.

Date: May 13-14, 2026.

Time: 9:00 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: Mir Ahamed Hossain, Ph.D., Scientific Review Officer, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Drive, Bethesda, MD 20892, (301) 496-9223, mirahamed.hossain@nih.gov.

Name of Committee: Center for Scientific Review Special Emphasis Panel; NIH REDS Program—Brazil Field Center.

Date: May 13, 2026.

Time: 9:00 a.m. to 10:00 a.m.

Agenda: To review and evaluate contract proposals.

Address: National Institutes of Health, Rockledge II, 6701 Rockledge Drive, Bethesda, MD 20892.

Meeting Format: Virtual Meeting.

Contact Person: Nawazish Ali Naqvi, Ph.D., Scientific Review Officer, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Drive, Bethesda, MD 20892, (301) 827-7911, nawazish.naqvi@nih.gov.

Name of Committee: Center for Scientific Review Special Emphasis Panel; Center for Transfusion Laboratory Studies (CTLS)—REDS.

Date: May 13, 2026.

Time: 10:00 a.m. to 11:30 a.m.

Agenda: To review and evaluate contract proposals.

Address: National Institutes of Health, Rockledge II, 6701 Rockledge Drive, Bethesda, MD 20892.

Meeting Format: Virtual Meeting.

Contact Person: Nawazish Ali Naqvi, Ph.D., Scientific Review Officer, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Drive, Bethesda, MD 20892, (301) 827-7911, nawazish.naqvi@nih.gov.

Name of Committee: Center for Scientific Review Special Emphasis Panel; Research Enhancement Award and SuRE Programs (R15 and R16).

Date: May 13, 2026.

Time: 10:00 a.m. to 5:00 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., MD, 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: Center for Scientific Review Special Emphasis Panel; Fellowships: Reproduction, Endocrine and Metabolic Systems.

Date: May 13, 2026.

Time: 10:00 a.m. to 5:00 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: Jolanta Maria Topczewska, Ph.D., Scientific Review Officer, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Drive, Bethesda, MD 20892, (301) 451-0000, jolanta.topczewska@nih.gov.

Name of Committee: Center for Scientific Review Special Emphasis Panel; PAR-25-156: Limited Competition: High Impact Specialized Innovation Programs in Clinical and Translational Science (RC2).

Date: May 13, 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: Priya Srinivasan, Ph.D., Scientific Review Officer, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Drive, Bethesda, MD 20892, (240) 276-6459, priya.srinivasan@nih.gov.

Name of Committee: Center for Scientific Review Special Emphasis Panel; Fellowships: Systems and Sensory Neuroscience.

Date: May 13, 2026.

Time: 10:30 a.m. to 5:00 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: Elizabeth Litvina, Ph.D., Scientific Review Officer, Center for Scientific Review, National Institutes of

Health, 6701 Rockledge Drive, Room 1010E, Bethesda, MD 20892, (301) 272-0774, liza.litvina@nih.gov.

Name of Committee: Center for Scientific Review Special Emphasis Panel; Data Coordinating Center (DCC)—REDS.

Date: May 13, 2026.

Time: 11:30 a.m. to 1:30 p.m.

Agenda: To review and evaluate contract proposals.

Address: National Institutes of Health, Rockledge II, 6701 Rockledge Drive, Bethesda, MD 20892.

Meeting Format: Virtual Meeting.

Contact Person: Nawazish Ali Naqvi, Ph.D., Scientific Review Officer, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Drive, Bethesda, MD 20892, (301) 827-7911, nawazish.naqvi@nih.gov.

Name of Committee: Center for Scientific Review Special Emphasis Panel; NINDS Human Biospecimen and Data Repository.

Date: May 13, 2026.

Time: 1:00 p.m. to 2:00 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: Ipolia R Ramadan, Ph.D., Scientific Review Officer, Center for Scientific Review, 6701 Rockledge Drive, Bethesda, MD 20892, (301) 827-4471, ramadanir@mail.nih.gov.

Name of Committee: Center for Scientific Review Special Emphasis Panel; REDS Regional Hubs Review.

Date: May 13, 2026.

Time: 1:30 p.m. to 6:00 p.m.

Agenda: To review and evaluate contract proposals.

Address: National Institutes of Health, Rockledge II, 6701 Rockledge Drive, Bethesda, MD 20892.

Meeting Format: Virtual Meeting.

Contact Person: Nawazish Ali Naqvi, Ph.D., Scientific Review Officer, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Drive, Bethesda, MD 20892, (301) 827-7911, nawazish.naqvi@nih.gov.

Name of Committee: Center for Scientific Review Special Emphasis Panel; Fellowships: Infectious Diseases and Immunology A.

Date: May 14, 2026.

Time: 9:00 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: Caitlin Elizabeth Angela Moyer, Ph.D., Scientific Review Officer, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Drive, Bethesda, MD 20892, (301) 443-4577, caitlin.moyer@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: April 13, 2026.

Bruce A. George,

Program Analyst, Office of Federal Advisory Committee Policy.

[FR Doc. 2026-07338 Filed 4-15-26; 8:45 am]

BILLING CODE 4167-05-P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Substance Abuse and Mental Health Services Administration; Agency Information Collection Activities: Proposed Collection; Comment Request

AGENCY: Substance Abuse and Mental Health Services Administration (SAMHSA), Department of Health and Human Services.

ACTION: Notice.

Proposed Project: Request to publish the 60-Day Notices in the **Federal Register** to solicit public comment on information collection for the continued approval and updates for the Protection and Advocacy for Individuals with Mental Illness (PAIMI)—Revised Annual Program Performance Report (PPR)—the Office of Management and Budget (OMB) No. 0930-0169—DECISION.

In compliance with Section 3506(c)(2)(A) of the Paperwork Reduction Act of 1995 concerning opportunity for public comment on proposed collections of information, SAMHSA will publish periodic summaries of proposed projects. To request more information on the proposed projects or to obtain a copy of the information collection plans, email the SAMHSA Reports Clearance Officer at: samhsapra@samhsa.hhs.gov.

Comments are invited on: (a) whether the proposed collections of information are 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 proposed collection of information; (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 on respondents, including leveraging automated data collection techniques or other forms of information technology.

SAMHSA is requesting approval from OMB for changes to the revised Annual PPR, PPR Instructions, and the Advisory Council Report (ACR) for the PAIMI program. The OMB clearance for the

current 2024-2025 PPR, PPR Instructions, and ACR (0930-0169) will expire on July 31, 2026.

The protection and advocacy (P&A) systems were established under the Developmental Disabilities Act of 1975 (DD Act) [42 U.S.C. 15001 *et seq.*, as amended in 2000]. The amendments of 2000 require the Secretary of the Department of Health and Human Services (HHS) submit a biennial report on disabilities to the President, Congress, and the National Council on Disability. The Secretary's report is prepared by the Administration on Intellectual and Developmental Disabilities (AIDD), within the Administration for Community Living. The PPR, which includes an ACR, contains information from the PAIMI grantees on the types of activities and services they provided on behalf of PAIMI-eligible individuals. SAMHSA aggregates this information into a biennial summary report that AIDD includes in an appendix to the Secretary's biennial report on disabilities.

The PAIMI Act at 42 U.S.C. 10805(7) requires that each P&A system prepare and transmit to the HHS Secretary and to the head of its state mental health agency a report on January 1st. This report describes the activities, accomplishments, and expenditures of the system during the most recently completed fiscal year, including a section prepared by the PAIMI Advisory Council that describes the activities of the council and its independent assessment of the operations of the system.

The PAIMI Act at 42 U.S.C. 10801 *et seq.*, authorized funds to the same P&A systems created under the DD Act (as amended in 2000, 42 U.S.C. 15001 *et seq.*). The DD Act supports the Protection and Advocacy for Developmental Disabilities Program administered by AIDD within the Administration for Community Living. AIDD is the lead federal P&A agency. The PAIMI Program supports the same governor-designated P&A systems established under the DD Act by providing legal-based individual and systemic advocacy services to individuals with significant (severe) mental illness (adults) and significant (severe) emotional impairment (children/youth) who are at risk for abuse, neglect and other rights violations while residing in a care or treatment facility.

In 2000, the PAIMI Act amendments created a 57th P&A system—the American Indian Consortium (the Navajo and Hopi Tribes in the Four Corners region of the Southwest). The

American Indian Consortium can only be funded if the total funding for the PAIMI program is at least \$25,000,000, according to 10822(a)(2)(D). The Act, at 42 U.S.C. 10804(d), states that a P&A system may use its allotment to provide representation to individuals with mental illness, as defined by section 42 U.S.C. 10804(4) residing in the community, including their own home, *only*, if the total allotment under this title for any fiscal year is \$30,000,000 or more. *If funding falls below \$30,000,000*, PAIMI programs *must* give priority to representing PAIMI-eligible individuals, as defined by 42 U.S.C. 10802(4)(A) and (B)(i).

The Children's Health Act of 2000 also referenced the state P&A system authority to obtain information on incidents of seclusion, restraint, and related deaths [see, Children's Health Act, Part H at 42 U.S.C. 290ii–1]. PAIMI Program formula grants awarded by SAMHSA go directly to each of the 57 governor-designated P&A systems. These systems are located in each of the

50 states, the District of Columbia, the American Indian Consortium, American Samoa, Guam, the Commonwealth of the Northern Mariana Islands, the Commonwealth of Puerto Rico, and the U.S. Virgin Islands.

The PAIMI Act at 42 U.S.C. 10805(7) requires that each P&A system prepare and transmit to the HHS Secretary and to the head of its State mental health agency a report on January 1st. This report describes the activities, accomplishments, and expenditures of the system during the most recently completed fiscal year, including a section prepared by the PAIMI Advisory Council that describes the activities of the council and its independent assessment of the operations of the system.

SAMHSA proposes minimal changes to the current PPR/ACR to comply with all current Executive Orders and SAMHSA Strategic Priorities. The minimal changes to the current PPR/ACR included the following revisions:

1. Replaced the word "Gender" with "Sex";

2. Maintained only the "male" and "female" response options for the question on "sex of PAC members" and removed other response options;

3. Removed sexual orientation question from the annual program performance report;

4. Removed a paragraph on "Gender Identity" and "Sexual Orientation" in the "Section A: General Program Information" of PAIMI PPR instructions; and

5. Removed the words: culture, cultural barriers, diversity, disadvantaged individuals, individuals with limited English proficiency, and underserved and unserved populations.

The current report formats will be effective starting with fiscal year 2026 PPR reports due on January 1, 2027. This request ensures the annual PAIMI PPR and ACR are approved for a 3-year cycle until 2029.

Estimates of Annualized Hour Burden

The annual burden estimate is as follows:

Instrument/activity	Number of respondents	Responses per respondent	Total responses	Hours per response	Total hour burden	Hourly wage rate	Total hour cost (\$)
PAIMI PPR	57	1	57	20	1,140	\$38.74	\$44,164
PAIMI ACR	57	1	57	10	570	38.74	22,082
Total	114	.....	114	.....	1,710	.....	66,246

Send comments to SAMHSA Reports Clearance Officer, Room 15–E–57–A, 5600 Fishers Lane, Rockville, MD 20857 or email a copy to samhsapra@samhsa.hhs.gov. Written comments should be received by June 15, 2026.

Tanya Geiger,

Social Science Analyst.

[FR Doc. 2026–07453 Filed 4–15–26; 8:45 am]

BILLING CODE 4162–20–P

DEPARTMENT OF HOMELAND SECURITY

Transportation Security Administration

Intent To Request a Revision From OMB of One Current Public Collection of Information: Cybersecurity Measures for Surface Modes

AGENCY: Transportation Security Administration, DHS.

ACTION: 60-Day notice.

SUMMARY: The Transportation Security Administration (TSA) invites public comment on one currently-approved Information Collection Request (ICR), Office of Management and Budget

(OMB) control number 1652–0074, abstracted below, that we will submit to OMB for a revision in compliance with the Paperwork Reduction Act (PRA). The ICR describes the nature of the information collection and its expected burden. The collection concerns data concerning the designation of a Cybersecurity Coordinator; the reporting of cybersecurity incidents to the Cybersecurity and Infrastructure Security Agency; the development of a cybersecurity contingency/recovery plan to address cybersecurity gaps; and the completion of a cybersecurity assessment.

DATES: Send your comments by June 15, 2026.

ADDRESSES: Comments may be emailed to TSAPRA@tsa.dhs.gov or delivered to the TSA PRA Officer, Information Technology, TSA–11, Transportation Security Administration, 6595 Springfield Center Drive, Springfield, VA 20598–6011.

FOR FURTHER INFORMATION CONTACT: Christina A. Walsh at the above address, or by telephone (571) 227–2062.

SUPPLEMENTARY INFORMATION:

Comments Invited

In accordance with the Paperwork Reduction Act of 1995 (44 U.S.C. 3501 *et seq.*), an agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless it displays a valid OMB control number. The ICR documentation will be available at <https://www.reginfo.gov> upon its submission to OMB. Therefore, in preparation for OMB review and approval of the following information collection, TSA is soliciting comments to—

- (1) Evaluate whether the proposed information requirement 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 the burden;

- (3) Enhance the quality, utility, and clarity of the information to be collected; and

- (4) Minimize the burden of the collection of information on those who are to respond, including using appropriate automated, electronic, mechanical, or other technological

collection techniques or other forms of information technology.

Information Collection Requirement

OMB Control Number 1652-0074; Cybersecurity Measures for Surface Modes. TSA is specifically empowered to assess threats to transportation;¹ develop policies, strategies, and plans for dealing with threats to transportation;² oversee the implementation and adequacy of security measures at transportation facilities;³ and carry out other appropriate duties relating to transportation security.⁴ Additionally, under 49 U.S.C. § 114(l)(2),⁵ TSA has the authority to issue Security Directives (SDs) if the Administrator of TSA determines that a regulation or SD must be issued immediately in order to protect transportation security.

On December 17, 2021, TSA issued the SD 1580-21-01 series, *Enhancing Rail Cybersecurity*, and the SD 1582-21-01 series, *Enhancing Public Transportation and Passenger Railroad Cybersecurity*, mandating TSA-specified Owner/Operators of “higher risk” railroads and rail transit systems, respectively, to implement an array of cybersecurity measures to prevent disruption and degradation to their infrastructure; these SDs became effective December 31, 2021. In addition, on October 18, 2022, TSA issued the SD 1580/82-2022-01 series, *Rail Cybersecurity Mitigation Actions and Testing*, which applies to Owner/Operators of the “Higher Risk” freight railroads identified in 49 CFR 1580.101 and additional TSA-designated freight and passenger railroads. This SD, which is complementary to the requirements in the previous directives, took effect on October 24, 2022. On December 17, 2021, TSA also issued Information Circular (IC) 2021-01, *Enhancing Surface Transportation Cybersecurity*, which recommended voluntary implementation of actions and reporting by Owner/Operators not covered by the SDs. The provisions in the directives are reviewed and reissued on an annual basis.

On January 15, 2026, TSA revised the SD 1580-21-01 series and the SD 1582-

21-01 series, requiring that any non-U.S. citizen serving as a primary or alternate Cybersecurity Coordinator must be a current member of NEXUS, Global Entry, or another program determined by TSA to include a comparable security threat assessment (STA). TSA is revising the collection to include this new requirement.

The information collected pursuant to the requirements in the SDs and the recommendations in the IC allow TSA to execute its security responsibilities within the surface transportation industry, through awareness of potential security incidents and suspicious activities. TSA collects the following information:

A. SD 1580/82-2022-01 Series

This SD series includes the following information collection:

1. Submission of a Cybersecurity Implementation Plan to TSA for approval that identifies how the Owner/Operator will meet the required security outcomes in the SD;
2. Submission of a Cybersecurity Assessment Plan that describes how the Owner/Operator will assess the effectiveness of their cybersecurity measures and an annual report that provides the results of assessments from the previous year;
3. Documentation provided to TSA upon request as necessary to establish compliance.

B. SD 1580-21-01, SD 1582-21-01, Surface Transportation IC-2021-01, and IC Surface-2025-01 Series

The SDs and ICs include the following information collection requirements for the SDs and voluntary collection under the ICs:

1. Provide contact information for a primary and at least one alternate Cybersecurity Coordinator to TSA.
2. Designate any non-U.S. citizen serving as a primary or alternate Cybersecurity Coordinator who is a current member of NEXUS, Global Entry, or another program determined by TSA to include a comparable STA, and submit documentation of such membership to TSA. This requirement is a revision to the collection as discussed above, stemming from the revision of this surface transportation SD series.
3. Report cybersecurity incidents to the Cybersecurity and Infrastructure Security Agency. Under 49 CFR 1570.203, Owner/Operators must report the incidents required by directives, as soon as practicable, but no later than 72 hours after the Owner/Operator identifies a cybersecurity incident.

4. Develop a Cybersecurity Incident Response Plan to reduce the risk of operational disruption should their Information and/or Operational Technology systems be affected by a cybersecurity incident; and

5. Conduct a cybersecurity vulnerability assessment using the TSA-issued form and submit the completed assessment to TSA.

The IC also includes the following recommendation but is not a requirement in the SDs: Owner/Operators should notify TSA's Transportation Security Operations Center via telephone (1-866-655-7023) as soon as possible, and no more than 12 hours after discovery of an actual or potential significant cybersecurity incident.

TSA uses the collection of information to ensure compliance with TSA's cybersecurity measures required by the SDs and the recommendations under the ICs.

Owner/Operators can complete and submit the required Cybersecurity Implementation Plans (including any amendments or revisions) and documents incorporated by reference into Cybersecurity Implementation Plans, Cybersecurity Assessment Plans, and related annual reports, using the TSA Secure Regulatory Portal or they may opt to retain documents locally for either in-person or other review pursuant to TSA-approved methods, which may include virtual review. Documentation of compliance must be provided upon request. As the measures in the ICs are voluntary, the ICs do not require Owner/Operators to report on their compliance.

TSA, in conjunction with federal partners such as the Cybersecurity and Infrastructure Security Agency, uses the reports of cybersecurity incidents to evaluate and respond to imminent and evolving cybersecurity incidents and threats as they occur, and as a basis for creating new cybersecurity policy moving forward. This monitoring will allow TSA and federal partners to take action to contain threats, take mitigating action, and issue timely warnings to similarly situated entities against further spread of the threat. TSA and its federal partners also use the information to inform timely modifications to cybersecurity requirements to improve transportation security and national economic security. TSA uses the collection of information to ensure compliance with TSA's cybersecurity measures required by the SDs and the recommendations under the ICs.

Portions of the responses that are deemed Sensitive Security Information (SSI) are protected in accordance with

¹ 49 U.S.C. 114(f)(2).

² 49 U.S.C. 114(f)(3).

³ 49 U.S.C. 114(f)(11).

⁴ 49 U.S.C. 114(f)(15).

⁵ Notwithstanding any other provision of law or executive order (including an executive order requiring a cost-benefit analysis), if the Administrator determines that a regulation or SD must be issued immediately in order to protect transportation security, the Administrator shall issue the regulation or SD without providing notice or an opportunity for comment and without prior approval of the Secretary.

procedures meeting the transmission, handling, and storage requirements of SSI set forth in 49 CFR part 1520.⁶

TSA estimates SD 1580/82–2022–01 applies to a total of 73 Owner/Operators; and SD 1580–21–01, SD 1582–21–01, and Surface Transportation IC–2021–01 apply to 449 railroad Owner/Operators, 242 public transportation agencies and rail transit system Owner/Operators, and 72 over-the-road bus Owner/Operators, for a total of 836 respondents. TSA estimates the annual hour burden to be 210,661.

In terms of the revision to include the STA requirement, TSA anticipates that only nine or fewer Owner/Operators will need to respond annually to the STA requirement for a non-U.S. citizen to be designated as Cybersecurity Coordinator. However, the burden scope estimates presume that 10 or more Owner/Operators could respond. TSA estimates that if there are 10 non-U.S. citizen respondents, based on other information collection STA burdens, they will spend approximately 0.25 hours to compile and submit the information, a total of 2.5 burden hours. Should TSA require a fingerprint based criminal history records check, there would be an additional time burden of approximately 2 hours per respondent, a total of 20 burden hours.

For this collection, TSA estimates the total annual respondents to be 846 and the total annual hour burden to be 210,684 hours.

Dated: April 13, 2026.

Christina A. Walsh,

*Paperwork Reduction Act Officer,
Information Technology, Transportation
Security Administration.*

[FR Doc. 2026–07364 Filed 4–15–26; 8:45 am]

BILLING CODE 9110–05–P

DEPARTMENT OF HOMELAND SECURITY

U.S. Citizenship and Immigration Services

[OMB Control Number 1615–0117]

Agency Information Collection Activities; Extension, Without Change, of a Currently Approved Collection: myE-Verify Program

AGENCY: U.S. Citizenship and Immigration Services, Department of Homeland Security.

ACTION: 60-Day notice.

SUMMARY: The Department of Homeland Security (DHS), U.S. Citizenship and Immigration Services (USCIS) invites the general public and other Federal agencies to comment upon this proposed extension of a currently approved collection of information. In accordance with the Paperwork Reduction Act (PRA) of 1995, the information collection notice is published in the **Federal Register** to obtain comments regarding the nature of the information collection, the categories of respondents, the estimated burden (*i.e.*, the time, effort, and resources used by the respondents to respond), the estimated cost to the respondent, and the actual information collection instruments.

DATES: Comments are encouraged and will be accepted for 60 days until June 15, 2026.

ADDRESSES: All submissions received must include the OMB Control Number 1615–0117 in the body of the letter, the agency name and Docket ID USCIS–2010–0014. Submit comments via the Federal eRulemaking Portal website at <https://www.regulations.gov> under e-Docket ID number USCIS–2010–0014.

FOR FURTHER INFORMATION CONTACT: USCIS, Office of Policy and Strategy, Regulatory Coordination Division, John R. Pfirrmann-Powell, Acting Deputy Chief, telephone number (240) 721–3000 (This is not a toll-free number. Comments are not accepted via telephone message). Please note contact information provided here is solely for questions regarding this notice. It is not for individual case status inquiries. Applicants seeking information about the status of their individual cases can check Case Status Online, available at the USCIS website at <https://www.uscis.gov>, or call the USCIS Contact Center at 800–375–5283 (TTY 800–767–1833).

SUPPLEMENTARY INFORMATION:

Comments

You may access the information collection instrument with instructions or additional information by visiting the Federal eRulemaking Portal site at: <https://www.regulations.gov> and entering USCIS–2010–0014 in the search box. Comments must be submitted in English, or an English translation must be provided. All submissions will be posted, without change, to the Federal eRulemaking Portal at <https://www.regulations.gov>, and will include any personal information you provide. Therefore, submitting this information makes it public. You may wish to consider limiting the amount of personal information that you provide in any voluntary submission you make to DHS. DHS may withhold information provided in comments from public viewing that it determines may impact the privacy of an individual or is offensive. For additional information, please read the Privacy Act notice that is available via the link in the footer of <https://www.regulations.gov>.

Written comments and suggestions from the public and affected agencies should address one or more of the following four points:

(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 the burden of the proposed collection of information, including the validity of the methodology and assumptions used;

(3) Enhance the quality, utility, and clarity of the information to be collected; and

(4) 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.

Overview of This Information Collection

(1) *Type of Information Collection:* Extension, Without Change, of a Currently Approved Collection.

(2) *Title of the Form/Collection:* myE-Verify Program.

(3) *Agency form number, if any, and the applicable component of the DHS sponsoring the collection:* G–1499; USCIS.

(4) *Affected public who will be asked or required to respond, as well as a brief*

⁶In addition, all data in TSA systems are statutorily required to comply with the Federal Information Security Modernization Act 2014 following the National Institute of Standards and Technology Special Publication 800.37 REV2 or Risk Management Framework, and other federal information security requirements including Federal Information Processing Standards 199 and Executive Order 14028. All systems, networks, servers, clouds and endpoints under the Federal Information Security Modernization Act 2014 boundary are hardened to meet the Department of Defense Security Technical Implementation Guidelines, as well as DHS Policy (4300.A) and TSA policy (TSA IA Handbook).

abstract: Primary: Individuals or households. The myE-Verify (previously E-Verify Self Check) collection allows workers in the United States to enter data into the E-Verify system to ensure that the information relating to their eligibility to work is correct and accurate. This is necessary so that workers in the United States can correct their records before a hiring decision is made. This will lead to a more reliable and accurate E-Verify system that works better for both employers and employees.

(5) *An estimate of the total number of respondents and the amount of time estimated for an average respondent to respond:* The estimated total number of annual respondents for the information collection G-1499 (self-check) is 335,000 and the estimated hour burden per response is 0.1161 hours; and the estimated total number of annual respondents for the information collection G-1499 (account creation) is 25,000 and the estimated hour burden per response is 0.250 hours.

(6) *An estimate of the total public burden (in hours) associated with the collection:* The estimated total annual hour burden associated with this collection is 45,153 hours.

(7) *An estimate of the total public burden (in cost) associated with the collection:* The estimated total annual cost burden associated with this collection of information is \$0. There are no mailing or other costs associated with this collection of information.

Dated: April 8, 2026.

John R. Pfirrmann-Powell,

Acting Deputy Chief, Regulatory Coordination Division, Office of Policy and Strategy, U.S. Citizenship and Immigration Services, Department of Homeland Security.

[FR Doc. 2026-07377 Filed 4-15-26; 8:45 am]

BILLING CODE 9111-97-P

DEPARTMENT OF THE INTERIOR

Bureau of Land Management

[A2407-014-004-065516; #O2412-014-004-047181.1; LLESJ00000]

Notice of Realty Action: Recreation and Public Purposes Act Classification; Rapides and LaSalle Parishes, Louisiana

AGENCY: Bureau of Land Management, Interior.

ACTION: Notice of realty action.

SUMMARY: The Bureau of Land Management (BLM) Southeastern States District Office proposes to classify approximately 158.41 acres of public

land for lease and/or subsequent conveyance in accordance with the Recreation and Public Purposes Act, as amended (R&PP) to the Louisiana Department of Wildlife and Fisheries (LDWF). The LDWF has filed an application to develop and manage the lands for recreational activities such as hunting, trapping, boating, camping, and bird watching. The BLM is seeking public comments as to the suitability of the lands for lease or conveyance under the R&PP Act. This notice segregates the land from all other forms of appropriation under the public land laws, including the general mining laws, except for lease/conveyance under the R&PP Act, and leasing under the mineral and geothermal leasing laws, and initiates a period for the public to comment on or protest the proposed classification of the parcel for lease or conveyance.

DATES: Interested parties may submit written statements with their comments regarding the proposal to classify the lands for lease or conveyance for development by the LDWF, on or before June 1, 2026.

ADDRESSES: Mail written statements to the BLM Southeastern States District Office, Will Harris, Realty Specialist, 273 Market Street, Flowood, Mississippi 39232.

FOR FURTHER INFORMATION CONTACT: Will Harris, Realty Specialist, by telephone at 601-919-4685, or by email at wgharris@blm.gov. Individuals in the United States who are deaf, deafblind, hard of hearing, or have a speech disability may dial 711 (TTY, TDD, or TeleBraille) to access telecommunications relay services. Individuals outside the United States should use the relay services offered within their country to make international calls to the point-of-contact in the United States.

SUPPLEMENTARY INFORMATION: The proposed R&PP classification and lease/sale is consistent with the BLM's Louisiana Approved Land Use Plan, dated September 2002. The subject tract is located within the Rapides and LaSalle Parishes and are legally described as:

Louisiana Meridian, Louisiana

T. 5 N., R. 3 E.,
Sec. 26, NW¹/₄.

The area described contains 158.41 acres.

Publication of this notice segregates the lands described above from all other forms of appropriation under the public land laws, including the general mining laws, except for lease/conveyance under the R&PP Act, and leasing under the mineral and geothermal leasing laws.

The LDWF proposes to develop and manage the lands for recreational activities such as hunting, trapping, boating, camping, and bird watching. The subject lands are located within the Dewey W. Wills Wildlife Management Area. The proposed realty action would increase oversight potential of the tract by state government personnel resulting in a reduction of unauthorized trespass issues, improved management of invasive plant species, regained soil stability, and expanded public recreation experiences. Plans for the R&PP project include construction of a parking lot and boat launch, property boundary identification, entrance gate painting and invasive species reduction and control.

The lease, when issued, would be subject to specific terms and conditions identified as mitigation provisions, or otherwise as identified in the related EA. The conveyance document, if and when issued, would be subject to the provisions of the R&PP Act, to all applicable regulations of the Secretary of the Interior, and the following terms and conditions:

1. Valid existing rights.
2. Any other rights or reservations that the authorized officer deems appropriate to ensure public access and proper management of Federal land and interests.
3. A reservation of all mineral deposits in the lands so patented, and the right of the United States, or persons authorized by the United States, to prospect for, mine and remove such deposits from the same under applicable laws and regulations as the Secretary of the Interior may prescribe.

4. The following covenants:

- a. The lessee/patentee, its successors or assigns, by accepting a lease/patent, agrees to indemnify, defend, or hold the United States, its officers, agents, representatives, and employees (hereinafter "United States") harmless from any costs, damages, claims, causes of action, penalties, fines, liabilities, and judgments of any kind or nature arising out of, or in connection with the lessee's/patentee's use, occupancy, or operations on the leased/patented real property.

- b. If any cultural resources are encountered during project ground-disturbing activities, work would cease, and the applicant shall contact the BLM immediately. Work shall not resume until written authorization to proceed was issued by both regulatory agencies.

- c. A licensed archeologist shall be present during the initial ground disturbance activities. In addition, prior to the start of any excavation of the project site, the BLM shall be notified.

All vehicles and construction equipment shall be properly maintained to minimize exhaust emissions and shall be properly muffled to minimize noise.

d. Any equipment or materials transported onto BLM managed lands for maintenance or repair of the proposed facilities to be constructed on the site shall be promptly removed upon completion of the project.

e. Project construction shall not entail negative impacts to native vegetations components or potential habitat for any Endangered Species Act listed species.

f. Any vehicles that are brought in from outside of the area shall be power washed, including the undercarriage, to prevent introduction and spread of noxious weeds and/or invasive species.

5. The patentee, by acceptance of this patent, agrees for itself and its successors in interest that a declaration of termination is whole or in part of this grant shall, at the option of the Secretary or his delegate, operate to revert in the United States full title to the land involved in the declaration.

6. Provided, the above-described property, along with the rights, title and interest, shall immediately revert to the United States, after notice and opportunity for a hearing, upon a finding that:

a. The patentee, or its successor in interest, attempts to transfer title to or control over the property to another.

b. The property is devoted to a use other than that for which it was conveyed without the consent of the BLM.

c. The property has not been used for the purpose for which it was conveyed for a 5-year period.

d. The patentee, or its successor in interest, has failed to follow the approved development plan or management plan.

e. The property ceases to be maintained in a manner consistent with the provisions of the National Historic Preservation Act of 1966, as amended (16 U.S.C. 470 *et seq.*).

f. The patentee, or its successor in interest, shall not undertake, nor be permitted to undertake any construction alteration, or remodeling activity or any other thing on the property which would affect the structural integrity or appearance of the property without the express prior written permission of the State Historic Preservation Officer.

g. The patentee, or its successor in interest, has failed to preserve and maintain the property in accordance with the recommended approaches in the most recent version of the Secretary of the Interior's Standards for Rehabilitation and Guidelines for

Rehabilitating Historic Buildings (National Park Service, 1990) in order to preserve and enhance those qualities that make the property eligible for listing in the National Register of Historic Places.

Pursuant to National Environmental Policy Act (NEPA), as amended, the BLM completed an Environmental Assessment (EA) that evaluated the proposed action and alternatives. The EA and Finding of No Significant Impact (FONSI) were made available for public review, and comments were received March 1 through March 16, 2024. Notifications were also sent to holders of rights-of-ways in the Big Saline Bayou tract and other interested parties, including adjacent landowners and local government officials. The EA and FONSI can be found at: <https://eplanning.blm.gov/eplanning-ui/project/2025738/510>.

Interested parties may submit comments to this Notice of Realty Action (NORA) regarding the classification of lands as being suitable for development and management for recreational activities such as hunting, trapping, boating, camping, and bird watching, whether the land is physically suited for the proposal, whether the use will maximize the future use or uses of the land, whether the use is consistent with local planning and zoning, or if the use is consistent with State and Federal programs, and whether the BLM followed proper administrative procedures regarding this realty action. Comments on this NORA must be submitted in writing and sent to the BLM Southeastern States District Office (see **ADDRESSES** section above) on or before the date listed under the **DATES** section above.

Any adverse comments received will be considered protests and will be reviewed by the BLM Eastern State Director, who may sustain, vacate, or modify this realty action decision. In the absence of any adverse comments to the NORA, the classification of lands will become effective 60 days from the date of publication of this notice in the **Federal Register**.

Before including your address, phone number, email, address, or other personal identifying information, you should be aware that your entire comment, including your personal identifying information, may be made publicly available at any time. While you can ask us in your statement to withhold your personal identifying information from public review, we cannot guarantee that we will be able to do so.

Authority: 43 CFR 2741.5.

Shayne Banks,

Acting District Manager, BLM Southeastern States District Office.

[FR Doc. 2026–07397 Filed 4–15–26; 8:45 am]

BILLING CODE 4331–18–P

DEPARTMENT OF THE INTERIOR

National Park Service

[N7075; NPS–WASO–NAGPRA–NPS0042593; PPWOCRADN0–PCU00RP14.R50000]

Notice of Inventory Completion: U.S. Department of the Interior, Bureau of Land Management, Colorado State Office, Lakewood, CO

AGENCY: National Park Service, Interior.
ACTION: Notice.

SUMMARY: In accordance with the Native American Graves Protection and Repatriation Act (NAGPRA), the U.S. Department of the Interior, Bureau of Land Management, Colorado State Office (BLM Colorado State Office) has completed an inventory of human remains and has determined that there is a cultural affiliation between the human remains and Indian Tribes or Native Hawaiian organizations in this notice.

DATES: Repatriation of the human remains in this notice may occur on or after May 18, 2026.

ADDRESSES: Send written requests for repatriation of the human remains in this notice to Natalie Clark, Deputy Preservation Officer, Bureau of Land Management, Colorado State Office, 2815 H Road, Grand Junction, CO 81506, email BLM_CO_NAGPRA@blm.gov.

SUPPLEMENTARY INFORMATION: This notice is published as part of the National Park Service's administrative responsibilities under NAGPRA. The determinations in this notice are the sole responsibility of the BLM Colorado State Office, and additional information on the determinations in this notice, including the results of consultation, can be found in its inventory or related records. The National Park Service is not responsible for the determinations in this notice.

Abstract of Information Available

Human remains representing at least one individual have been identified. No associated funerary objects are present. The human remains were collected by the Colorado State University Laboratory of Public Archaeology in 1977 from archaeological site 5MF607, a

sheltered architectural site in Moffat County, Colorado. The human remains are reasonably believed to be culturally affiliated with the Hopi Tribe, Pueblo of Jemez, Pueblo of Zia, Southern Ute Indian Tribe, Ute Indian Tribe of the Uintah and Ouray Reservation, and Ute Mountain Ute Tribe, based on the geographical location and the archaeological site type. It is unknown if but unlikely that any hazardous substances were used to treat the human remains.

Cultural Affiliation

Based on the information available and the results of consultation, cultural affiliation is reasonably identified by the geographical location or acquisition history of the human remains described in this notice.

Determinations

The BLM Colorado State Office has determined that:

- The human remains described in this notice represent the physical remains of one individual of Native American ancestry.
- There is a connection between the human remains described in this notice and the Hopi Tribe of Arizona; Pueblo of Jemez, New Mexico; Pueblo of Zia, New Mexico; Southern Ute Indian Tribe of the Southern Ute Reservation, Colorado; Ute Indian Tribe of the Uintah & Ouray Reservation, Utah; and the Ute Mountain Ute Tribe.

Requests for Repatriation

Written requests for repatriation of the human remains in this notice must be sent to the authorized representative identified in this notice under

ADDRESSES. Requests for repatriation may be submitted by:

1. Any one or more of the Indian Tribes or Native Hawaiian organizations identified in this notice.
2. Any lineal descendant, Indian Tribe, or Native Hawaiian organization not identified in this notice who shows, by a preponderance of the evidence, that the requestor is a lineal descendant or an Indian Tribe or Native Hawaiian organization with cultural affiliation.

Repatriation of the human remains described in this notice to a requestor may occur on or after May 18, 2026. If competing requests for repatriation are received, the BLM Colorado State Office must determine the most appropriate requestor prior to repatriation. Requests for joint repatriation of the human remains are considered a single request and not competing requests. The BLM Colorado State Office is responsible for sending a copy of this notice to the Indian Tribes and Native Hawaiian

organizations identified in this notice and any other consulting parties.

Authority: Native American Graves Protection and Repatriation Act, 25 U.S.C. 3003, and the implementing regulations, 43 CFR 10.10.

Dated: April 8, 2026.

Melanie O'Brien,

Manager, National NAGPRA Program.

[FR Doc. 2026-07378 Filed 4-15-26; 8:45 am]

BILLING CODE 4312-52-P

DEPARTMENT OF THE INTERIOR

National Park Service

[N7057; NPS-WASO-NAGPRA-NPS0042590; PPWOCRADNO-PCU00RP14.R50000]

Notice of Intended Disposition: U.S. Department of the Interior, Bureau of Land Management, Wyoming State Office, Cheyenne, WY

AGENCY: National Park Service, Interior.

ACTION: Notice.

SUMMARY: In accordance with the Native American Graves Protection and Repatriation Act (NAGPRA), the U.S. Department of the Interior, Bureau of Land Management, Wyoming State Office (BLM Wyoming State Office) intends to carry out the disposition of associated funerary objects removed from Federal or Tribal lands to the lineal descendants, Indian Tribe, or Native Hawaiian organization with priority for disposition in this notice.

DATES: Disposition of the associated funerary objects in this notice may occur on or after April 16, 2027. If no claim for disposition is received by April 16, 2027, the associated funerary objects in this notice will become unclaimed associated funerary objects.

ADDRESSES: Send written claims for disposition of the associated funerary objects in this notice to Tanya Thrift, State Director Wyoming Bureau of Land Management, 5353 Yellowstone Road, Cheyenne, WY 82009, email blm_wy_copywork@blm.gov.

SUPPLEMENTARY INFORMATION: This notice is published as part of the National Park Service's administrative responsibilities under NAGPRA. The determinations in this notice are the sole responsibility of the BLM Wyoming State Office, and additional information on the associated funerary objects in this notice, including the results of consultation, can be found in the related records. The National Park Service is not responsible for the identifications in this notice.

Abstract of Information Available

Based on the information available, one lot of associated funerary objects were removed from archeological sites 48SU4479 and 48WA1957. The one lot of associated funerary objects include but are not limited to soil samples, debitage/flakes, fauna, projectile points, flora, biface and a bone awl. The cultural items were removed from archeological sites in Wyoming during excavations after November 16, 1990. These items are currently curated at the University of Wyoming in Laramie, Wyoming.

Human remains and associated funerary objects from archeological sites 48SU4479 and 48WA1957 were published in a Notice of Inventory Completion, published in the **Federal Register** on June 11, 2025 (90 FR 24663-24664) and have been repatriated. This notice covers additional associated funerary objects recently discovered.

Determinations

The BLM Wyoming State Office has determined that:

- The one lot of objects described in this notice are reasonably believed to have been placed intentionally with or near individual human remains at the time of death or later as part of the death rite or ceremony.
- The Assiniboine and Sioux Tribes of the Fort Peck Indian Reservation, Montana; Blackfeet Tribe of the Blackfeet Indian Reservation of Montana; Cheyenne River Sioux Tribe of the Cheyenne River Reservation, South Dakota; Chippewa Cree Indians of the Rocky Boy's Reservation, Montana; Crow Tribe of Montana; Eastern Shoshone Tribe of the Wind River Reservation, Wyoming; Fort Belknap Indian Community of the Fort Belknap Reservation of Montana; Kiowa Tribe (previously listed as Kiowa Indian Tribe of Oklahoma); Northern Arapaho Tribe of the Wind River Reservation, Wyoming; Northern Cheyenne Tribe of the Northern Cheyenne Indian Reservation, Montana; Oglala Sioux Tribe; Pawnee Nation of Oklahoma; Rosebud Sioux Tribe of the Rosebud Indian Reservation, South Dakota; Standing Rock Sioux Tribe of North & South Dakota; and the Winnebago Tribe of Nebraska have priority for disposition of the associated funerary objects described in this notice.

Claims for Disposition

Written claims for disposition of the associated funerary objects in this notice must be sent to the appropriate official identified in this notice under

ADDRESSES. If no claim for disposition is

received by April 16, 2027, the associated funerary objects in this notice will become unclaimed associated funerary objects. Claims for disposition may be submitted by:

1. Any lineal descendant, Indian Tribe, or Native Hawaiian organization identified in this notice.

2. Any lineal descendant, Indian Tribe, or Native Hawaiian organization not identified in this notice who shows that they have priority for disposition.

Disposition of the associated funerary objects in this notice may occur on or after May 18, 2026. If competing claims for disposition are received, the BLM Wyoming State Office must determine the most appropriate claimant prior to disposition. Claims for joint disposition of the associated funerary objects are considered a single claim and not competing claims. The BLM Wyoming State Office is responsible for sending a copy of this notice to the lineal descendants, Indian Tribes, and Native Hawaiian organizations identified in this notice and to any other consulting parties.

Authority: Native American Graves Protection and Repatriation Act, 25 U.S.C. 3002, and the implementing regulations, 43 CFR 10.7.

Dated: April 8, 2026.

Melanie O'Brien,

Manager, National NAGPRA Program.

[FR Doc. 2026-07382 Filed 4-15-26; 8:45 am]

BILLING CODE 4312-52-P

DEPARTMENT OF THE INTERIOR

National Park Service

[N7087; NPS-WASO-NAGPRA-NPS0042608; PPWOCRADNO-PCU00RP14.R50000]

Notice of Intended Repatriation: Field Museum, Chicago, IL

AGENCY: National Park Service, Interior.

ACTION: Notice.

SUMMARY: In accordance with the Native American Graves Protection and Repatriation Act (NAGPRA), the Field Museum intends to repatriate certain cultural items that meet the definition of unassociated funerary objects, sacred objects, and/or objects of cultural patrimony and that have a cultural affiliation with the Indian Tribes or Native Hawaiian organizations in this notice.

DATES: Repatriation of the cultural items in this notice may occur on or after May 18, 2026.

ADDRESSES: Send additional, written requests for repatriation of the cultural

items in this notice to June Carpenter, Field Museum, 1400 S Lake Shore Drive, Chicago, IL 60605, email jcarpenter@fieldmuseum.org.

SUPPLEMENTARY INFORMATION: This notice is published as part of the National Park Service's administrative responsibilities under NAGPRA. The determinations in this notice are the sole responsibility of the Field Museum, and additional information on the determinations in this notice, including the results of consultation, can be found in the summary or related records. The National Park Service is not responsible for the determinations in this notice.

Abstract of Information Available

A total of 41 cultural items have been requested for repatriation.

The one unassociated funerary object is a basket. The six sacred objects are a mortar, a pestle, tobacco, angelica root, snuff and salt grass, and medicine. The 34 objects of cultural patrimony are 19 baskets, a brush, an arrow plane, a necklace, a gorget, a pair of moccasins, a bow, a lot of arrows, a mortar, a mortar and pestle, two pestles, a pipe, two lots of stone tools, and tobacco. In early 1901, the cultural items were removed from Kern County in California. The items were collected by Dr. John Hudson on behalf of the Field Museum during a two-year expedition among the Native populations of California and accessioned by the Museum later in 1901.

Determinations

The Field Museum has determined that:

- The one unassociated funerary object described in this notice is reasonably believed to have been placed intentionally with or near human remains, and is connected, either at the time of death or later as part of the death rite or ceremony of a Native American culture according to the Native American traditional knowledge of a lineal descendant, Indian Tribe, or Native Hawaiian organization. The unassociated funerary object has been identified by a preponderance of the evidence as related to human remains, specific individuals, or families, or removed from a specific burial site or burial area of an individual or individuals with cultural affiliation to an Indian Tribe or Native Hawaiian organization.

- The six sacred objects described in this notice are specific ceremonial objects needed by a traditional Native American religious leader for present-day adherents to practice traditional Native American religion, according to the Native American traditional

knowledge of a lineal descendant, Indian Tribe, or Native Hawaiian organization.

- The 34 objects of cultural patrimony described in this notice have ongoing historical, traditional, or cultural importance central to the Native American group, including any constituent sub-group (such as a band, clan, lineage, ceremonial society, or other subdivision), according to the Native American traditional knowledge of an Indian Tribe or Native Hawaiian organization.

- There is a connection between the cultural items described in this notice and the Tejon Indian Tribe.

Requests for Repatriation

Additional, written requests for repatriation of the cultural items in this notice must be sent to the authorized representative identified in this notice under **ADDRESSES**. Requests for repatriation may be submitted by any lineal descendant, Indian Tribe, or Native Hawaiian organization not identified in this notice who shows, by a preponderance of the evidence, that the requestor is a lineal descendant or a culturally affiliated Indian Tribe or Native Hawaiian organization.

Repatriation of the cultural items in this notice to a requestor may occur on or after May 18, 2026. If competing requests for repatriation are received, the Field Museum must determine the most appropriate requestor prior to repatriation. Requests for joint repatriation of the cultural items are considered a single request and not competing requests. The Field Museum is responsible for sending a copy of this notice to the Indian Tribes and Native Hawaiian organizations identified in this notice and to any other consulting parties.

Authority: Native American Graves Protection and Repatriation Act, 25 U.S.C. 3004 and the implementing regulations, 43 CFR 10.9.

Dated: April 8, 2026.

Melanie O'Brien,

Manager, National NAGPRA Program.

[FR Doc. 2026-07389 Filed 4-15-26; 8:45 am]

BILLING CODE 4312-52-P

DEPARTMENT OF THE INTERIOR**National Park Service**

[N7086; NPS-WASO-NAGPRA-NPS0042607; PPWOCRADN0-PCU00RP14.R50000]

**Notice of Intended Repatriation:
Dearborn Historical Museum,
Dearborn, MI**

AGENCY: National Park Service, Interior.

ACTION: Notice.

SUMMARY: In accordance with the Native American Graves Protection and Repatriation Act (NAGPRA), the Dearborn Historical Museum intends to repatriate certain cultural items that meet the definition of sacred objects/objects of cultural patrimony and that have a cultural affiliation with the Indian Tribes or Native Hawaiian organizations in this notice.

DATES: Repatriation of the cultural items in this notice may occur on or after May 18, 2026.

ADDRESSES: Send additional, written requests for repatriation of the cultural items in this notice to Karely Byrd-Nowisch, Dearborn Historical Museum, 915 S Brady Street, Dearborn, MI 48124, email kbyrdnowisch@dearborn.gov.

SUPPLEMENTARY INFORMATION: This notice is published as part of the National Park Service's administrative responsibilities under NAGPRA. The determinations in this notice are the sole responsibility of the Dearborn Historical Museum and additional information on the determinations in this notice, including the results of consultation, can be found in the summary or related records. The National Park Service is not responsible for the determinations in this notice.

Abstract of Information Available

A total of two cultural items have been requested for repatriation. The two sacred objects/objects of cultural patrimony are one basket sifter and one pair of moccasins. The basket comes from a collection that was donated to the museum in 1956 by the Logan Museum of Anthropology at Beloit College in Wisconsin. Records for this object state it is of Iroquois origin. The record states no additional acquisition information originating from the Logan Museum of Anthropology. The pair of moccasins comes from a collection donated to the museum in 1963 by Floyd Haight. The moccasins had been given to his sister-in-law who had worked at Stewart Boarding School near Carson City, NV. Record stated that the moccasins were believed to be worn by Paiutes, upon consultation it was

determined the cultural affiliation as Haudenosaunee. Further consultation confirmed cultural affiliation. The Dearborn Historical Museum reports no known presence of any hazardous substances on either object; hazardous treatments have not been historically used at the Dearborn Historical Museum.

Determinations

The Dearborn Historical Museum has determined that:

- The two sacred objects/objects of cultural patrimony described in this notice are, according to the Native American traditional knowledge of an Indian Tribe or Native Hawaiian organization, specific ceremonial objects needed by a traditional Native American religious leader for present-day adherents to practice traditional Native American religion, and have ongoing historical, traditional, or cultural importance central to the Native American group, including any constituent sub-group (such as a band, clan, lineage, ceremonial society, or other subdivision).
- There is a connection between the cultural items described in this notice and the Seneca Nation of Indians.

Requests for Repatriation

Additional, written requests for repatriation of the cultural items in this notice must be sent to the authorized representative identified in this notice under **ADDRESSES**. Requests for repatriation may be submitted by any lineal descendant, Indian Tribe, or Native Hawaiian organization not identified in this notice who shows, by a preponderance of the evidence, that the requestor is a lineal descendant or a culturally affiliated Indian Tribe or Native Hawaiian organization.

Repatriation of the cultural items in this notice to a requestor may occur on or after May 18, 2026. If competing requests for repatriation are received, the Dearborn Historical Museum must determine the most appropriate requestor prior to repatriation. Requests for joint repatriation of the cultural items are considered a single request and not competing requests. The Dearborn Historical Museum is responsible for sending a copy of this notice to the Indian Tribes and Native Hawaiian organizations identified in this notice and to any other consulting parties.

Authority: Native American Graves Protection and Repatriation Act, 25 U.S.C. 3004 and the implementing regulations, 43 CFR 10.9.

Dated: April 8, 2026.

Melanie O'Brien,

Manager, National NAGPRA Program.

[FR Doc. 2026-07384 Filed 4-15-26; 8:45 am]

BILLING CODE 4312-52-P

DEPARTMENT OF THE INTERIOR**National Park Service**

[N7084; NPS-WASO-NAGPRA-NPS0042600; PPWOCRADN0-PCU00RP14.R50000]

**Notice of Inventory Completion:
Kansas State Historical Society,
Topeka, KS**

AGENCY: National Park Service, Interior.

ACTION: Notice.

SUMMARY: In accordance with the Native American Graves Protection and Repatriation Act (NAGPRA), the Kansas State Historical Society (KSHS) has completed an inventory of human remains and associated funerary objects and has determined that there is a cultural affiliation between the human remains and associated funerary objects and Indian Tribes or Native Hawaiian organizations in this notice.

DATES: Repatriation of the human remains and associated funerary objects in this notice may occur on or after May 18, 2026.

ADDRESSES: Send written requests for repatriation of the human remains and associated funerary objects in this notice to Dr. Nicole Klarmann, Kansas State Historical Society, 6425 SW 6th Avenue, Topeka, KS 66615-1099, email kshs.nagpra@ks.gov.

SUPPLEMENTARY INFORMATION: This notice is published as part of the National Park Service's administrative responsibilities under NAGPRA. The determinations in this notice are the sole responsibility of the KSHS, and additional information on the determinations in this notice, including the results of consultation, can be found in its inventory or related records. The National Park Service is not responsible for the determinations in this notice.

Abstract of Information Available

Human remains representing, at least, one individual have been identified from either Logan or Gove County, KS (UBS 2007-13). No associated funerary objects are present. Partial remains were removed by George Sternberg from along Hackberry Creek sometime in the early 1900s. They were given to the University of Alberta which then transferred the remains to KSHS in 2007.

Human remains representing, at least, three individuals have been identified from Rooks County, KS (UBS 1991–33). The 52 associated funerary objects are a sherd, a chipped stone tool, and shell beads. Human remains that had previously been disturbed by plowing and pothunting were excavated by KSHS in 1968. The burials were located on a terrace near the South Fork Solomon River.

Human remains representing, at least, one individual have been identified in Rooks County, KS (UBS 1992–06). The 21 associated funerary objects are pottery sherds, a flint chip, and a nutting tool. The burial was removed from a road cut on a ridge near Bow Creek by a KSHS archeologist in 1967.

Human remains representing, at least, one individual have been identified from Rooks County, KS (UBS 1997–07). No associated funerary objects are present. A hunter encountered human remains exposed by erosion near Paradise Creek and contacted local law enforcement. The Rooks County Sheriff contacted KSHS who then excavated the burial in 1997.

Human remains representing, at least, one individual have been identified in Sheridan County, KS (UBS 1990–26). The 3,051 associated funerary objects are iron tinklers, beads, shell hair pipes, iron buckles and rings, textile fragments, buttons, a leather strap, feather fragments, metal bells, brass chain and coils, and wooden burial pole fragments. Fragmented human remains were found eroding from a cutbank near Sand Creek by a local high school student and were then excavated by a KSHS archeologist in 1965.

Human remains representing, at least, one individual have been identified from Sheridan County, KS (UBS 2003–02). The four associated funerary objects are a grinding slab, a fragmented bone tool, a flake, and a mussel shell. A hunter encountered human remains eroding from a cutbank near Museum Creek. The local sheriff was called and then notified KSHS. KSHS excavated the burial in 2003.

Human remains representing, at least, one individual have been identified from Sheridan County, KS (UBS 2024–09). The 17 associated funerary objects are rocks, a core, modified flakes, stone tools, and debitage. Human bone was found within a surface collection from a pre-historic campsite near the Saline River. The remains and objects were given to KSHS in 1991.

Human remains representing, at least, two individuals have been identified from Trego County, KS (UBS 1990–15). No associated funerary objects are present. Human remains were first

found during excavation of a trench silo in approximately 1985. More remains were found later and given to a local school teacher who eventually transferred them to KSHS under the state UBS act in 1990.

Human remains representing, at least, one individual have been identified from Trego County, KS (UBS 1991–71). The 14 associated funerary objects are a boatstone, plaster casts, seeds, insect pupae, a shell bead, charred twigs, and a bag of silt. KSHS excavated the burial from an eroding cutbank near the Saline River in 1972. In 1988, the landowner's family conveyed the entirety of the remains they had previously removed to KSHS.

Human remains representing, at least, one individual have been identified from Wichita County, KS (UBS 1990–35). The two associated funerary objects are a metal rivet and a bison molar. Partial remains located near White Woman Creek were initially thought to be a criminal case, as they appeared to have been disturbed or part of a secondary burial, however they were determined to not be medico-legally significant and transferred to KSHS in 1990.

Human remains representing, at least, five individuals have been identified from Wichita County, KS (UBS 1991–13). The 6,347 associated funerary objects are glass and porcelain beads, an iron arrow tip, shell ornaments, and copper jewelry. These burials were removed from a cave near Beaver Creek. A resident of Leoti, KS gave the remains and objects to KSHS in 1894.

Human remains representing, at least, one individual have been identified from Wichita County, KS (UBS 2009–01). The 32 associated funerary objects are animal bone, shell, and debitage. Human bone was found within a collection given to KSHS in 2007 by an archeologist from Lincoln, NE.

Human remains representing, at least, one individual have been identified from Grant County, KS (UBS 1996–22). The two associated funerary objects are non-human bone. Human remains were found eroding from a cutbank near the Cimarron River in 1996 from a pre-contact habitation site and a historic campsite.

To our knowledge, no known hazardous substances were used to treat any of the human remains or associated funerary objects.

Cultural Affiliation

Based on the information available and the results of consultation, cultural affiliation is reasonably identified by the geographical location or acquisition history of the human remains and

associated funerary objects described in this notice.

Determinations

The KSHS has determined that:

- The human remains described in this notice represent the physical remains of 20 individuals of Native American ancestry.
- The 9,542 objects described in this notice are reasonably believed to have been placed intentionally with or near individual human remains at the time of death or later as part of the death rite or ceremony.
- There is a connection between the human remains and associated funerary objects described in this notice and the Cheyenne and Arapaho Tribes, Oklahoma and the Wichita and Affiliated Tribes (Wichita, Keechi, Waco, & Tawakonie), Oklahoma.

Requests for Repatriation

Written requests for repatriation of the human remains and associated funerary objects in this notice must be sent to the authorized representative identified in this notice under **ADDRESSES**. Requests for repatriation may be submitted by:

1. Any one or more of the Indian Tribes or Native Hawaiian organizations identified in this notice.
2. Any lineal descendant, Indian Tribe, or Native Hawaiian organization not identified in this notice who shows, by a preponderance of the evidence, that the requestor is a lineal descendant or an Indian Tribe or Native Hawaiian organization with cultural affiliation.

Repatriation of the human remains and associated funerary objects described in this notice to a requestor may occur on or after May 18, 2026. If competing requests for repatriation are received, the KSHS must determine the most appropriate requestor prior to repatriation. Requests for joint repatriation of the human remains and associated funerary objects are considered a single request and not competing requests. The KSHS is responsible for sending a copy of this notice to the Indian Tribes and Native Hawaiian organizations identified in this notice and any other consulting parties.

Authority: Native American Graves Protection and Repatriation Act, 25 U.S.C. 3003, and the implementing regulations, 43 CFR 10.10.

Dated: April 8, 2026.

Melanie O'Brien,

Manager, National NAGPRA Program.

[FR Doc. 2026–07379 Filed 4–15–26; 8:45 am]

BILLING CODE 4312–52–P

DEPARTMENT OF THE INTERIOR

National Park Service

[N7083; NPS-WASO-NAGPRA-
NPS0042599; PPWOCRADN0-
PCU00RP14.R50000]

**Notice of Intended Repatriation:
California Polytechnic State University,
Pomona, Pomona, CA**

AGENCY: National Park Service, Interior.

ACTION: Notice.

SUMMARY: In accordance with the Native American Graves Protection and Repatriation Act (NAGPRA), the California Polytechnic State University, Pomona (Cal Poly Pomona) intends to repatriate certain cultural items that meet the definition of objects of cultural patrimony and that have a cultural affiliation with the Indian Tribes or Native Hawaiian organizations in this notice.

DATES: Repatriation of the cultural items in this notice may occur on or after May 18, 2026.

ADDRESSES: Send additional, written requests for repatriation of the cultural items in this notice to Desireé Martinez, NAGPRA/CalNAGPRA Director, California Polytechnic State University, Pomona, 3801 West Temple Avenue, Pomona, CA 91768, email nagpra@cpp.edu.

SUPPLEMENTARY INFORMATION: This notice is published as part of the National Park Service's administrative responsibilities under NAGPRA. The determinations in this notice are the sole responsibility of the California Polytechnic State University, Pomona, and additional information on the determinations in this notice, including the results of consultation, can be found in the summary or related records. The National Park Service is not responsible for the determinations in this notice.

Abstract of Information Available

A total of 21 cultural items has been requested for repatriation. The 21 items have been identified as objects of cultural patrimony by the Tribe and include lithic flakes, a scraper, a perforator, points, blades and debitage. In 1988, Dr. Joseph Tiffany, Department of Social Sciences faculty member at Cal Poly Pomona, conducted an archaeological field school at CA-LAN-339, known as the Sassone site, located near the Big Dalton Wilderness Area in Glendora, California. The items were brought to Cal Poly Pomona where they remain. No known hazardous substances were utilized to treat the items.

Determinations

The Cal Poly Pomona has determined that:

- The 21 items identified and characterized by the Tribe as objects of cultural patrimony described in this notice have ongoing historical, traditional, or cultural importance central to the Native American group, including any constituent sub-group (such as a band, clan, lineage, ceremonial society, or other subdivision), according to the Native American traditional knowledge of an Indian Tribe or Native Hawaiian organization.
- There is a connection between the cultural items described in this notice and the Yuhaaviatam of San Manuel Nation (previously listed as San Manuel Band of Mission Indians, California).

Requests for Repatriation

Additional, written requests for repatriation of the cultural items in this notice must be sent to the authorized representative identified in this notice under **ADDRESSES**. Requests for repatriation may be submitted by any lineal descendant, Indian Tribe, or Native Hawaiian organization not identified in this notice who shows, by a preponderance of the evidence, that the requestor is a lineal descendant or a culturally affiliated Indian Tribe or Native Hawaiian organization.

Repatriation of the cultural items in this notice to a requestor may occur on or after May 18, 2026. If competing requests for repatriation are received, the Cal Poly Pomona must determine the most appropriate requestor prior to repatriation. Requests for joint repatriation of the cultural items are considered a single request and not competing requests. The Cal Poly Pomona is responsible for sending a copy of this notice to the Indian Tribes and Native Hawaiian organizations identified in this notice and to any other consulting parties.

Authority: Native American Graves Protection and Repatriation Act, 25 U.S.C. 3004 and the implementing regulations, 43 CFR 10.9.

Dated: April 8, 2026.

Melanie O'Brien,

Manager, National NAGPRA Program.

[FR Doc. 2026-07375 Filed 4-15-26; 8:45 am]

BILLING CODE 4312-52-P

DEPARTMENT OF THE INTERIOR

National Park Service

[N7091; NPS-WASO-NAGPRA-
NPS0042605; PPWOCRADN0-
PCU00RP14.R50000]

**Notice of Inventory Completion:
Kansas State Historical Society,
Topeka, KS**

AGENCY: National Park Service, Interior.

ACTION: Notice.

SUMMARY: In accordance with the Native American Graves Protection and Repatriation Act (NAGPRA), the Kansas State Historical Society (KSHS) has completed an inventory of human remains and associated funerary objects and has determined that there is a cultural affiliation between the human remains and associated funerary objects and Indian Tribes or Native Hawaiian organizations in this notice.

DATES: Repatriation of the human remains and associated funerary objects in this notice may occur on or after May 18, 2026.

ADDRESSES: Send written requests for repatriation of the human remains and associated funerary objects in this notice to Dr. Nicole Klarmann, Kansas State Historical Society, 6425 SW 6th Avenue, Topeka, KS 66615-1099, email kshs.nagpra@ks.gov.

SUPPLEMENTARY INFORMATION: This notice is published as part of the National Park Service's administrative responsibilities under NAGPRA. The determinations in this notice are the sole responsibility of the KSHS, and additional information on the determinations in this notice, including the results of consultation, can be found in its inventory or related records. The National Park Service is not responsible for the determinations in this notice.

Abstract of Information Available

Human remains representing, at least, one individual have been identified from Dickinson County, KS (UBS 2010-10). The 300 associated funerary objects are shell, bone, daub, ceramics, chipped and ground stone tools, cores, and historic artifacts. A human tooth was found in this collection from a Middle Ceramic campsite. The remains and items were given to KSHS in 2010.

Human remains representing, at least, one individual have been identified from Lyon County, KS (UBS 2007-01). No associated funerary objects are present. Human remains were excavated near the Neosho River by an environmental company in 1984. No other provenience information is available.

Human remains representing, at least, one individual have been identified from Lyon County, KS (UBS 2020–07). The 60 associated funerary objects are pottery, red daub, non-human bone fragments, drilled bear teeth and fragments, a dog canine, a small arrow point midsection, and possibly Alibates agatized dolomite. The remains were found on a plowed surface in 1974 and given to KSHS in 2020.

Human remains representing, at least, five individuals have been identified from Riley County, KS (UBS 1991–79AB). The 23 associated funerary objects are a bone bead, a decorated bone object, a deer tooth, marine shells, beads, dart points, scrapers, a knife, arrow points, an abrader, pottery, and daub. The remains and objects were removed from the two mounds prior to 1880 when they were given to KSHS.

Human remains representing, at least, 10 individuals have been identified from Riley County, KS (UBS 1997–06). The 1,008 associated funerary objects include bone awl fragments, stone points, a shark tooth, a catlinite fragment, beads and bead fragments, shell gorgets, bone hairpins, and mollusk shells. The human remains and objects were taken from an oval earth mound in the early 1900s.

Human remains representing, at least, three individuals have been identified from Riley County, KS (UBS 2006–12). No associated funerary objects are present. Remains were found in a ravine where a dam and small reservoir were being built. They were transferred to KSHS in 2006.

A total of nine associated funerary objects were identified from Wabaunsee County, KS (UBS 2008–06). They include a projectile point, Permian chert, and non-human burned bone fragments. A monument erected in 1956 was later determined to be placed upon a burial mound. The objects were found when the monument was removed in 2010.

Human remains representing, at least, one individual have been identified from Riley County, KS (UBS 1991–18). The 41 associated funerary objects are chert, a deer tooth, shell, animal bone, a biface, debitage, and stone. These remains and objects were found eroding from a gully and given to KSHS in 1961. Some of the remains have been reconstructed using an unspecified glue.

Human remains representing, at least, two individuals have been identified from Riley County, KS (UBS 1996–38). The three associated funerary objects are a bird bone bead, a bone awl tip, and animal bone. These remains and objects are believed to be from a donation to the Riley County Museum, however, their

exact provenience is unknown. They were transferred to KSHS in 1996. A tooth was reconstructed using glue and was mounted on cardboard by an unknown method. This was observed when remains arrived for forensic analysis in 1997.

Human remains representing, at least, one individual have been identified from Wabaunsee County, KS (UBS 2022–03). The 20 associated funerary objects are antler pieces, mineralized bone or wood, a pin with the capital letters ‘CH’ on the head, bird bands, organic wood or cork, round domed metal objects, ground ochre fragments, animal bones, and a prismatic chert piece. A farmer gathered the remains and objects from his farm prior to the 1940s and gave them to a local museum. They were transferred to KSHS in 2022.

Human remains representing, at least, 15 individuals have been identified from Riley County, KS (UBS 1996–07, UBS 1999–06, UBS 1999–10, UBS 1999–15, UBS 1999–16, UBS 1999–29, UBS 2006–04, UBS 2006–06, UBS 2007–16, UBS 2011–02, UBS 2011–03, UBS 2018–01, UBS 2022–01) and Wabaunsee County, KS (UBS 1995–32, UBS 2000–33). No associated funerary objects are present. All remains were found in or along the Kansas River and have no other provenience information.

Human remains representing, at least, 15 individuals have been identified from either Geary, Riley, Pottawatomie, or Osage County, KS (UBS 1997–05). The 451 associated funerary objects are flakes, shell beads, crinoid beads, antler tips, a bone hairpin, bone beads, bird bone beads, glass beads, a milk glass sherd, a serrated tool, animal elements, and mollusk shells. The remains and objects were said to be in the general area of these counties and likely taken from mounds by two individuals from Junction City, KS. There may be some teeth that are adhered to a board, however, museum files do not indicate the substance.

Human remains representing, at least, four individuals have been identified from Dickinson County, KS (UBS 2016–01), Riley County, KS (UBS 1989–45, UBS 1993–15), and Wabaunsee County, KS (UBS 2001–15). No associated funerary objects are present. These remains were turned into KSHS with only county-level provenience.

Unless noted, and to the best of our knowledge, no hazardous substances were used to treat any of the human remains or associated funerary objects.

Cultural Affiliation

Based on the information available and the results of consultation, cultural affiliation is reasonably identified by the

geographical location or acquisition history of the human remains and associated funerary objects described in this notice.

Determinations

The KSHS has determined that:

- The human remains described in this notice represent the physical remains of 59 individuals of Native American ancestry.
- The 1,915 objects described in this notice are reasonably believed to have been placed intentionally with or near individual human remains at the time of death or later as part of the death rite or ceremony.
- There is a connection between the human remains and associated funerary objects described in this notice and the Kaw Nation, Oklahoma and the Wichita and Affiliated Tribes (Wichita, Keechi, Waco, & Tawakonie), Oklahoma.

Requests for Repatriation

Written requests for repatriation of the human remains and associated funerary objects in this notice must be sent to the authorized representative identified in this notice under **ADDRESSES**. Requests for repatriation may be submitted by:

1. Any one or more of the Indian Tribes or Native Hawaiian organizations identified in this notice.
2. Any lineal descendant, Indian Tribe, or Native Hawaiian organization not identified in this notice who shows, by a preponderance of the evidence, that the requestor is a lineal descendant or an Indian Tribe or Native Hawaiian organization with cultural affiliation.

Repatriation of the human remains and associated funerary objects described in this notice to a requestor may occur on or after May 18, 2026. If competing requests for repatriation are received, the KSHS must determine the most appropriate requestor prior to repatriation. Requests for joint repatriation of the human remains and associated funerary objects are considered a single request and not competing requests. The KSHS is responsible for sending a copy of this notice to the Indian Tribes and Native Hawaiian organizations identified in this notice and any other consulting parties.

Authority: Native American Graves Protection and Repatriation Act, 25 U.S.C. 3003, and the implementing regulations, 43 CFR 10.10.

Dated: April 8, 2026.

Melanie O'Brien,

Manager, National NAGPRA Program.

[FR Doc. 2026–07373 Filed 4–15–26; 8:45 am]

BILLING CODE 4312–52–P

DEPARTMENT OF THE INTERIOR**National Park Service**

[N7076; NPS-WASO-NAGPRA-NPS0042594; PPWOCRADNO-PCU00RP14.R50000]

Notice of Inventory Completion: U.S. Department of the Interior, Bureau of Land Management, Colorado State Office, Lakewood, CO

AGENCY: National Park Service, Interior.

ACTION: Notice.

SUMMARY: In accordance with the Native American Graves Protection and Repatriation Act (NAGPRA), the U.S. Department of the Interior, Bureau of Land Management, Colorado State Office (BLM Colorado State Office) has completed an inventory of human remains and associated funerary objects and has determined that there is a cultural affiliation between the human remains and associated funerary objects and Indian Tribes or Native Hawaiian organizations in this notice.

DATES: Repatriation of the human remains and associated funerary objects in this notice may occur on or after May 18, 2026.

ADDRESSES: Send written requests for repatriation of the human remains and associated funerary objects in this notice to Natalie Clark, Deputy Preservation Officer, Bureau of Land Management, Colorado State Office, 2815 H Road, Grand Junction, CO 81506, email BLM_CO_NAGPRA@blm.gov.

SUPPLEMENTARY INFORMATION: This notice is published as part of the National Park Service's administrative responsibilities under NAGPRA. The determinations in this notice are the sole responsibility of the BLM Colorado State Office, and additional information on the determinations in this notice, including the results of consultation, can be found in its inventory or related records. The National Park Service is not responsible for the determinations in this notice.

Abstract of Information Available

Human remains representing at least one individual have been identified. The one associated funerary object is a charcoal sample. In 1975, human remains representing a minimum of one individual were removed from archaeological site 5MN368 (Weimer Ranch, Battleship site), in Montrose County, CO. The site was excavated by Metropolitan State College (MSC) field school classes. In approximately 1999, the Rimrocker Historical Society acquired collections from MSC, including the Weimer Ranch, Battleship

site, as well as several other sites excavated in various locations around Colorado by the MSC field school classes. In 2007, Fort Lewis College Center of Southwest Studies acquired a portion of these collections from the Rimrocker Historical Society through a transfer of other site collections. These collections have been held at Fort Lewis College since 2007. The human remains and associated funerary object are reasonably believed to be culturally affiliated with the Hopi Tribe of Arizona; Ohkay Owingeh, New Mexico; Pueblo of Acoma, New Mexico; Pueblo of Cochiti, New Mexico; Pueblo of Isleta, New Mexico; Pueblo of Jemez, New Mexico; Pueblo of Laguna, New Mexico; Pueblo of Nambe, New Mexico; Pueblo of Picuris, New Mexico; Pueblo of Pojoaque, New Mexico; Pueblo of San Felipe, New Mexico; Pueblo of San Ildefonso, New Mexico; Pueblo of Sandia, New Mexico; Pueblo of Santa Ana, New Mexico; Pueblo of Santa Clara, New Mexico; Pueblo of Taos, New Mexico; Pueblo of Tesuque, New Mexico; Pueblo of Zia, New Mexico; Santo Domingo Pueblo; Southern Ute Indian Tribe of the Southern Ute Reservation, Colorado; Ute Indian Tribe of the Uintah & Ouray Reservation, Utah; Ute Mountain Ute Tribe; Ysleta del Sur Pueblo; and the Zuni Tribe of the Zuni Reservation, New Mexico, based on the geographical location and the archaeological site type. The human remains and associated funerary object have not been treated with hazardous materials.

Cultural Affiliation

Based on the information available and the results of consultation, cultural affiliation is reasonably identified by the geographical location or acquisition history of the human remains and associated funerary object described in this notice.

Determinations

The BLM Colorado State Office has determined that:

- The human remains described in this notice represent the physical remains of one individual of Native American ancestry.
- The one object described in this notice is reasonably believed to have been placed intentionally with or near individual human remains at the time of death or later as part of the death rite or ceremony.
- There is a connection between the human remains and associated funerary objects described in this notice and the Hopi Tribe of Arizona; Ohkay Owingeh, New Mexico; Pueblo of Acoma, New Mexico; Pueblo of Cochiti, New Mexico;

Pueblo of Isleta, New Mexico; Pueblo of Jemez, New Mexico; Pueblo of Laguna, New Mexico; Pueblo of Nambe, New Mexico; Pueblo of Picuris, New Mexico; Pueblo of Pojoaque, New Mexico; Pueblo of San Felipe, New Mexico; Pueblo of San Ildefonso, New Mexico; Pueblo of Sandia, New Mexico; Pueblo of Santa Ana, New Mexico; Pueblo of Santa Clara, New Mexico; Pueblo of Taos, New Mexico; Pueblo of Tesuque, New Mexico; Pueblo of Zia, New Mexico; Santo Domingo Pueblo; Southern Ute Indian Tribe of the Southern Ute Reservation, Colorado; Ute Indian Tribe of the Uintah & Ouray Reservation, Utah; Ute Mountain Ute Tribe; Ysleta del Sur Pueblo; and the Zuni Tribe of the Zuni Reservation, New Mexico.

Requests for Repatriation

Written requests for repatriation of the human remains and associated funerary objects in this notice must be sent to the authorized representative identified in this notice under **ADDRESSES**. Requests for repatriation may be submitted by:

1. Any one or more of the Indian Tribes or Native Hawaiian organizations identified in this notice.
2. Any lineal descendant, Indian Tribe, or Native Hawaiian organization not identified in this notice who shows, by a preponderance of the evidence, that the requestor is a lineal descendant or an Indian Tribe or Native Hawaiian organization with cultural affiliation.

Repatriation of the human remains and associated funerary objects described in this notice to a requestor may occur on or after May 18, 2026. If competing requests for repatriation are received, the Department of the Interior, Bureau of Land Management, Colorado State Office must determine the most appropriate requestor prior to repatriation. Requests for joint repatriation of the human remains and associated funerary objects are considered a single request and not competing requests. The Department of the Interior, Bureau of Land Management, Colorado State Office is responsible for sending a copy of this notice to the Indian Tribes and Native Hawaiian organizations identified in this notice and any other consulting parties.

Authority: Native American Graves Protection and Repatriation Act, 25 U.S.C. 3003, and the implementing regulations, 43 CFR 10.10.

Dated: April 8, 2026.

Melanie O'Brien,

Manager, National NAGPRA Program.

[FR Doc. 2026-07385 Filed 4-15-26; 8:45 am]

BILLING CODE 4312-52-P

DEPARTMENT OF THE INTERIOR**National Park Service**

[N7058; NPS-WASO-NAGPRA-NPS0042591; PPWOCRADN0-PCU00RP14.R50000]

Notice of Inventory Completion: U.S. Department of the Interior, Bureau of Land Management, Wyoming State Office, Cheyenne, WY

AGENCY: National Park Service, Interior.
ACTION: Notice.

SUMMARY: In accordance with the Native American Graves Protection and Repatriation Act (NAGPRA), the U.S. Department of the Interior, Bureau of Land Management, Wyoming State Office (BLM Wyoming State Office) has completed an inventory of associated funerary objects and has determined that there is a cultural affiliation between the associated funerary objects and Indian Tribes or Native Hawaiian organizations in this notice.

DATES: Repatriation of the associated funerary objects in this notice may occur on or after May 18, 2026.

ADDRESSES: Send written requests for repatriation of the associated funerary objects in this notice to Tanya Thrift, State Director Wyoming Bureau of Land Management, 5353 Yellowstone Road, Cheyenne, WY 82009, email blm_wy_copywork@blm.gov.

SUPPLEMENTARY INFORMATION: This notice is published as part of the National Park Service's administrative responsibilities under NAGPRA. The determinations in this notice are the sole responsibility of the BLM Wyoming State Office and additional information on the determinations in this notice, including the results of consultation, can be found in its inventory or related records. The National Park Service is not responsible for the determinations in this notice.

Abstract of Information Available

Based on the information available, one lot of associated funerary objects were removed from archeological sites 48LN1296, 48CR325, 48SU2019, 48UT920, 48SU301, 48UT63, and 48SW5860. The one lot of associated funerary objects include but are not limited to beads, lithics and stone tools, soil samples, debitage/flakes, faunal remains, projectile points, bone awls, ground stone, fire cracked rock, charcoal, and shell. The cultural items were removed from archeological sites in Wyoming during excavations before November 16, 1990. These items are currently curated at the University of Wyoming in Laramie, Wyoming.

Human remains and associated funerary objects from archeological sites 48LN1296, 48CR325, 48SU2019, 48UT920, 48SU301, 48UT63, and 48SW5860 were published in a Notice of Inventory Completion, published in the **Federal Register** on June 11, 2025 (90 FR 24652–24654) and have been repatriated. This notice covers additional associated funerary objects recently discovered.

Cultural Affiliation

Based on the information available and the results of consultation, cultural affiliation is clearly identified by the information available about the associated funerary objects described in this notice.

Determinations

The BLM Wyoming State Office has determined that:

- The one lot of objects described in this notice are reasonably believed to have been placed intentionally with or near individual human remains at the time of death or later as part of the death rite or ceremony.
- There is a connection between the human remains and associated funerary objects described in this notice and the Assiniboin and Sioux Tribes of the Fort Peck Indian Reservation, Montana; Blackfeet Tribe of the Blackfeet Indian Reservation of Montana; Cheyenne River Sioux Tribe of the Cheyenne River Reservation, South Dakota; Chippewa Cree Indians of the Rocky Boy's Reservation, Montana; Crow Tribe of Montana; Eastern Shoshone Tribe of the Wind River Reservation, Wyoming; Fort Belknap Indian Community of the Fort Belknap Reservation of Montana; Kiowa Tribe (previously listed as Kiowa Indian Tribe of Oklahoma); Northern Arapaho Tribe of the Wind River Reservation, Wyoming; Northern Cheyenne Tribe of the Northern Cheyenne Indian Reservation, Montana; Oglala Sioux Tribe; Pawnee Nation of Oklahoma; Rosebud Sioux Tribe of the Rosebud Indian Reservation, South Dakota; Standing Rock Sioux Tribe of North & South Dakota; and the Winnebago Tribe of Nebraska.

Requests for Repatriation

Written requests for repatriation of the associated funerary objects in this notice must be sent to the authorized representative identified in this notice under **ADDRESSES**. Requests for repatriation may be submitted by:

1. Any one or more of the Indian Tribes or Native Hawaiian organizations identified in this notice.
2. Any lineal descendant, Indian Tribe, or Native Hawaiian organization

not identified in this notice who shows, by a preponderance of the evidence, that the requestor is a lineal descendant or an Indian Tribe or Native Hawaiian organization with cultural affiliation.

Repatriation of the associated funerary objects described in this notice to a requestor may occur on or after May 18, 2026. If competing requests for repatriation are received, the BLM Wyoming State Office must determine the most appropriate requestor prior to repatriation. Requests for joint repatriation of the associated funerary objects are considered a single request and not competing requests. The BLM Wyoming State Office is responsible for sending a copy of this notice to the Indian Tribes and Native Hawaiian organizations identified in this notice and any other consulting parties.

Authority: Native American Graves Protection and Repatriation Act, 25 U.S.C. 3003, and the implementing regulations, 43 CFR 10.10.

Dated: April 8, 2026.

Melanie O'Brien,

Manager, National NAGPRA Program.

[FR Doc. 2026–07387 Filed 4–15–26; 8:45 am]

BILLING CODE 4312–52–P

DEPARTMENT OF THE INTERIOR**National Park Service**

[N7069; NPS-WASO-NAGPRA-NPS0042592; PPWOCRADN0-PCU00RP14.R50000]

Notice of Inventory Completion: Center for American Archeology, Kampsville, IL

AGENCY: National Park Service, Interior.
ACTION: Notice.

SUMMARY: In accordance with the Native American Graves Protection and Repatriation Act (NAGPRA), the Center for American Archeology has completed an inventory of human remains and associated funerary objects and has determined that there is a cultural affiliation between the human remains and associated funerary objects and Indian Tribes or Native Hawaiian organizations in this notice.

DATES: Repatriation of the human remains and associated funerary objects in this notice may occur on or after May 18, 2026.

ADDRESSES: Send written requests for repatriation of the human remains and associated funerary objects in this notice to Dr. Jason L. King, Center for American Archeology, P.O. Box 366, Kampsville, IL 62053; email nagpra@caa-archeology.org.

SUPPLEMENTARY INFORMATION: This notice is published as part of the National Park Service's administrative responsibilities under NAGPRA. The determinations in this notice are the sole responsibility of the Center for American Archeology, and additional information on the determinations in this notice, including the results of consultation, can be found in its inventory or related records. The National Park Service is not responsible for the determinations in this notice.

Abstract of Information Available

Human remains representing, at least, 63 individuals and no associated funerary objects have been identified from the Bedford Mound Group, Pike County, IL. The Bedford Mound Group dates to the Middle Woodland (ca. 50 BCE–400 CE) and Late Woodland (ca. 400–1000 CE) periods. The site was excavated by Gregory Perino in 1955.

Humans remains representing, at least, seven individuals and no associated funerary objects have been identified from the Helm Mound Group, Pike County, IL. The Helm Mound Group dates to the Middle Woodland (ca. 50 BCE–400 CE) and Late Woodland (ca. 400–1000) periods. The site was excavated by Gregory Perino in 1944 and 1956.

Humans remains representing, at least, 70 individuals, and 667 associated funerary objects have been identified from the John Swartz Mound Group, Pike County, IL. The 665 associated funerary objects include one raptor skeleton, one snake skeleton, 643 freshwater beads and one indeterminate mammal bone [bead], one pair of cut and polished human maxilla, one polished bone ring, two wolf mandible parts, one heat-treated chert "eccentric" chipped-stone tool, one piece of unworked chert, four chert flakes, one Burlington chert knife, one serrated chert point, one red pipestone gorget, one hematite rubstone, one copper awl, one orange-and-white pigment, two red ochre, one piece of limonite, one cut mica sheet, and one pottery sherd. The John Swartz Mound Group dates to the Middle Woodland (ca. 50 BCE–400 CE) and Late Woodland (ca. 400–1000 CE) periods. The site was excavated in 1975 and 1976 by the Center for American Archeology.

Human remains representing, at least, seven individuals, and no associated funerary objects have been identified from the Montezuma Mound Group, Pike County, IL. The Montezuma Mound Group dates to the Middle Woodland (ca. 50 BCE–400 CE) period. Gregory Perino excavated the site in 1955 and 1956.

Human remains representing, at least, 10 individuals, and no associated funerary objects have been identified from the Pilot Peak Mounds. The Pilot Peak mounds date to the Middle Woodland (ca. 50 BCE–400 CE) and Late Woodland (ca. 400–1000 CE) periods. Gregory Perino excavated the site in 1956.

Human remains representing, at least, one individual, and no associated funerary objects have been identified from the Stilwell II site, Pike County, IL. The Stilwell II site dates to the Early Archaic period (ca. 8600–7400 BCE). Gregory Perino excavated the site in 1962.

No potentially hazardous materials were used to treat any remains or associated funerary objects.

Cultural Affiliation

Based on the information available and the results of consultation, cultural affiliation is reasonably identified by the geographical location of the human remains and associated funerary objects described in this notice.

Determinations

The Center for American Archeology has determined that:

- The human remains described in this notice represent the physical remains of 158 individuals of Native American ancestry.
- The 667 objects described in this notice are reasonably believed to have been placed intentionally with or near individual human remains at the time of death or later as part of the death rite or ceremony.
- There is a connection between the human remains and associated funerary objects described in this notice and the Citizen Potawatomi Nation, Oklahoma; Eastern Shawnee Tribe of Oklahoma; Forest County Potawatomi Community, Wisconsin; Match-E-Be-Nash-She-Wish Band of Pottawatomi (previously listed as Match-E-Be-Nash-She-Wish Band of Pottawatomi Indians of Michigan); Iowa Tribe of Kansas and Nebraska; Kaw Nation, Oklahoma; Miami Tribe of Oklahoma; Omaha Tribe of Nebraska; Otoe-Missouria Tribe of Indians, Oklahoma; Peoria Tribe of Indians of Oklahoma; Pokagon Band of Potawatomi Indians, Michigan and Indiana; Ponca Tribe of Indians of Oklahoma; Ponca Tribe of Nebraska; Prairie Band Potawatomi Nation; Quapaw Nation; Sac & Fox Nation, Oklahoma; Sac & Fox Tribe of the Mississippi in Iowa; Shawnee Tribe; and the Winnebago Tribe of Nebraska.

Requests for Repatriation

Written requests for repatriation of the human remains and associated funerary objects in this notice must be sent to the authorized representative identified in this notice under **ADDRESSES**. Requests for repatriation may be submitted by:

1. Any one or more of the Indian Tribes or Native Hawaiian organizations identified in this notice.
2. Any lineal descendant, Indian Tribe, or Native Hawaiian organization not identified in this notice who shows, by a preponderance of the evidence, that the requestor is a lineal descendant or an Indian Tribe or Native Hawaiian organization with cultural affiliation.

Repatriation of the human remains and associated funerary objects described in this notice to a requestor may occur on or after May 18, 2026. If competing requests for repatriation are received, the Center for American Archeology must determine the most appropriate requestor prior to repatriation. Requests for joint repatriation of the human remains and associated funerary objects are considered a single request and not competing requests. The Center for American Archeology is responsible for sending a copy of this notice to the Indian Tribes and Native Hawaiian organizations identified in this notice and any other consulting parties.

Authority: Native American Graves Protection and Repatriation Act, 25 U.S.C. 3003, and the implementing regulations, 43 CFR 10.10.

Dated: April 8, 2026.

Melanie O'Brien,

Manager, National NAGPRA Program.

[FR Doc. 2026–07374 Filed 4–15–26; 8:45 am]

BILLING CODE 4312–52–P

DEPARTMENT OF THE INTERIOR

National Park Service

[N7079; NPS–WASO–NAGPRA–NPS0042596; PPWOCRADN0–PCU00RP14.R50000]

Notice of Inventory Completion: U.S. Army Corps of Engineers, Huntington District, Huntington, WV

AGENCY: National Park Service, Interior.

ACTION: Notice.

SUMMARY: In accordance with the Native American Graves Protection and Repatriation Act (NAGPRA), the U.S. Army Corps of Engineers, Huntington District, has completed an inventory of associated funerary objects and has determined that there is a cultural affiliation between the associated

funerary objects and Indian Tribes or Native Hawaiian organizations in this notice.

DATES: Repatriation of the associated funerary objects in this notice may occur on or after May 18, 2026.

ADDRESSES: Send written requests for repatriation of associated funerary objects in this notice to Ms. Ashley Taylor, U.S. Army Corps of Engineers, Huntington District PMD–R, 502 Eighth Street, Huntington, WV 25701, email Ashley.D.Taylor@usace.army.mil.

SUPPLEMENTARY INFORMATION: This notice is published as part of the National Park Service's administrative responsibilities under NAGPRA. The determinations in this notice are the sole responsibility of the U.S. Army Corps of Engineers, Huntington District, and additional information on the determinations in this notice, including the results of consultation, can be found in its inventory or related records. The National Park Service is not responsible for the determinations in this notice.

Abstract of Information Available

The 314 associated funerary objects are two lots burned corn, one ceramic ball, one ceramic disc, seven ceramic vessels, four pipe fragments, one reconstructed sherd, three rim sherds with handles, one unidentified ceramic, one lot shell beads with faunal teeth, one lot shell beads with gorget, 22 lots shell beads (strung), 70 shell beads, four modified shell, one unmodified shell, 15 shell discs, 76 modified faunal bones, three turtle shell fragments, 15 faunal teeth, 33 antler tines, one lot faunal bone beads, two faunal bone tubes, four unmodified faunal bones, three bifaces, 10 celts, six drills, four discoids, two hammerstones, one unmodified stone, eight modified lithics, 10 projectile points, and two stone pendants. The only documentation within the collection, which was accumulated by a notorious looter, states that a small subset of artifacts were removed from site 46SU13, while other items match descriptions of artifacts in several documents that discuss the illegal excavations at site 46SU9. Distinction between the two sites within the collection is not possible, and site 46SU9 is a known burial site. The collection is currently located in Alexandria, Virginia, at the Veterans Curation Lab.

Cultural Affiliation

Based on the information available and the results of consultation, cultural affiliation is clearly identified by the information available about the

associated funerary objects described in this notice.

Determinations

The U.S. Army Corps of Engineers, Huntington District, has determined that:

- The 314 objects described in this notice are reasonably believed to have been placed intentionally with or near individual human remains at the time of death or later as part of the death rite or ceremony.
- There is a connection between the associated funerary objects described in this notice and the Absentee-Shawnee Tribe of Indians of Oklahoma; Eastern Shawnee Tribe of Oklahoma; and the Shawnee Tribe.

Requests for Repatriation

Written requests for repatriation of the associated funerary objects in this notice must be sent to the authorized representative identified in this notice under **ADDRESSES**. Requests for repatriation may be submitted by:

1. Any one or more of the Indian Tribes or Native Hawaiian organizations identified in this notice.
2. Any lineal descendant, Indian Tribe, or Native Hawaiian organization not identified in this notice who shows, by a preponderance of the evidence, that the requestor is a lineal descendant or an Indian Tribe or Native Hawaiian organization with cultural affiliation.

Repatriation of the associated funerary objects described in this notice to a requestor may occur on or after May 18, 2026. If competing requests for repatriation are received, the U.S. Army Corps of Engineers, Huntington District, must determine the most appropriate requestor prior to repatriation. Requests for joint repatriation of the associated funerary objects are considered a single request and not competing requests. The U.S. Army Corps of Engineers, Huntington District, is responsible for sending a copy of this notice to the Indian Tribes and Native Hawaiian organizations identified in this notice and any other consulting parties.

Authority: Native American Graves Protection and Repatriation Act, 25 U.S.C. 3003, and the implementing regulations, 43 CFR 10.10.

Dated: April 8, 2026.

Melanie O'Brien,

Manager, National NAGPRA Program.

[FR Doc. 2026–07372 Filed 4–15–26; 8:45 am]

BILLING CODE 4312–52–P

DEPARTMENT OF THE INTERIOR

National Park Service

[N7085; NPS–WASO–NAGPRA–NPS0042601; PPWOCRADN0–PCU00RP14.R50000]

Notice of Inventory Completion: Kansas State Historical Society, Topeka, KS

AGENCY: National Park Service, Interior.

ACTION: Notice.

SUMMARY: In accordance with the Native American Graves Protection and Repatriation Act (NAGPRA), the Kansas State Historical Society (KSHS) has completed an inventory of human remains and associated funerary objects and has determined that there is a cultural affiliation between the human remains and associated funerary objects and Indian Tribes or Native Hawaiian organizations in this notice.

DATES: Repatriation of the human remains and associated funerary objects in this notice may occur on or after May 18, 2026.

ADDRESSES: Send written requests for repatriation of the human remains and associated funerary objects in this notice to Dr. Nicole Klarmann, Kansas State Historical Society, 6425 SW 6th Avenue, Topeka, KS 66615–1099, email kshs.nagpra@ks.gov.

SUPPLEMENTARY INFORMATION: This notice is published as part of the National Park Service's administrative responsibilities under NAGPRA. The determinations in this notice are the sole responsibility of the KSHS, and additional information on the determinations in this notice, including the results of consultation, can be found in its inventory or related records. The National Park Service is not responsible for the determinations in this notice.

Abstract of Information Available

Human remains representing, at least, one individual have been identified from Norton County, KS (UBS 2022–02). No associated funerary objects are present. Partial remains were recovered by a local deputy and initially considered a forensic case. They were determined not to be medico-legally significant by a forensic anthropologist and were transferred to KSHS in 2022. No other provenience information is available.

Human remains representing, at least, one individual have been identified from Rawlins County, KS (UBS 1989–03). The eight associated funerary objects are chipped stone tools and mollusk shells. The landowner was trenching part of their property and

came across the burial. They stopped their work and backfilled the remainder of the trench. The remains and items were transferred to KSHS in 1988.

Human remains representing, at least, one individual have been identified in Rawlins County, KS (UBS 1989–18A). No associated funerary objects are present. A construction company found partial human remains in a sand pit near Atwood, KS and gave them to the Sternberg Museum in 1950. The Sternberg Museum transferred them to KSHS in 1989.

Human remains representing, at least, one individual have been identified from Rawlins County, KS (UBS 1989–21). No associated funerary objects are present. Human remains were exposed by a bulldozer and removed during excavation of a farm pond in 1967. They were given to the Rawlins County Historical Society and then transferred to KSHS in 1989.

To our knowledge, no known hazardous substances were used to treat any of the human remains or associated funerary objects.

Cultural Affiliation

Based on the information available and the results of consultation, cultural affiliation is reasonably identified by the geographical location or acquisition history of the human remains and associated funerary objects described in this notice.

Determinations

The KSHS has determined that:

- The human remains described in this notice represent the physical remains of four individuals of Native American ancestry.
- The eight objects described in this notice are reasonably believed to have been placed intentionally with or near individual human remains at the time of death or later as part of the death rite or ceremony.
- There is a connection between the human remains and associated funerary objects described in this notice and the Cheyenne and Arapaho Tribes, Oklahoma.

Requests for Repatriation

Written requests for repatriation of the human remains and associated funerary objects in this notice must be sent to the authorized representative identified in this notice under **ADDRESSES**. Requests for repatriation may be submitted by:

1. Any one or more of the Indian Tribes or Native Hawaiian organizations identified in this notice.
2. Any lineal descendant, Indian Tribe, or Native Hawaiian organization not identified in this notice who shows,

by a preponderance of the evidence, that the requestor is a lineal descendant or an Indian Tribe or Native Hawaiian organization with cultural affiliation.

Repatriation of the human remains and associated funerary objects described in this notice to a requestor may occur on or after May 18, 2026. If competing requests for repatriation are received, the KSHS must determine the most appropriate requestor prior to repatriation. Requests for joint repatriation of the human remains and associated funerary objects are considered a single request and not competing requests. The KSHS is responsible for sending a copy of this notice to the Indian Tribes and Native Hawaiian organizations identified in this notice and any other consulting parties.

Authority: Native American Graves Protection and Repatriation Act, 25 U.S.C. 3003, and the implementing regulations, 43 CFR 10.10.

Dated: April 8, 2026.

Melanie O'Brien,

Manager, National NAGPRA Program.

[FR Doc. 2026–07386 Filed 4–15–26; 8:45 am]

BILLING CODE 4312–52–P

DEPARTMENT OF THE INTERIOR

National Park Service

[N7088; NPS–WASO–NAGPRA–NPS0042609; PPWOCRADNO–PCU00RP14.R50000]

Notice of Inventory Completion: Eastern Washington University, Cheney, WA

AGENCY: National Park Service, Interior.

ACTION: Notice.

SUMMARY: In accordance with the Native American Graves Protection and Repatriation Act (NAGPRA), the Eastern Washington University has completed an inventory of human remains and has determined that there is a cultural affiliation between the human remains and Indian Tribes or Native Hawaiian organizations in this notice.

DATES: Repatriation of the human remains in this notice may occur on or after May 18, 2026.

ADDRESSES: Send written requests for repatriation of the human remains in this notice to Kate Valdez, NAGPRA Coordinator, Eastern Washington University, 214 Showalter Hall, Cheney, WA 99004, email vvaldez6@ewu.edu.

SUPPLEMENTARY INFORMATION: This notice is published as part of the National Park Service's administrative responsibilities under NAGPRA. The

determinations in this notice are the sole responsibility of the Eastern Washington University, and additional information on the determinations in this notice, including the results of consultation, can be found in its inventory or related records. The National Park Service is not responsible for the determinations in this notice.

Abstract of Information Available

Human remains representing, at least, two individuals has been identified. No associated funerary objects are present.

Human remains representing, at minimum, one individual were removed from Pierce County, WA. In 1959, human remains representing one individual were removed from the property of Mr. M.V. Petersen during an excavation of Mr. Petersen's basement by Mr. James C. Garner and Mr. Butler. In 1974, the Burke Museum legally transferred portions of the human remains to Seattle University. Sometime in the early 1990s, these human remains were transferred to the Confederated Tribes of the Colville Reservation, then subsequently transferred in 1992 to Eastern Washington University for identification. No known individuals were identified.

Human remains representing, at minimum, one individual were removed from King County, WA. In 1930, human remains representing one individual were removed Three Tree Point, King County, WA by Mr. Robert Higgins. The remains were collected by Erna Gunther Spier as part of a Washington State Museum field expedition. No known individuals were identified. In 1974, the Burke Museum legally transferred portions of the human remains to Seattle University. Sometime in the early 1990s, these human remains were transferred to the Confederated Tribes of the Colville Reservation, then subsequently transferred in 1992 to Eastern Washington University for identification.

Cultural Affiliation

Based on the information available and the results of consultation, cultural affiliation is reasonably identified by the geographical location or acquisition history of the human remains described in this notice.

Determinations

The Eastern Washington University has determined that:

- The human remains described in this notice represent the physical remains of two individuals of Native American ancestry.
- There is a connection between the human remains described in this notice

and the Puyallup Tribe of the Puyallup Reservation.

Requests for Repatriation

Written requests for repatriation of the human remains in this notice must be sent to the authorized representative identified in this notice under **ADDRESSES**. Requests for repatriation may be submitted by:

1. Any one or more of the Indian Tribes or Native Hawaiian organizations identified in this notice.
2. Any lineal descendant, Indian Tribe, or Native Hawaiian organization not identified in this notice who shows, by a preponderance of the evidence, that the requestor is a lineal descendant or an Indian Tribe or Native Hawaiian organization with cultural affiliation.

Repatriation of the human remains described in this notice to a requestor may occur on or after May 18, 2026. If competing requests for repatriation are received, the Eastern Washington University must determine the most appropriate requestor prior to repatriation. Requests for joint repatriation of the human remains are considered a single request and not competing requests. The Eastern Washington University is responsible for sending a copy of this notice to the Indian Tribes and Native Hawaiian organizations identified in this notice and any other consulting parties.

Authority: Native American Graves Protection and Repatriation Act, 25 U.S.C. 3003, and the implementing regulations, 43 CFR 10.10.

Dated: April 8, 2026.

Melanie O'Brien,

Manager, National NAGPRA Program.

[FR Doc. 2026-07376 Filed 4-15-26; 8:45 am]

BILLING CODE 4312-52-P

DEPARTMENT OF THE INTERIOR

National Park Service

[N7080; NPS-WASO-NAGPRA-NPS0042597; PPWOCRADN0-PCU00RP14.R50000]

Notice of Intended Repatriation: Dayton Society of Natural History, Dayton, OH

AGENCY: National Park Service, Interior.

ACTION: Notice.

SUMMARY: In accordance with the Native American Graves Protection and Repatriation Act (NAGPRA), the Dayton Society of Natural History (DSNH) intends to repatriate certain cultural items that meet the definition of sacred objects and that have a cultural affiliation with the Indian Tribes or

Native Hawaiian organizations in this notice.

DATES: Repatriation of the cultural items in this notice may occur on or after May 18, 2026.

ADDRESSES: Send additional, written requests for repatriation of the cultural items in this notice to Tracey Tomme, President & CEO, the Dayton Society of Natural History, 2600 DeWeese Parkway, Dayton, OH 45414, email ttomme@booshoftmuseum.org.

SUPPLEMENTARY INFORMATION: This notice is published as part of the National Park Service's administrative responsibilities under NAGPRA. The determinations in this notice are the sole responsibility of the DSNH, and additional information on the determinations in this notice, including the results of consultation, can be found in the summary or related records. The National Park Service is not responsible for the determinations in this notice.

Abstract of Information Available

A total of three cultural items have been requested for repatriation. The three sacred objects consist of two lei niho palaoa and one niho palaoa. They are identified as catalog number A-0983, Lei Niho Palaoa (whale tooth pendant necklace); catalog number A-0984, Lei Niho Palaoa (whale tooth pendant necklace); and catalog number A-0994, Niho Palaoa (whale tooth pendant). All three items are part of Accession 53-49 and were donated to the Dayton Society of Natural History (DSNH) in 1949 by Brother Walter Roesch of the University of Dayton. Brother Roesch taught in elementary schools in Baltimore, Maryland; Honolulu, Hawaii; and San Francisco, California between 1937 and 1946.

Although exact dates are not fully documented, records indicate that in 1942 he transferred from St. Anthony School in Wailuku, Maui, to St. Louis College in Honolulu. In 1946, he joined the library staff at the University of Dayton. While there is no direct documentation regarding the acquisition of these items, it is believed they were obtained during Brother Roesch's time in Hawaii. This interpretation is based on his documented presence there.

Determinations

The DSNH has determined that:

- The three sacred objects described in this notice are specific ceremonial objects needed by a traditional Native Hawaiian religious leader for present-day adherents to practice traditional Native Hawaiian religion, according to the Native Hawaiian traditional knowledge of a lineal descendant,

Indian Tribe, or Native Hawaiian organization.

- There is a connection between the cultural items described in this notice and the Hui Iwi Kuamo'o.

Requests for Repatriation

Additional, written requests for repatriation of the cultural items in this notice must be sent to the authorized representative identified in this notice under **ADDRESSES**. Requests for repatriation may be submitted by any lineal descendant, Indian Tribe, or Native Hawaiian organization not identified in this notice who shows, by a preponderance of the evidence, that the requestor is a lineal descendant or a culturally affiliated Indian Tribe or Native Hawaiian organization.

Repatriation of the cultural items in this notice to a requestor may occur on or after May 18, 2026. If competing requests for repatriation are received, the DSNH must determine the most appropriate requestor prior to repatriation. Requests for joint repatriation of the cultural items are considered a single request and not competing requests. The DSNH is responsible for sending a copy of this notice to the Indian Tribes and Native Hawaiian organizations identified in this notice and to any other consulting parties.

Authority: Native American Graves Protection and Repatriation Act, 25 U.S.C. 3004 and the implementing regulations, 43 CFR 10.9.

Dated: April 8, 2026.

Melanie O'Brien,

Manager, National NAGPRA Program.

[FR Doc. 2026-07383 Filed 4-15-26; 8:45 am]

BILLING CODE 4312-52-P

DEPARTMENT OF THE INTERIOR

National Park Service

[N7077; NPS-WASO-NAGPRA-NPS0042595; PPWOCRADN0-PCU00RP14.R50000]

Notice of Inventory Completion: San Diego State University, San Diego, CA

AGENCY: National Park Service, Interior.

ACTION: Notice.

SUMMARY: In accordance with the Native American Graves Protection and Repatriation Act (NAGPRA), San Diego State University (SDSU) has completed an inventory of human remains and associated funerary objects and has determined that there is a cultural affiliation between the human remains and associated funerary objects and

Indian Tribes or Native Hawaiian organizations in this notice.

DATES: Repatriation of the human remains and associated funerary objects in this notice may occur on or after May 18, 2026.

ADDRESSES: Send written requests for repatriation of the human remains and associated funerary objects in this notice to Jaime Lennox, San Diego State University, 5500 Campanile Drive, San Diego, CA 92182, email jlennox@sdsu.edu.

SUPPLEMENTARY INFORMATION: This notice is published as part of the National Park Service's administrative responsibilities under NAGPRA. The determinations in this notice are the sole responsibility of SDSU, and additional information on the determinations in this notice, including the results of consultation, can be found in its inventory or related records. The National Park Service is not responsible for the determinations in this notice.

Abstract of Information Available

No human remains are present. The three lots of associated funerary objects (representing approximately 100+ objects) are one lot ceramics, one lot lithics, and one lot non-human faunal. At an unknown date by unknown individuals, cultural items were removed from site CA-SDI-4747 (CAL# F:8:3; In-Ko-Pah Gorge) located in San Diego County, CA. Based on the original accession number assigned to the collection (1965-12), the cultural items were received by SDSU in 1965; in 1993 the collection was assigned accession number SDSU-0055 (CMP-SDSU-0055). It is unknown whether any potentially hazardous substances were used to treat the associated funerary objects.

No human remains are present. The seven lots of associated funerary objects (representing approximately 3,500+ objects) are one lot lithics, one lot post-contact items, one lot mineral items, one lot non-human faunal, one lot vegetal items, one lot soil samples, and one lot shell. At an unknown date, by unknown individuals, cultural items were removed from site CA-SDI-5369 (W-40B; CAL# E:4:57; San Dieguito Estates) located in San Diego County, CA; SDSU subsequently received the collection at an unknown date. In 1996, the collection was assigned accession number SDSU-0058 (CMP-SDSU-0058). It is unknown whether any potentially hazardous substances were used to treat the associated funerary objects.

Human remains representing, at least, one individual have been identified.

The 11 lots of associated funerary objects (representing approximately 11,500+ objects) are one lot ground stone, one lot lithics, one lot ceramics, one lot non-human faunal, one lot fire affected rock, one lot unworked shell, one lot worked shell, one lot charcoal, one lot vegetal items, one lot soil samples, and one lot post-contact items. In 1964, SDSU led excavations at site CA-SDI-149 (W-198; 1960-1; Harris Site), located in San Diego County, CA. During excavation, ancestral remains and cultural items were removed and brought to SDSU's campus; the collection was assigned accession number SDSU-0365 (CMP-SDSU-0365). A Notice of Inventory Completion was published in the **Federal Register** on October 24, 2000 (65 FR 63622) accounting for a minimum of one individual. Repatriation of the remains occurred in 2000 to the Tribes listed in the determinations section below; the rest of the collection remained in SDSU's custody. Additional human remains were identified within the collection in 2025. It is unknown whether any potentially hazardous substances were used to treat the human remains or associated funerary objects.

Human remains representing, at least, one individual have been identified. The 12 lots of associated funerary objects (representing approximately 7,500+ objects) are one lot lithics, one lot unworked non-human faunal, one lot post-contact items, one lot unworked shell, one lot miscellaneous/unidentified items, one lot charcoal, one lot ground stone, one lot unmodified stone, one lot soil samples, one lot worked shell, one lot worked non-human faunal, and one lot vegetal items. In 1975, via excavations conducted by SDSU, ancestral remains and cultural items were removed from site CA-SDI-4843 (CAL# E:8:15; Handyman), located in San Diego County, CA; the resulting collection was then housed at SDSU and assigned accession number SDSU-0366 (CMP-SDSU-0366). A Notice of Inventory Completion was published in the **Federal Register** on October 24, 2000 (65 FR 63622) accounting for a minimum of one individual. Repatriation of the remains occurred in 2001 and 2003 to the Tribes listed in the determinations section below; the rest of the collection remained in SDSU's custody. Additional human remains were identified within the collection in 2025. It is unknown whether any potentially hazardous substances were used to treat the human remains or associated funerary objects.

No human remains are present. The three lots of associated funerary objects

(representing approximately 25+ objects) are one lot ground stone, one lot lithics, and one lot ceramics. At an unknown date by unknown individuals, ancestral remains and cultural items were removed from site C-112, located in Imperial County, CA. The collection was received by SDSU at an unknown date, however the collection was uncovered on campus in November 1971 and subsequently accessioned shortly thereafter; the collection was assigned accession number SDSU-0395 (CMP-SDSU-0395) in 1996. A Notice of Inventory Completion was published in the **Federal Register** on October 24, 2000 (65 FR 63622) accounting for a minimum of one individual. Repatriation of the remains occurred in 2001 and 2003 to the Tribes listed in the determinations section below; the rest of the collection remained in SDSU's custody. It is unknown whether any potentially hazardous substances were used to treat the associated funerary objects.

No human remains are present. The six lots of associated funerary objects (representing approximately 100+ objects) are one lot ceramics, one lot lithics, one lot ground stone, one lot post-contact items, one lot shell, and one lot non-human faunal. In 1968, during SDSU led excavations, ancestral remains and cultural items were removed from site CA-SDI-5757 (1968-1), located in San Diego County, CA; the resulting collection was then housed at SDSU and assigned accession number SDSU-0417 (CMP-SDSU-0417). A Notice of Inventory Completion was published in the **Federal Register** on October 24, 2000 (65 FR 63622) accounting for a minimum of one individual. Repatriation of the remains occurred in 2000 to the Tribes listed in the determinations section below; the rest of the collection remained in SDSU's custody. It is unknown whether any potentially hazardous substances were used to treat the associated funerary objects.

No human remains are present. The five lots of associated funerary objects (representing approximately 25+ objects) are one lot lithics, one lot ground stone, one lot ceramics, one lot non-human faunal, and one lot shell. At an unknown date, cultural items were collected by Jean Krase from site CA-SDI-4609 (1972-19; CAL# E:4:18; Rimbach), located in San Diego County, CA; SDSU subsequently received the collection from Krase in 1972 and assigned accession number SDSU-0475 (CMP-SDSU-0475). It is unknown whether any potentially hazardous substances were used to treat the associated funerary objects.

No human remains are present. The five lots of associated funerary objects (representing approximately 350+ objects) are one lot non-human faunal, one lot ceramics, one lot lithics, one lot ground stone, and one lot vegetal samples. In 1984, ancestral remains and cultural items were removed by Steven A. Apple from site CA–SDI–9936, located in San Diego County, CA. The collection was assigned accession number SDSU–0543 (CMP–SDSU–0543) in 1999. A Notice of Inventory Completion was published in the **Federal Register** on October 24, 2000 (65 FR 63622) accounting for a minimum of one individual. Repatriation of the remains occurred in 2000 to the Tribes listed in the determinations section below; the rest of the collection remained in SDSU's custody. It is unknown whether any potentially hazardous substances were used to treat the associated funerary objects.

No human remains are present. The six lots of associated funerary objects (representing approximately 400+ objects) are one lot non-human faunal, one lot lithics, one lot ground stone, one lot ceramics, one lot shell, and one lot charcoal. In 1984, ancestral remains and cultural items were removed by Steven A. Apple from site CA–SDI–9936, located in San Diego County, CA. The collection was assigned accession number SDSU–0547 (CMP–SDSU–0547) in 1999. A Notice of Inventory Completion was published in the **Federal Register** on October 24, 2000 (65 FR 63622) accounting for a minimum of one individual. Repatriation of the remains occurred in 2000 to the Tribes listed in the determinations section below; the rest of the collection remained in SDSU's custody. It is unknown whether any potentially hazardous substances were used to treat the associated funerary objects.

Human remains representing, at least, one individual have been identified. The eight lots of associated funerary objects (representing approximately 24,500+ objects) are one lot post-contact items, one lot wood, one lot lithics, one lot ground stone, one lot shell, one lot charcoal, one lot non-human faunal, and one lot unmodified stone. Ancestral remains and cultural items were removed at an unknown date by unknown individuals from site CA–SDI–10668 (SDI–10668–H; Otay Prison), located in San Diego County, CA. SDSU received the collection in 2007 from the County of San Diego, Department of Public Works and assigned accession number SDSU–0688 (CMP–SDSU–0688). It is unknown whether any

potentially hazardous substances were used to treat the human remains or associated funerary objects.

No human remains are present. The three lots of associated funerary objects (representing approximately 50+ objects) are one lot lithics, one lot ground stone, and one lot shell. Cultural items were removed at an unknown date by unknown individuals from site CA–SDI–9980, located in San Diego County, CA. SDSU received the collection in 2007 from the County of San Diego, Department of Public Works and assigned accession number SDSU–0689 (CMP–SDSU–0689). It is unknown whether any potentially hazardous substances were used to treat the associated funerary objects.

No human remains are present. The five lots of associated funerary objects (representing approximately 100+ objects) are one lot ceramics, one lot charcoal, one lot ground stone, one lot lithics, and one lot shell. Cultural items were removed at an unknown date by unknown individuals from sites CA–IMP–1 and CA–IMP–5, located in Imperial County, CA. Based on the original accession number assigned to the collection (1959–12), the cultural items were received by SDSU in 1959; the collection was assigned accession number SDSU–0875 (CMP–SDSU–0875) in 2013. It is unknown whether any potentially hazardous substances were used to treat the associated funerary objects.

No human remains are present. The one lot of associated funerary objects (representing approximately 10+ objects) are one lot pollen samples. Cultural items were removed at an unknown date by unknown individuals from site CA–SDI–4638 (W–389; Bancroft Rock House Restoration Project), located in San Diego County, CA. SDSU received the collection at an unknown date; the collection was accessioned as SDSU–0921 (CMP–SDSU–0921) in 2014. It is unknown whether any potentially hazardous substances were used to treat the associated funerary objects.

No human remains are present. The five lots of associated funerary objects (representing approximately 200+ objects) are one lot ceramics, one lot post-contact items, one lot lithics, one lot ground stone, and one lot shell. In 1964, ancestral remains and cultural items were removed during SDSU led excavations at site CA–SDI–149 (W–198; Harris Site), located in San Diego County, CA; the resulting collection was brought to SDSU. The ancestral remains and majority of the cultural items were accessioned as collection SDSU–0365 (CMP–SDU–0365). While housed at

SDSU, for unknown reasons at an unknown time, a portion of the collection was separated and accessioned as SDSU–0936 (CMP–SDSU–0936) in 2014. It is unknown whether any potentially hazardous substances were used to treat the associated funerary objects.

Cultural Affiliation

Based on the information available and the results of consultation, cultural affiliation is reasonably identified by the geographical location or acquisition history of the human remains and associated funerary objects described in this notice.

Determinations

SDSU has determined that:

- The human remains described in this notice represent the physical remains of three individuals of Native American ancestry.
- The 80 lots of objects described in this notice are reasonably believed to have been placed intentionally with or near individual human remains at the time of death or later as part of the death rite or ceremony.
- There is a connection between the human remains and associated funerary objects described in this notice and the Campo Band of Diegueno Mission Indians of the Campo Indian Reservation, California; Capitan Grande Band of Diegueno Mission Indians of California (Barona Group of Capitan Grande Band of Mission Indians of the Barona Reservation, California; Viejas (Baron Long) Group of Capitan Grande Band of Mission Indians of the Viejas Reservation, California); Ewiiapaayp Band of Kumeyaay Indians (previously listed as Ewiiapaayp Band of Kumeyaay Indians, California); Iipay Nation of Santa Ysabel, California; Inaja Band of Diegueno Mission Indians of the Inaja and Cosmit Reservation, California; Jamul Indian Village of California; La Posta Band of Diegueno Mission Indians of the La Posta Indian Reservation, California; Manzanita Band of Diegueno Mission Indians of the Manzanita Reservation, California; Mesa Grande Band of Diegueno Mission Indians of the Mesa Grande Reservation, California; San Pasqual Band of Diegueno Mission Indians of California; and the Sycuan Band of the Kumeyaay Nation.

Requests for Repatriation

Written requests for repatriation of the human remains and associated funerary objects in this notice must be sent to the authorized representative identified in this notice under **ADDRESSES**. Requests for repatriation may be submitted by:

1. Any one or more of the Indian Tribes or Native Hawaiian organizations identified in this notice.

2. Any lineal descendant, Indian Tribe, or Native Hawaiian organization not identified in this notice who shows, by a preponderance of the evidence, that the requestor is a lineal descendant or an Indian Tribe or Native Hawaiian organization with cultural affiliation.

Repatriation of the human remains and associated funerary objects described in this notice to a requestor may occur on or after May 18, 2026. If competing requests for repatriation are received, SDSU must determine the most appropriate requestor prior to repatriation. Requests for joint repatriation of the human remains and associated funerary objects are considered a single request and not competing requests. SDSU is responsible for sending a copy of this notice to the Indian Tribes and Native Hawaiian organizations identified in this notice and any other consulting parties.

Authority: Native American Graves Protection and Repatriation Act, 25 U.S.C. 3003, and the implementing regulations, 43 CFR 10.10.

Dated: April 8, 2026.

Melanie O'Brien,

Manager, National NAGPRA Program.

[FR Doc. 2026-07391 Filed 4-15-26; 8:45 am]

BILLING CODE 4312-52-P

DEPARTMENT OF THE INTERIOR

National Park Service

[N7090; NPS-WASO-NAGPRA-NPS0042602; PPWOCRADN0-PCU00RP14.R50000]

Notice of Inventory Completion: Kansas State Historical Society, Topeka, KS

AGENCY: National Park Service, Interior.

ACTION: Notice.

SUMMARY: In accordance with the Native American Graves Protection and Repatriation Act (NAGPRA), the Kansas State Historical Society (KSHS) has completed an inventory of associated funerary objects and has determined that there is a cultural affiliation between the associated funerary objects and Indian Tribes or Native Hawaiian organizations in this notice.

DATES: Repatriation of the associated funerary objects in this notice may occur on or after May 18, 2026.

ADDRESSES: Send written requests for repatriation of the associated funerary objects in this notice to Dr. Nicole

Klarmann, Kansas State Historical Society, 6425 SW 6th Avenue, Topeka, KS 66615-1099, email kshs.nagpra@ks.gov.

SUPPLEMENTARY INFORMATION: This notice is published as part of the National Park Service's administrative responsibilities under NAGPRA. The determinations in this notice are the sole responsibility of the KSHS, and additional information on the determinations in this notice, including the results of consultation, can be found in its inventory or related records. The National Park Service is not responsible for the determinations in this notice.

Abstract of Information Available

Associated funerary objects have been identified from Richardson County, Nebraska (UBS 2001-03). The 457 objects include ceramics and lithics. An amateur archeologist gave their collection to KSHS in 1925. Human remains were incorrectly separated from the associated funerary objects and this notice serves to repatriate the funerary objects the donor removed from this site.

Associated funerary objects have been identified from northeastern Kansas (UBS 1993-07). The 200 objects include lithics, ceramics, non-human bone, and shell. An amateur archeologist gave their collection to KSHS in 1981. Human remains were incorrectly separated from the associated funerary objects and this notice serves to repatriate the funerary objects the donor removed from this site.

Associated funerary objects have been identified from Doniphan County, Kansas (UBS 2024-08). The 338 objects include ceramics, bone and stone tools, shell, catlinite, hematite, beads, and historic items. The Nebraska Historical Society gave their Kansas collections to KSHS in 1987. Human remains were incorrectly separated from the associated funerary objects and this notice serves to repatriate the funerary objects that were removed from this site. An unspecified glue was used to reconstruct some of the ceramic items.

Unless noted above, no known hazardous substances were used to treat any of the associated funerary objects.

Cultural Affiliation

Based on the information available and the results of consultation, cultural affiliation is reasonably identified by the geographical location or acquisition history of the associated funerary objects described in this notice.

Determinations

The KSHS has determined that:

- The 995 objects described in this notice are reasonably believed to have been placed intentionally with or near individual human remains at the time of death or later as part of the death rite or ceremony.

- There is a connection between the associated funerary objects described in this notice and the Iowa Tribe of Kansas and Nebraska; Kaw Nation, Oklahoma; and the Pawnee Nation of Oklahoma.

Requests for Repatriation

Written requests for repatriation of the associated funerary objects in this notice must be sent to the authorized representative identified in this notice under **ADDRESSES**. Requests for repatriation may be submitted by:

1. Any one or more of the Indian Tribes or Native Hawaiian organizations identified in this notice.

2. Any lineal descendant, Indian Tribe, or Native Hawaiian organization not identified in this notice who shows, by a preponderance of the evidence, that the requestor is a lineal descendant or an Indian Tribe or Native Hawaiian organization with cultural affiliation.

Repatriation of the associated funerary objects described in this notice to a requestor may occur on or after May 18, 2026. If competing requests for repatriation are received, the KSHS must determine the most appropriate requestor prior to repatriation. Requests for joint repatriation of the associated funerary objects are considered a single request and not competing requests. The KSHS is responsible for sending a copy of this notice to the Indian Tribes and Native Hawaiian organizations identified in this notice and any other consulting parties.

Authority: Native American Graves Protection and Repatriation Act, 25 U.S.C. 3003, and the implementing regulations, 43 CFR 10.10.

Dated: April 8, 2026.

Melanie O'Brien,

Manager, National NAGPRA Program.

[FR Doc. 2026-07392 Filed 4-15-26; 8:45 am]

BILLING CODE 4312-52-P

DEPARTMENT OF THE INTERIOR

National Park Service

[N7081; NPS-WASO-NAGPRA-NPS0042598; PPWOCRADN0-PCU00RP14.R50000]

Notice of Intended Repatriation: California State University, Sacramento, Sacramento, CA

AGENCY: National Park Service, Interior.

ACTION: Notice.

SUMMARY: In accordance with the Native American Graves Protection and Repatriation Act (NAGPRA), the California State University, Sacramento intends to repatriate certain cultural items that meet the definition of objects of cultural patrimony and that have a cultural affiliation with the Indian Tribes or Native Hawaiian organizations in this notice.

DATES: Repatriation of the cultural items in this notice may occur on or after May 18, 2026.

ADDRESSES: Send additional, written requests for repatriation of the cultural items in this notice to Dr. Mark R. Wheeler, Senior Advisor to President Luke Wood, California State University, Sacramento, 6000 J Street, Sacramento, CA 95819, email mark.wheeler@csus.edu.

SUPPLEMENTARY INFORMATION: This notice is published as part of the National Park Service's administrative responsibilities under NAGPRA. The determinations in this notice are the sole responsibility of the California State University, Sacramento, and additional information on the determinations in this notice, including the results of consultation, can be found in the summary or related records. The National Park Service is not responsible for the determinations in this notice.

Abstract of Information Available

A total of at least six cultural items have been requested for repatriation. The six objects of cultural patrimony include groundstones, flaked stones, and unmodified stones. An unknown number of unidentified cultural items may be missing from the collection, which may include other categories of items. The items (accession 81–494) were likely collected by a former Professor in the 1960s and 1970s while surveying in the Woodbridge Ranch area of Sacramento, County prior to development. The California State University, Sacramento is unaware of any treatment of the objects of cultural patrimony with pesticides, preservatives, or other substances that represent a potential hazard to the objects or to persons handling the objects.

Determinations

The California State University, Sacramento has determined that:

- The six objects of cultural patrimony described in this notice have ongoing historical, traditional, or cultural importance central to the Native American group, including any constituent sub-group (such as a band, clan, lineage, ceremonial society, or

other subdivision), according to the Native American traditional knowledge of an Indian Tribe or Native Hawaiian organization.

- There is a connection between the cultural items described in this notice and the Wilton Rancheria, California.

Requests for Repatriation

Additional, written requests for repatriation of the cultural items in this notice must be sent to the authorized representative identified in this notice under **ADDRESSES**. Requests for repatriation may be submitted by any lineal descendant, Indian Tribe, or Native Hawaiian organization not identified in this notice who shows, by a preponderance of the evidence, that the requestor is a lineal descendant or a culturally affiliated Indian Tribe or Native Hawaiian organization.

Repatriation of the cultural items in this notice to a requestor may occur on or after May 18, 2026. If competing requests for repatriation are received, the California State University, Sacramento must determine the most appropriate requestor prior to repatriation. Requests for joint repatriation of the cultural items are considered a single request and not competing requests. The California State University, Sacramento is responsible for sending a copy of this notice to the Indian Tribes and Native Hawaiian organizations identified in this notice and to any other consulting parties.

Authority: Native American Graves Protection and Repatriation Act, 25 U.S.C. 3004 and the implementing regulations, 43 CFR 10.9.

Dated: April 8, 2026.

Melanie O'Brien,

Manager, National NAGPRA Program

[FR Doc. 2026–07388 Filed 4–15–26; 8:45 am]

BILLING CODE 4312–52–P

DEPARTMENT OF THE INTERIOR

National Park Service

[N7089; NPS–WASO–NAGPRA–NPS0042610; PPWOCRADNO–PCU00RP14.R50000]

Notice of Intended Repatriation: U.S. Department of Agriculture, Forest Service, Tonto National Forest, Phoenix, AZ

AGENCY: National Park Service, Interior.

ACTION: Notice.

SUMMARY: In accordance with the Native American Graves Protection and Repatriation Act (NAGPRA), the U.S. Department of Agriculture, Forest Service, Tonto National Forest (Tonto

National Forest) intends to repatriate certain cultural items that meet the definition of unassociated funerary objects, sacred objects, and/or objects of cultural patrimony and that have a cultural affiliation with the Indian Tribes or Native Hawaiian organizations in this notice.

DATES: Repatriation of the cultural items in this notice may occur on or after May 18, 2026.

ADDRESSES: Send additional, written requests for repatriation of the cultural items in this notice to Ericka Luna, Tonto National Forest Supervisor's Office, 2324 E. McDowell Road, Phoenix, AZ 85006, email ericka.luna@usda.gov.

SUPPLEMENTARY INFORMATION: This notice is published as part of the National Park Service's administrative responsibilities under NAGPRA. The determinations in this notice are the sole responsibility of the Tonto National Forest, and additional information on the determinations in this notice, including the results of consultation, can be found in the summary or related records. The National Park Service is not responsible for the determinations in this notice.

Abstract of Information Available

A total of 2,027 cultural items have been requested for repatriation.

A total of 739 cultural items excavated from AZ O:15:1(ASM)/AR–03–12–06–54 have been requested for repatriation (738 unassociated funerary objects and one sacred object). The 738 unassociated funerary objects are faunal bone and lithic awls, shell and stone beads, lithic bifaces, ceramic bowls, shell bracelets, bulk faunal bone, bulk flaked stone, a stone concretion, crystals, ground stone and ceramic discs, lithic drills, ceramic and stone figurines, faunal bone flakers, faunal bone and lithic hairpins, ceramic jars, lithic knives, a ceramic ladle, shell and stone necklaces, shell and stone ornaments, shell objects, ceramic objects, stone objects, shell and stone pendants, pigment samples, ceramic pitchers, polishing stones, projectile points, shell and bone rings, mineral samples, ground stone scoop, ground stone shaft straighteners, ceramic shoe-pots, ceramic spindle whorl, tesserae, shell tinklers, faunal bone tool, and a wood botanical sample. The one sacred object is a palette fragment. These cultural items were removed from AZ O:15:1(ASM)/AR–03–12–06–54 in Gila County, Arizona, in 1929 and 1930 for the Gila Pueblo Archaeological Foundation (Gila Pueblo). This site is characterized as a large Hohokam and

Salado habitation site, featuring a 300-room pueblo of contiguous and isolated rooms, along with associated trash mounds. The Arizona State Museum received collections from this location in two episodes. The first accession occurred on March 16, 1931, as a donation from Gila Pueblo. The second accession took place on December 16, 1950, and included all collections previously held by Gila Pueblo that had not yet been dispositioned upon the Foundation's closure, including cultural items from AZ O:15:1(ASM)/AR-03-12-06-54. There are no documented applications of hazardous substances for the items in this collection.

A total of 13 cultural items excavated from AZ O:15:28(ASM)/AR-03-12-04-92 have been requested for repatriation. The 13 unassociated funerary objects are shell beads, shell pendants, ceramic bowls, and a ceramic jar. In 1967, AZ O:15:28(ASM)/AR-03-12-04-92 was excavated in Gila County, Arizona, by the Arizona State Museum (ASM) as part of the Highway Salvage Program. This site is described as a Hohokam and Salado habitation area featuring masonry structures and pit houses. In 1968, collections from AZ O:15:28(ASM)/AR-03-12-04-92 were transferred to ASM through a repository agreement. There are no documented applications of hazardous substances for the items in this collection.

A total of one cultural item excavated from AZ O:15:31(ASM)/AR-03-12-06-582 has been requested for repatriation. The one unassociated funerary object is a lithic flake. The site was excavated in Gila County, Arizona, between July 9 and October 5, 1971, as part of the Highway Salvage Program. The site is described as a large Colonial Period Hohokam habitation site. On April 17, 1972, the collections from AZ O:15:31(ASM)/AR-03-12-06-582 were transferred to the Arizona State Museum under a repository agreement. There are no documented applications of hazardous substances for the items in this collection.

A total of 12 cultural items removed from AZ O:15:64(ASM)/AR-03-12-04-465 have been requested for repatriation. The 12 unassociated funerary objects are ceramic bowls, ceramic jars, and stone projectile points. On January 28, 1930, Harold Gladwin recorded AZ O:15:64(ASM)/AR-03-12-04-465 in Gila County, Arizona for the Gila Pueblo Archaeological Foundation (Gila Pueblo). The site is described as a compound featuring associated lithic and sherd scatters associated with Hohokam and Salado archaeological traditions. Gila Pueblo received collections from AZ O:15:64(ASM)/AR-

03-12-04-465 on an unspecified date. On December 16, 1950, all collections previously held by Gila Pueblo that had not yet been dispositioned, including cultural items from this site, were donated to the Arizona State Museum upon the Foundation's closure. There are no documented applications of hazardous substances for the items in this collection.

A total of one cultural item removed from O:15:65(ASM)/AR-03-12-06-54 has been requested for repatriation. The one unassociated funerary object is a ceramic jar. On January 28, 1930, Harold Gladwin recorded AZ O:15:65(ASM)/AR-03-12-06-54 in Gila County, Arizona for the Gila Pueblo Archaeological Foundation (Gila Pueblo). The site is described as a Hohokam and Salado compound pueblo consisting of four rooms. On an unknown date, collections from this location were received by Gila Pueblo. On December 16, 1950, all collections previously held by Gila Pueblo that had not yet been dispositioned, including cultural items from this site, were donated to the Arizona State Museum upon the Foundation's closure. There are no documented applications of hazardous substances for the items in this collection.

A total of 129 cultural items excavated from AZ O:15:8(ASM)/AR-03-12-04-106 have been requested for repatriation. The 129 unassociated funerary objects are faunal bone awls, faunal bone beads, ceramic bowls, shell bracelets, a ceramic figurine, a faunal bone hairpin, ceramic jars, a shell necklace, shell ornaments, a shell pendant, ceramic pitchers, lithic projectile points, a mineral sample, a ceramic scoop, a shell tinkler, and a lithic tool. On an unknown date prior to September 1929, John Hughes and George Dennis excavated AZ O:15:8(ASM)/AR-03-12-04-106 for the Gila Pueblo Archaeological Foundation (Gila Pueblo) in Gila County, Arizona. The site is described as a Sinagua habitation site, featuring a 150-room pueblo made up of both contiguous and isolated rooms. In September 1929, Gila Pueblo purchased collections removed from this location from Hughes and Dennis. On December 16, 1950, all collections previously held by Gila Pueblo that had not yet been dispositioned, including cultural items from this site, were donated to the Arizona State Museum upon the Foundation's closure. There are no documented applications of hazardous substances for the items in this collection.

A total of three cultural items removed from AZ P:13:—(ASM) have

been requested for repatriation. The three unassociated funerary objects are ceramic bowls and a ceramic jar. On an unknown date prior to December 28, 1930, Byron Cummings located a site currently designated as AZ P:13:—(ASM) in Gila County, Arizona. Cultural items attributed to the Mogollon archaeological tradition were identified as having been removed from mortuary contexts at the site, although there is no formal recording of the site. On December 28, 1930, Byron Cummings donated the recovered objects to the Arizona State Museum. There are no documented applications of hazardous substances for the items in this collection.

A total of two cultural items removed from an unspecified location (AZ U:11:—Superstition Mountains) have been requested for repatriation. The two unassociated funerary objects are a ceramic jar and a ceramic bowl. These items were encountered and recovered from an unspecified location (AZ U:11:—Superstition Mountains) in the Superstition Mountains of Maricopa or Pinal County, Arizona, on an unknown date prior to February 2, 1964. They were later given to Senator Goldwater, who then donated them to the Arizona State Museum (ASM) on January 2, 1964. The cultural items are attributed to the Hohokam archaeological tradition. There are no documented applications of hazardous substances for the items in this collection.

A total of 43 cultural items removed from Roosevelt:5:11(GP) have been requested for repatriation. The 43 unassociated funerary objects are bone and stone awls, ceramic bowls, quartz crystals, ceramic jars, a stone knife, a shell necklace, bone and shell needles, shells, mineral fragments, shell and turquoise pendants, stone projectile points, turquoise tesserae, shell tinklers, bone tubes, and ceramic vessels. Prior to March 1930, Roosevelt:5:11(GP) was identified in Gila County, Arizona, by John Hughes and George Dennis for the Gila Pueblo Archaeological Foundation (Gila Pueblo). The site was described as a collapsed one-story structure with eight rooms and defensive walls. In March 1930, Gila Pueblo purchased the collection of items removed from Roosevelt:5:11(GP). These items represent Salado, Hohokam, and Ancestral Pueblo cultural traditions. On December 16, 1950, all collections previously held by Gila Pueblo that had not yet been dispositioned, including cultural items from this site, were donated to the Arizona State Museum upon the Foundation's closure. There are no documented applications of

hazardous substances for the items in this collection.

A total of 297 cultural items excavated from AZ U:3:2(ASM)/Roosevelt:5:10(GP)/AR-03-12-06-132 have been requested for repatriation. The 297 unassociated funerary objects are bone awls, stone beads, shell beads, a copper bell, ceramic bowls, shell bracelets, ceramic jars, a stone metate, ceramic mugs, a necklace, shell pendants, ceramic pitchers, stone projectile points, ceramic scoops, a botanical specimen, a turquoise tessera, and a bone tube. On March 8, 1930, AZ U:3:2(ASM)/Roosevelt:5:10(GP)/AR-03-12-06-132 was excavated in Gila County, Arizona, by John Hughes and George Dennis for the Gila Pueblo Archaeological Foundation (Gila Pueblo). This site was described as a fallen 150-room pueblo compound, which once featured two- to three-story structures and defensive walls. In March 1930, Gila Pueblo purchased the cultural items removed from this site by Hughes and Dennis, which represent Hohokam and Salado cultural traditions. On December 16, 1950, all collections previously held by Gila Pueblo that had not yet been dispositioned, including cultural items from this site, were donated to the Arizona State Museum upon the Foundation's closure. On July 9, 2024, at the request of the US Forest Service, the Arizona State Museum (ASM) received a vessel from the University of Utah's Natural History Museum (UMNH) to reunite items from the site. This vessel was part of a legacy disposition exchanged between Gila Pueblo and UMNH in 1931. There are no documented applications of hazardous substances for the items in this collection.

A total of 21 cultural items excavated from AZ U:3:93(ASM)/Roosevelt:3:3(GP)/AR-03-12-06-293 have been requested for repatriation. The 21 unassociated funerary objects are stone beads, ceramic bowls, a shell disk pendant, ceramic jars, a necklace of stone disc beads, shell ornaments, a conus shell, shell pendants, stone pendants, shell tinkler pendants, and a bone tube. In November 1933, AZ U:3:93(ASM)/Roosevelt:3:3(GP)/AR-03-12-06-293 was excavated by an unknown source for the Gila Pueblo Archaeological Foundation (Gila Pueblo) in Gila County, Arizona. The site is described as a 30-room pueblo representative of Salado archaeological culture. Gila Pueblo purchased collections removed from AZ U:3:93(ASM) in April 1933. On December 16, 1950, all collections previously held by Gila Pueblo that had

not yet been dispositioned, including cultural items from this site, were donated to the Arizona State Museum upon the Foundation's closure. There are no documented applications of hazardous substances for the items in this collection.

A total of 77 cultural items removed from AZ U:12:25(ASM)/Florence:3:11(GP) have been requested for repatriation. The 77 unassociated funerary objects are ceramic bowls, shell bracelets, quartz crystals, a ceramic figurine, ceramic jars, necklaces, shell ornaments, pendants, ceramic pitchers, and projectile points. At an unknown date before November 1930, Ventry Steward excavated AZ U:12:25(ASM)/Florence:3:11(GP) in Maricopa County, Arizona, for the Gila Pueblo Archaeological Foundation (Gila Pueblo). The site is described as a collapsed Salado pueblo consisting of about 100 rooms. On November 29, 1930, Gila Pueblo purchased collections from Steward. On December 16, 1950, all collections previously held by Gila Pueblo that had not yet been dispositioned, including cultural items from this site, were donated to the Arizona State Museum upon the Foundation's closure. There are no documented applications of hazardous substances for the items in this collection.

A total of 63 cultural items removed from AZ U:4:9(ASM)/AR-03-12-06-295/Roosevelt:5:9(GP) have been requested for repatriation. The 63 unassociated funerary objects are a ceramic beaker, ceramic bowls, shell bracelets, ceramic jars, hematite, a ceramic mug, turquoise pendants, a ceramic pitcher, stone projectile points, ceramic scoops, and unworked stones. On an unknown date prior to March 8, 1930, AZ U:4:9(ASM)/AR-03-12-06-295/Roosevelt:5:9(GP) was excavated in Gila County, Arizona, by John Hughes and George Dennis for the Gila Pueblo Archaeological Foundation (Gila Pueblo). The site is described as a collapsed Salado pueblo comprising 25-30 rooms and defensive walls. In March 1930, Gila Pueblo purchased the collection removed from the site from Hughes and Dennis. On December 16, 1950, all collections previously held by Gila Pueblo that had not yet been dispositioned, including cultural items from this site, were donated to the Arizona State Museum upon the Foundation's closure. There are no documented applications of hazardous substances for the items in this collection.

A total of seven cultural items removed from AZ U:6:23(ASM)/AR-03-12-03-66 have been requested for

repatriation. The seven sacred objects are a stone censer, ceramic figurine fragments, stone palettes, and a shell trumpet. From March to June 1990, AZ U:6:23(ASM)/AR-03-12-03-66 was excavated in Maricopa County, Arizona, by Archaeological Consulting Services, Ltd. (ACS) as part of the Water Users Project. AZ U:6:23(ASM) is defined as a Sedentary period Hohokam settlement with at least nine mounds. During excavation, one cemetery area and five discrete funerary features were encountered. On May 20, 1990, the Arizona State Museum received collections from ACS for the Water Users Project through a repository agreement. A subsequent survey of the curated collections led to the identification of the seven cultural items presented here. There are no documented applications of hazardous substances for the items in this collection.

A total of one cultural item removed from AZ U:6:40(ASM)/AR-03-12-03-51 has been requested for repatriation. The one sacred object is a stone palette. On June 1, 1990, Archaeological Consulting Services, Ltd. (ACS) collected samples from five mound features at AZ U:6:40(ASM)/AR-03-12-03-51 in Maricopa County, Arizona, as part of the Water Users Project. The collections were taken from surface contexts, and no excavations were conducted. AZ U:6:40(ASM)/AR-03-12-03-51 is described as a Hohokam site, featuring a possible ball court, at least one pithouse, 32 trash mounds, and sherd and lithic scatters. On November 8, 1991, the Arizona State Museum received collections from ACS for this project through a repository agreement. A subsequent survey of the curated collections identified the one cultural item presented here. There are no documented applications of hazardous substances for the items in this collection.

A total of one cultural item removed from AZ U:8:—(ASM) has been requested for repatriation. The one unassociated funerary object is a ceramic boot pot. On an unknown date prior to November 6, 1926, John Hughes excavated a funerary feature at an unrecorded location in Gila County, Arizona, removing at least one funerary belonging. It is unclear from available records whether the associated remains were removed. The site, designated AZ U:8:—(ASM), was described as a large pueblo. On November 6, 1926, the Arizona State Museum received the unassociated funerary object, which is associated with the Salado archaeological tradition, from Hughes. There are no documented applications

of hazardous substances for the items in this collection.

A total of eight cultural items removed from Roosevelt:5:13[GP] have been requested for repatriation. The eight unassociated funerary objects are a ceramic bowl, a ceramic pitcher, and ceramic jars. On an unknown date prior to March 1930, a site (designated Roosevelt:5:13[GP]) was encountered in Gila County, Arizona, by John Hughes and George Dennis for the Gila Pueblo Archaeological Foundation (Gila Pueblo). The site was described as a collapsed four- to five-room compound. Gila Pueblo's original site survey detail record does not report funerary features; however, catalog cards identify the items as funerary belongings. In March 1930, Gila Pueblo purchased the collection from Hughes and Dennis. The collection represents Hohokam and Salado cultural traditions. On December 16, 1950, all collections previously held by Gila Pueblo that had not yet been dispositioned, including cultural items from this site, were donated to the Arizona State Museum upon the Foundation's closure. There are no documented applications of hazardous substances for the items in this collection.

A total of 34 cultural items removed from Roosevelt:5:3[GP] have been requested for repatriation. The 34 unassociated funerary objects are ceramic bowls, shell bracelets, ceramic jars, ceramic pitchers, and a ceramic scoop. In March 1929, a site (designated Roosevelt:5:3[GP]) was excavated in Gila County, Arizona, by John Hughes and George Dennis for the Gila Pueblo Archaeological Foundation (Gila Pueblo). The site was described as a collapsed checkerboard room block comprising 10 rooms. In May 1929 and February 1930, Gila Pueblo purchased the collection, which represents Hohokam and Salado cultural traditions, from Hughes and Dennis.. In September 1938, Gila Pueblo donated one vessel to the Texas Memorial Museum (TMM), University of Texas, Austin. On December 16, 1950, all collections previously held by Gila Pueblo that had not yet been dispositioned, including cultural items from this site, were donated to the Arizona State Museum (ASM) upon the Foundation's closure. The vessel previously donated to TMM by Gila Pueblo was acquired by the Texas Archaeological Research Laboratory (TARL), University of Texas, Austin, when TMM ceased operations. On December 12, 1990, TARL transferred the item to ASM in an exchange aimed at reunifying split collections. There are no documented applications of

hazardous substances for the items in this collection.

A total of 24 cultural items removed from Roosevelt:5:5[GP] have been requested for repatriation. The 24 unassociated funerary objects are a lithic axe, a ceramic bowl, shell bracelets, ceramic jars, shell pendants, and a ceramic pitcher. On an unknown date prior to May 1929, a site (designated Roosevelt:5:5[GP]) was excavated in Gila County, Arizona, by John Hughes and George Dennis for the Gila Pueblo Archaeological Foundation (Gila Pueblo). The site was described as a 10-room checkerboard pueblo. In May 1929, Gila Pueblo purchased the collections removed from the site from Hughes and Dennis. The collection represents Hohokam and Salado cultural traditions. On December 16, 1950, all collections previously held by Gila Pueblo that had not yet been dispositioned, including cultural items from this site, were donated to the Arizona State Museum upon the Foundation's closure. There are no documented applications of hazardous substances for the items in this collection.

A total of 17 cultural items removed from Roosevelt:5:6[GP] have been requested for repatriation. The 17 unassociated funerary objects are ceramic bowls, a shell bracelet, ceramic jars, a shell and turquoise necklace, a shell ring, and pendants. On an unknown date prior to May 1929, a site (designated Roosevelt:5:6[GP]) was excavated in Gila County, Arizona, by John Hughes and George Dennis for the Gila Pueblo Archaeological Foundation (Gila Pueblo). Details about the site are unknown from available records. In May 1929, Gila Pueblo purchased the collection, which represents Hohokam and Salado cultural traditions, that was removed from Roosevelt:5:6(GP) from Hughes and Dennis. On December 16, 1950, all collections previously held by Gila Pueblo that had not yet been dispositioned, including cultural items from this site, were donated to the Arizona State Museum upon the Foundation's closure. There are no documented applications of hazardous substances for the items in this collection.

A total of 59 cultural items removed from Roosevelt:5:7[GP] have been requested for repatriation. The 59 unassociated funerary objects are ceramic bowls, ceramic jars, ceramic pitchers, and a ceramic scoop. On January 28, 1930, a site (designated Roosevelt:5:7[GP]) was excavated in Gila County, Arizona, by John Hughes and George Dennis for the Gila Pueblo Archaeological Foundation (Gila

Pueblo). Hughes and Dennis described the site as a fallen two-story pueblo featuring at least nine rooms. In February and March of 1930, Gila Pueblo purchased the collection. Cultural items from the site represent Hohokam and Salado cultural traditions. On December 16, 1950, all collections previously held by Gila Pueblo that had not yet been dispositioned, including cultural items from this site, were donated to the Arizona State Museum upon the Foundation's closure. There are no documented applications of hazardous substances for the items in this collection.

A total of eight cultural items removed from Roosevelt:5:8[GP] have been requested for repatriation. The eight unassociated funerary objects are ceramic bowls, a stone pendant, and a stone projectile point. On January 28, 1930, a site (designated Roosevelt:5:8[GP]) was excavated in Gila County, Arizona, by John Hughes and George Dennis for the Gila Pueblo Archaeological Foundation (Gila Pueblo). Hughes and Dennis described the site as a small house featuring two rooms. In February 1930, Gila Pueblo purchased the collection removed from the site by Hughes and Dennis. Cultural items in the collection represent Hohokam and Salado cultural traditions. On December 16, 1950, all collections previously held by Gila Pueblo that had not yet been dispositioned, including cultural items from this site, were donated to the Arizona State Museum upon the Foundation's closure. There are no documented applications of hazardous substances for the items in this collection.

A total of 12 cultural items removed from AZ U:8:5(ASM)/Roosevelt:5:12(GP) have been requested for repatriation. The 12 unassociated funerary objects are ceramic bowls, shell bracelets, ceramic jars, and a shell pendant. On an unknown date prior to March 1930, AZ U:8:5(ASM)/Roosevelt:5:12(GP) was excavated in Gila County, Arizona, by John Hughes and George Dennis for the Gila Pueblo Archaeological Foundation (Gila Pueblo). Hughes and Dennis described the site as a collapsed compound with two room blocks. The two room blocks were differentiated by Gila Pueblo as Sand Ruin One and Sand Ruin Two. In March 1930, Gila Pueblo purchased collections removed from the site by Hughes and Dennis. Cultural items are representative of Hohokam and Salado cultural traditions. On December 16, 1950, all collections previously held by Gila Pueblo that had not yet been dispositioned, including

cultural items from this site, were donated to the Arizona State Museum upon the Foundation's closure. There are no documented applications of hazardous substances for the items in this collection.

A total of 24 cultural items removed from AZ U:8:24(ASM)/Roosevelt:9:11(GP)/AR-03-12-06-14 have been requested for repatriation. The 24 unassociated funerary objects are ceramic bowls, ceramic jars, and a ceramic mug. On an unknown date prior to February 2, 1929, AZ U:8:24(ASM)/Roosevelt:9:11(GP)/AR-03-12-06-14 was excavated in Gila County, Arizona, by John Hughes and George Dennis for the Gila Pueblo Archaeological Foundation (Gila Pueblo). The site was described as a large pueblo with over 150 rooms. Gila Pueblo purchased the archaeological collections removed from this site by Hughes and Dennis in March 1929. Cultural items represent Hohokam and Salado cultural traditions. On December 16, 1950, all collections previously held by Gila Pueblo that had not yet been dispositioned, including cultural items from this site, were donated to the Arizona State Museum upon the Foundation's closure. There are no documented applications of hazardous substances for the items in this collection.

A total of 28 cultural items removed from U:8:479(ASM)/Roosevelt:6:8(GP)/AR-03-12-06-57 have been requested for repatriation. The 28 unassociated funerary objects are bone awls, ceramic bowls, ceramic figurines, ceramic jars, shell pendants, pigment, and a projectile point. On an unknown date prior to April 1929, AZ U:8:479(ASM)/Roosevelt:6:8(GP)/AR-03-12-06-57 was excavated in Gila County, Arizona, by John Hughes and George Dennis for the Gila Pueblo Archaeological Foundation (Gila Pueblo). The site was described as a collapsed room block featuring at least four rooms. In April 1929, Gila Pueblo purchased the archaeological collections removed from this site by Hughes and Dennis. Cultural items represent Salado cultural traditions. On December 16, 1950, all collections previously held by Gila Pueblo that had not yet been dispositioned, including cultural items from this site, were donated to the Arizona State Museum upon the Foundation's closure. There are no documented applications of hazardous substances for the items in this collection.

A total of 111 cultural items removed from U:8:480(ASM)/Roosevelt:6:3(GP)/AR-03-12-06-0058 have been requested for repatriation. The 111 unassociated funerary objects are bone awls, ceramic bowls, shell bracelets, a

ceramic canteen, a stone concretion, a stone drill, ceramic jars, shell beads, necklaces of stone and/or shell beads, stone or shell pendants, hematite pigment, ceramic pitchers, stone projectile points, stone shaft straighteners, and turquoise tesserae. On an unknown date prior to March 20, 1929, AZ U:8:480(ASM)/Roosevelt:6:3(GP)/AR-03-12-06-0058 was excavated in Gila County, Arizona, by John Hughes, George Dennis, and J. W. Simmons for the Gila Pueblo Archaeological Foundation (Gila Pueblo). The site was described as a large, collapsed pueblo site featuring compound walls. In April 1929, Gila Pueblo purchased the collections removed from this site. Cultural items represent Salado cultural traditions. On December 16, 1950, all collections previously held by Gila Pueblo that had not yet been dispositioned, including cultural items from this site, were donated to the Arizona State Museum (ASM) upon the Foundation's closure. On December 12, 1990, the Texas Archaeological Research Laboratory transferred to ASM an item previously dispositioned by Gila Pueblo. The transfer was part of an exchange aimed at reunifying split collections. There are no documented applications of hazardous substances for the items in this collection.

A total of six cultural items removed from AZ U:8:481(ASM)/Roosevelt:6:4(GP)/AR-03-12-06-059 have been requested for repatriation. The six unassociated funerary objects are ceramic bowls and a ceramic jar. On an unknown date prior to March 21, 1929, AZ U:8:481(ASM)/Roosevelt:6:4(GP)/AR-03-12-06-059 was encountered in Gila County, Arizona, by John Hughes and George Dennis for the Gila Pueblo Archaeological Foundation (Gila Pueblo). The site was described as a one- to two-story 30-room pueblo. In April 1929, Gila Pueblo purchased collections removed from this site by Hughes and Dennis. Cultural items represent Hohokam and Salado cultural traditions. On December 16, 1950, all collections previously held by Gila Pueblo that had not yet been dispositioned, including cultural items from this site, were donated to the Arizona State Museum upon the Foundation's closure. There are no documented applications of hazardous substances for the items in this collection.

A total of 35 cultural items removed from AZ U:8:55(ASM)/Roosevelt:9:5(GP)31 have been requested for repatriation. The 35 unassociated funerary objects are

ceramic bowls, a ceramic canteen, ceramic jars, a necklace of shell beads, a turquoise pendant, shell pendants, ceramic pitchers, and stone projectile points. On an unknown date prior to April 1929, AZ U:8:55(ASM)/Roosevelt:9:5(GP)31 was excavated in Gila County, Arizona, by John Hughes and George Dennis for the Gila Pueblo Archaeological Foundation (Gila Pueblo). The site was described as a fallen cluster of approximately 10 rooms. In April 1929, Gila Pueblo purchased the collection removed from this site by Hughes and Dennis. Cultural items represent Hohokam and Salado cultural traditions. On December 16, 1950, all collections previously held by Gila Pueblo that had not yet been dispositioned, including cultural items from this site, were donated to the Arizona State Museum upon the Foundation's closure. There are no documented applications of hazardous substances for the items in this collection.

A total of 38 cultural items removed from U:8:56(ASM)/Roosevelt:9:6(GP) have been requested for repatriation (31 unassociated funerary objects and seven sacred objects). The 31 unassociated funerary objects are ceramic bowls, a shell bracelet, handstones, ceramic jars, stone artifacts, a stone anvil, stone palettes, a stone projectile point, and a ceramic scoop. The seven sacred objects are stone palettes and palette fragments. On February 2, 1929, H. Gladwin recorded AZ U:8:56(ASM)/Roosevelt:9:6(GP) in Gila County, Arizona, for the Gila Pueblo Archaeological Foundation (Gila Pueblo). From December 1930 to February 1931, Emil Hauray, George Dennis, and John Hughes carried out data collection at the location for Gila Pueblo. The site was described as a Colonial Period Hohokam village featuring 14 semi-subterranean houses, one stone masonry room, two cremation cemetery areas, two refuse mounds, and one large outside hearth. Prior disturbances to the site were reported by excavators. In April 1929, Gila Pueblo purchased the collections removed from this site. Cultural items represent Hohokam and Salado cultural traditions. On December 16, 1950, all collections previously held by Gila Pueblo that had not yet been dispositioned, including cultural items from this site, were donated to the Arizona State Museum upon the Foundation's closure. There are no documented applications of hazardous substances for the items in this collection.

A total of 68 cultural items removed from AZ U:8:61(ASM)/

Roosevelt:9:12(GP)/AR-03-12-06-12 have been requested for repatriation. The 68 unassociated funerary objects are ceramic bowls, shell bracelets, ceramic canteens, ceramic jars, necklaces of shell and/or stone beads, shell pendants, a stone pendant, ceramic pitchers, and a ceramic scoop. On an unknown date prior to February 2, 1929, AZ U:8:61(ASM)/Roosevelt:9:12(GP)/AR-03-12-06-12 was excavated in Gila County, Arizona, by John Hughes and George Dennis for the Gila Pueblo Archaeological Foundation (Gila Pueblo). The site was described as a room block of 20–25 rooms, likely within a compound wall. In March and April 1929, Gila Pueblo purchased collections removed from this site by Hughes and Dennis. Cultural items represent Hohokam, Salado, and Mogollon cultural traditions. On December 16, 1950, all collections previously held by Gila Pueblo that had not yet been dispositioned, including cultural items from this site, were donated to the Arizona State Museum upon the Foundation's closure. There are no documented applications of hazardous substances for the items in this collection.

A total of 15 cultural items removed from AZ U:8:62(ASM)/Roosevelt:9:16(GP) have been requested for repatriation. The 15 unassociated funerary objects are ceramic bowls and ceramic jars. On an unknown date prior to April 10, 1929, AZ U:8:62(ASM)/Roosevelt:9:16(GP) was excavated in Gila County, Arizona, by John Hughes and George Dennis for the Gila Pueblo Archaeological Foundation (Gila Pueblo). The site was described as a collapsed room block. In April 1929, Gila Pueblo purchased the collections removed from this site by Hughes and Dennis. Cultural items represent Hohokam and Salado cultural traditions. On December 16, 1950, all collections previously held by Gila Pueblo that had not yet been dispositioned, including cultural items from this site, were donated to the Arizona State Museum upon the Foundation's closure. There are no documented applications of hazardous substances for the items in this collection.

A total of 49 cultural items removed from Roosevelt:6:5(GP)/AR-03-12-06-59 have been requested for repatriation. The 49 unassociated funerary objects are bone awls, shell beads, ceramic bowls, shell bracelets, ceramic jars, shell pendants, and a ceramic pitcher. On an unknown date in April 1929, Roosevelt:6:5(GP)/AR-03-12-06-59 was excavated in Gila County, Arizona, by John Hughes and George Dennis for the

Gila Pueblo Archaeological Foundation (Gila Pueblo). The site was described as a small compound room block consisting of four or five rooms. Gila Pueblo purchased the collections removed by Hughes and Dennis close to the time of excavation in April 1929. On December 16, 1950, all collections previously held by Gila Pueblo that had not yet been dispositioned, including cultural items from this site, were donated to the Arizona State Museum upon the Foundation's closure. Cultural items represent Hohokam and Salado cultural traditions. There are no documented applications of hazardous substances for the items in this collection.

A total of one cultural item removed from Ruin 14(Hargrave) has been requested for repatriation. The one unassociated funerary object is a ceramic bowl. On an unknown date prior to February 1927, Ruin 14(Hargrave) was excavated in Gila County, Arizona, by Lyndon Hargrave. The site is described as a "ruin" in archival documents, but no further clarifying description is available. According to Hargrave's limited field notes, multiple funerary features were excavated at the location and the funerary belongings were removed. In February 1927, the Arizona State Museum received from Hargrave one of the funerary belongings. The cultural item represents the Hohokam archaeological tradition. There are no documented applications of hazardous substances for the items in this collection.

A total of four cultural items removed from AZ V:5:—(ASM)/Site D-1(Hawley) have been requested for repatriation. The four unassociated funerary objects are ceramic bowls. On an unknown date in 1933, AZ V:5:—(ASM)/Site D-1(Hawley) was located by Fred Hawley, in Gila County, Arizona. AZ V:5:—(ASM) was part of a larger site which was described as four grouped room blocks set upon two terrace levels. Funerary belongings from the location were received by the Arizona State Museum on November 20, 1985, as a gifted collection. Cultural items represent the Mogollon archaeological tradition. There are no documented applications of hazardous substances for the items in this collection.

A total of 13 cultural items removed from AZ V:5:10(ASM) have been requested for repatriation. The 13 unassociated funerary objects are ceramic jars, ceramic bowls, bone hairpins, shell rings, a shell necklace, and pigment. On an unknown date prior to April 28, 1929, AZ V:5:10(ASM) was excavated in Gila County, Arizona, by

John Hughes and George Dennis for the Gila Pueblo Archaeological Foundation (Gila Pueblo). The site is described as a Mogollon and Salado habitation site featuring a 12-room house cluster. In April 1929, Gila Pueblo purchased the collection removed by Hughes and Dennis from AZ V:5:10(ASM). On December 16, 1950, all collections previously held by Gila Pueblo that had not yet been dispositioned, including cultural items from this site, were donated to the Arizona State Museum upon the Foundation's closure. There are no documented applications of hazardous substances for the items in this collection.

A total of four cultural items removed from AZ V:5:14(ASM)/AR-03-12-06-607 have been requested for repatriation. The four sacred objects are a ceramic figurine and figurine fragments. On July 16, 1975, in Gila County, Arizona, AZ V:5:14(ASM)/AR-03-12-06-607 was recorded by the Arizona State Museum (ASM) as part of the APS-sponsored Cholla-Saguaro Transmission Line Mitigation Project. From May 16 to August 12, 1977, ASM carried out excavation at AZ V:5:14(ASM)/AR-03-12-06-607. The site is described as a part-time Salado habitation area featuring five noncontiguous cobble structures. On April 7, 1983, ASM issued an accession agreement for the collections removed during data recovery and later received them on November 15, 1985. A recent survey of collections in curation identified the cultural items presented here. There are no documented applications of hazardous substances for the items in this collection.

A total of two cultural items removed from AZ V:5:4(ASM)/AR-03-12-06-26 have been requested for repatriation. The two unassociated funerary objects are a ceramic bowl and a ceramic pitcher. On April 23, 1929, AZ V:5:4(ASM)/AR-03-12-06-26 was excavated by John Hughes, George Dennis, and Alan Perkins in Gila County, Arizona, for the Gila Pueblo Archaeological Foundation (Gila Pueblo). In May 1929, Gila Pueblo purchased the resulting collection. On December 16, 1950, all collections previously held by Gila Pueblo that had not yet been dispositioned, including cultural items from this site, were donated to the Arizona State Museum upon the Foundation's closure. Cultural items represented are ascribed to the Salado archaeological tradition. There are no documented applications of hazardous substances for the items in this collection.

A total of three cultural items removed from AZ V:5:87(ASM)/

Roosevelt 9:8(GP) have been requested for repatriation. The three unassociated funerary objects are shell bracelets. On February 2, 1929, AZ V:5:87(ASM)/Roosevelt 9:8(GP) was excavated by John Hughes and George Dennis in Gila County, Arizona, for the Gila Pueblo Archaeological Foundation (Gila Pueblo). The site was described as a Hohokam and Salado house cluster of at least fifty rooms. In January 1929, Gila Pueblo purchased collections removed from the location by Hughes and Dennis. On December 16, 1950, all collections previously held by Gila Pueblo that had not yet been dispositioned, including cultural items from this site, were donated to the Arizona State Museum upon the Foundation's closure. There are no documented applications of hazardous substances for the items in this collection.

A total of 15 cultural items removed from AZ V:5:89(ASM)/Roosevelt 9:19(GP) have been requested for repatriation. The 15 unassociated funerary objects are ceramic bowls, a ceramic jar, and a ceramic pitcher. On an unknown date prior to April 1929, John Hughes and George Dennis excavated AZ V:5:89(ASM)/Roosevelt 9:19(GP) in Gila County, Arizona, for the Gila Pueblo Archaeological Foundation (Gila Pueblo). AZ V:5:89(ASM)/Roosevelt 9:19(GP) is described as a ten-foot-long rock alignment remnant of a probable compound. In April 1929, Gila Pueblo purchased the collections removed by Hughes and Dennis. Cultural items from the site represent Hohokam and Salado archaeological traditions. On December 16, 1950, all collections previously held by Gila Pueblo that had not yet been dispositioned, including cultural items from this site, were donated to the Arizona State Museum upon the Foundation's closure. There are no documented applications of hazardous substances for the items in this collection.

A total of 22 cultural items removed from AZ V:5:9(ASM) have been requested for repatriation. The 22 unassociated funerary objects are a ceramic bowl, a ceramic canteen, ceramic jars, a ceramic pitcher, and lithic projectile points. On an unknown date prior to April 1929, AZ V:5:9(ASM) was excavated in Gila County, Arizona, by John Hughes and George Dennis for the Gila Pueblo Archaeological Foundation (Gila Pueblo). AZ V:5:9(ASM) is described as a Salado compound featuring 10–12 rooms. In April and May 1929, Gila Pueblo purchased the collections removed from the site by Hughes and Dennis. On

December 16, 1950, all collections previously held by Gila Pueblo that had not yet been dispositioned, including cultural items from this site, were donated to the Arizona State Museum upon the Foundation's closure. There are no documented applications of hazardous substances for the items in this collection.

A total of four cultural items removed from AZ V:9:21(ASM) have been requested for repatriation. The four sacred objects are ceramic figurine fragments. On July 17, 1971, AZ V:9:21(ASM) was recorded as part of the Pinto Valley Archaeological Project in Gila County, Arizona. The Arizona State Museum carried out excavations at AZ V:9:21(ASM) under the sponsorship of Tonto National Forest and Cities Service Co. from July to September 1973. AZ V:9:21(ASM) is described as a Salado habitation site. On April 4, 1972, collections from the project were received by the Arizona State Museum under a repository agreement. There are no documented applications of hazardous substances for the items in this collection.

A total of 12 cultural items removed from AZ V:9:68(ASM)/AR-03-12-02-132 have been requested for repatriation. The 12 unassociated funerary objects are ceramic bowls and ceramic jars. In 1923, Fred Hawley and Norman MacDonald encountered AZ V:9:68(ASM)/AR-03-12-02-132 in Gila County, Arizona. Hawley periodically returned to the site between 1923 and 1930 to pot hunt with invited guests. On unknown dates, Hawley donated a portion of the collections he removed from AZ V:9:68(ASM)/AR-03-12-02-132 to the Arizona State Museum (ASM). On November 25, 1985, and June 1, 1987, Hawley's daughter, Florence Hawley Ellis, donated additional collections from her father's estate. Further donations were made by Florence's daughter, Andrea Hawley Ellis, on December 5, 2008. Finally, on July 26, 2017, ASM received the estate of Joyce Hawley, granddaughter of Fred Hawley, which held additional objects from the site. Cultural items represent Hohokam and Salado archaeological traditions. There are no documented applications of hazardous substances for the items in this collection; however, Fred Hawley reconstructed many of the vessels using an adhesive by the brand name Ambroid.

A total of one cultural item removed from Roosevelt:9:9(GP)/AZ V:5:88(ASM) has been requested for repatriation. The one unassociated funerary object is a painted wooden object. On February 2, 1929, Harold S. Gladwin recorded Roosevelt:9:9(GP)/AZ V:5:88(ASM) for

the Gila Pueblo Archaeological Foundation (Gila Pueblo).

Roosevelt:9:9(GP) is described as a Salado habitation site featuring a room block of six scattered rooms and four funerary features. It is unclear from records housed at the Arizona State Museum (ASM) if ancestral remains were removed by Gila Pueblo. On December 16, 1950, all collections previously held by Gila Pueblo that had not yet been dispositioned, including cultural items from this site, were donated to ASM upon the Foundation's closure. In 1970, one object from Roosevelt:9:9(GP) was included in a loan. In 2002, the loan was closed and the loaned objects were either returned to curation or reported as lost. Records for this object were never updated upon return of the loan, and the item was assumed to be lost. On March 19, 2026, the object was located again in collections at ASM. There are no documented applications of hazardous substances for the items in this collection.

Determinations

The Tonto National Forest has determined that:

- The 2,003 unassociated funerary objects described in this notice are reasonably believed to have been placed intentionally with or near human remains, and are connected, either at the time of death or later as part of the death rite or ceremony of a Native American culture according to the Native American traditional knowledge of a lineal descendant, Indian Tribe, or Native Hawaiian organization. The unassociated funerary objects have been identified by a preponderance of the evidence as related to human remains, specific individuals, or families, or removed from a specific burial site or burial area of an individual or individuals with cultural affiliation to an Indian Tribe or Native Hawaiian organization.

- The 24 sacred objects described in this notice are specific ceremonial objects needed by a traditional Native American religious leader for present-day adherents to practice traditional Native American religion, according to the Native American traditional knowledge of a lineal descendant, Indian Tribe, or Native Hawaiian organization.

- There is a reasonable connection between the cultural items described in this notice and the Hopi Tribe of Arizona and the Salt River Pima-Maricopa Indian Community of the Salt River Reservation, Arizona.

Requests for Repatriation

Additional, written requests for repatriation of the cultural items in this notice must be sent to the authorized representative identified in this notice under **ADDRESSES**. Requests for repatriation may be submitted by any lineal descendant, Indian Tribe, or Native Hawaiian organization not identified in this notice who shows, by a preponderance of the evidence, that the requestor is a lineal descendant or a culturally affiliated Indian Tribe or Native Hawaiian organization.

Repatriation of the cultural items in this notice to a requestor may occur on or after May 18, 2026. If competing requests for repatriation are received, the Tonto National Forest must determine the most appropriate requestor prior to repatriation. Requests for joint repatriation of the cultural items are considered a single request and not competing requests. The Tonto National Forest is responsible for sending a copy of this notice to the Indian Tribes and Native Hawaiian organizations identified in this notice and to any other consulting parties.

Authority: Native American Graves Protection and Repatriation Act, 25 U.S.C. 3004 and the implementing regulations, 43 CFR 10.9.

Dated: April 8, 2026.

Melanie O'Brien,

Manager, National NAGPRA Program.

[FR Doc. 2026–07380 Filed 4–15–26; 8:45 am]

BILLING CODE 4312–52–P

INTERNATIONAL TRADE COMMISSION

[Investigation Nos. 701–TA–789 and 731–TA–1777 (Preliminary)]

Truck Bed Covers From China

Determinations

On the basis of the record¹ developed in the subject investigations, the United States International Trade Commission (“Commission”) determines, pursuant to the Tariff Act of 1930 (“the Act”), that there is a reasonable indication that an industry in the United States is materially injured by reason of imports of truck bed covers from China, provided for in subheading 8708.29.51 of the Harmonized Tariff Schedule of the United States, that are alleged to be sold in the United States at less than fair value (“LTFV”) and imports of the subject merchandise from China that are

alleged to be subsidized by the government of China.²

Commencement of Final Phase Investigations

Pursuant to section 207.18 of the Commission’s rules, the Commission also gives notice of the commencement of the final phase of its investigations. The Commission will issue a final phase notice of scheduling, which will be published in the **Federal Register** as provided in § 207.21 of the Commission’s rules, upon notice from the U.S. Department of Commerce (“Commerce”) of affirmative preliminary determinations in the investigations under §§ 703(b) or 733(b) of the Act, or, if the preliminary determinations are negative, upon notice of affirmative final determinations in those investigations under §§ 705(a) or 735(a) of the Act. Parties that filed entries of appearance in the preliminary phase of the investigations need not enter a separate appearance for the final phase of the investigations. Any other party may file an entry of appearance for the final phase of the investigations after publication of the final phase notice of scheduling. Industrial users, and, if the merchandise under investigation is sold at the retail level, representative consumer organizations have the right to appear as parties in Commission antidumping and countervailing duty investigations. The Secretary will prepare a public service list containing the names and addresses of all persons, or their representatives, who are parties to the investigations. As provided in section 207.20 of the Commission’s rules, the Director of the Office of Investigations will circulate draft questionnaires for the final phase of the investigations to parties to the investigations, placing copies on the Commission’s Electronic Document Information System (EDIS, <https://edis.usitc.gov>), for comment.

Background

On February 25, 2026, RealTruck Inc., Ann Arbor, Michigan filed petitions with the Commission and Commerce, alleging that an industry in the United States is materially injured or threatened with material injury by reason of subsidized imports of truck bed covers from China and LTFV imports of truck bed covers from China. Accordingly, effective February 25, 2026, the Commission instituted countervailing duty investigation No. 701–TA–789 and antidumping duty

investigation No. 731–TA–1777 (Preliminary).

Notice of the institution of the Commission’s investigations and of a public conference to be held in connection therewith was given by posting copies of the notice in the Office of the Secretary, U.S. International Trade Commission, Washington, DC, and by publishing the notice in the **Federal Register** of March 2, 2026 (91 FR 10158). The Commission conducted its conference on March 18, 2026. All persons who requested the opportunity were permitted to participate.

The Commission made these determinations pursuant to §§ 703(a) and 733(a) of the Act (19 U.S.C. 1671b(a) and 1673b(a)). It completed and filed its determinations in these investigations on April 13, 2026. The views of the Commission are contained in USITC Publication 5730 (April 2026), entitled *Truck Bed Covers from China: Investigation Nos. 701–TA–789 and 731–TA–1777 (Preliminary)*.

By order of the Commission.

Issued: April 13, 2026.

Lisa Barton,

Secretary to the Commission.

[FR Doc. 2026–07339 Filed 4–15–26; 8:45 am]

BILLING CODE 7020–02–P

INTERNATIONAL TRADE COMMISSION

[Investigation Nos. 701–TA–459 and 731–TA–1155 (Third Review)]

Commodity Matchbooks From India; Scheduling of Expedited Five-Year Reviews

AGENCY: United States International Trade Commission.

ACTION: Notice.

SUMMARY: The Commission hereby gives notice of the scheduling of expedited reviews pursuant to the Tariff Act of 1930 (“the Act”) to determine whether revocation of the antidumping duty and countervailing duty orders on commodity matchbooks from India would be likely to lead to continuation or recurrence of material injury within a reasonably foreseeable time.

DATES: March 16, 2026.

FOR FURTHER INFORMATION CONTACT: Lawrence Jones (205–202–3358), 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

¹ The record is defined in § 207.2(f) of the Commission’s Rules of Practice and Procedure (19 CFR 207.2(f)).

² 91 FR 13568 and 91 FR 13573, March 20, 2026.

assistance in gaining access to the Commission should contact the Office of the Secretary at 202–205–2000. General information concerning the Commission may also be obtained by accessing its internet server (<https://www.usitc.gov>). The public record for this proceeding may be viewed on the Commission's electronic docket (EDIS) at <https://edis.usitc.gov>.

SUPPLEMENTARY INFORMATION:

Background.—On March 16, 2026, the Commission determined that the domestic interested party group response to its notice of institution (90 FR 47330, October 1, 2025) of the subject five-year reviews was adequate and that the respondent interested party group response was inadequate. The Commission did not find any other circumstances that would warrant conducting full reviews.¹ Accordingly, the Commission determined that it would conduct an expedited reviews pursuant to section 751(c)(3) of the Act (19 U.S.C. 1675(c)(3)).²

For further information concerning the conduct of these reviews and rules of general application, consult the Commission's Rules of Practice and Procedure, part 201, subparts A and B (19 CFR part 201), and part 207, subparts A, D, E, and F (19 CFR part 207).

Staff report.—A staff report containing information concerning the subject matter of the reviews has been placed in the nonpublic record, and will be made available to persons on the Administrative Protective Order service list for these reviews on May 12, 2026. A public version will be issued thereafter, pursuant to § 207.62(d)(4) of the Commission's rules.

Written submissions.—As provided in § 207.62(d) of the Commission's rules, interested parties that are parties to the reviews and that have provided individually adequate responses to the notice of institution,³ and any party other than an interested party to the reviews may file written comments with the Secretary on what determination the Commission should reach in the reviews. Comments are due on or before 5:15 p.m. on May 19, 2026 and may not contain new factual information. Any person that is neither a party to the five-

year reviews nor an interested party may submit a brief written statement (which shall not contain any new factual information) pertinent to the reviews by May 26, 2026. However, should the Department of Commerce ("Commerce") extend the time limit for its completion of the final results of its reviews, the deadline for comments (which may not contain new factual information) on Commerce's final results is three business days after the issuance of Commerce's results. If comments contain business proprietary information (BPI), they must conform with the requirements of §§ 201.6, 207.3, and 207.7 of the Commission's rules. The Commission's *Handbook on Filing Procedures*, available on the Commission's website at https://www.usitc.gov/documents/handbook_on_filing_procedures.pdf, elaborates upon the Commission's procedures with respect to filings.

In accordance with §§ 201.16(c) and 207.3 of the rules, each document filed by a party to the reviews must be served on all other parties to the reviews (as identified by either the public or BPI service list), and a certificate of service must be timely filed. The Secretary will not accept a document for filing without a certificate of service.

Determinations.—The Commission has determined these reviews are extraordinarily complicated and therefore has determined to exercise its authority to extend the review period by up to 90 days pursuant to 19 U.S.C. 1675(c)(5)(B).

Authority: These reviews are being conducted under authority of title VII of the Tariff Act of 1930; this notice is published pursuant to § 207.62 of the Commission's rules.

By order of the Commission.

Issued: April 14, 2026.

Lisa Barton,

Secretary to the Commission.

[FR Doc. 2026–07449 Filed 4–15–26; 8:45 am]

BILLING CODE 7020–02–P

DEPARTMENT OF LABOR

Agency Information Collection Activities; Submission for OMB Review; Comment Request; Work Opportunity Tax Credit

ACTION: Notice of availability; request for comments.

SUMMARY: The Department of Labor (DOL) is submitting this Employment and Training Administration (ETA)-sponsored information collection request (ICR) to the Office of

Management and Budget (OMB) for review and approval in accordance with the Paperwork Reduction Act of 1995 (PRA). Public comments on the ICR are invited.

DATES: The OMB will consider all written comments that the agency receives on or before May 18, 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.

FOR FURTHER INFORMATION CONTACT:

Michael Howell by telephone at 202–693–6782, or by email at DOL_PRA_PUBLIC@dol.gov.

SUPPLEMENTARY INFORMATION: The Work Opportunity Tax Credit (WOTC) is a Federal tax credit available to employers for hiring individuals from certain target groups who have consistently faced significant barrier to employment. This submission includes seven WOTC program forms as follows: • ETA Form 9175, Revised November 2016—Self-Attestation Form (SAF) for the Long-Term Unemployment Recipient • ETA Form 9058—Report 1, Revised November 2016—Certification Workload and Characteristics of Certified Individuals • ETA Form 9061, Revised November 2016—Individual Characteristics Form • ETA Form 9062, Revised April 2016—Conditional Certification • ETA Form 9063, Revised April 2016—Employer Certification • ETA Form 9065, Revised April 2016—Agency Declaration of Verification Results Worksheet. For additional substantive information about this ICR, see the related notice published in the **Federal Register** on January 23, 2026 (91 FR 2970).

Comments are invited on: (1) whether the collection of information is necessary for the proper performance of the functions of the Department, including whether the information will have practical utility; (2) the accuracy of the agency's estimates 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.

This information collection is subject to the PRA. A Federal agency generally

¹ A record of the Commissioners' votes, the Commission's statement on adequacy, and any individual Commissioner's statements will be available from the Office of the Secretary and at the Commission's website.

² Commissioner Johanson voted to conduct full reviews.

³ The Commission has found the response submitted on behalf of D.D. Bean to be adequate. Comments from other interested parties will not be accepted (see 19 CFR 207.62(d)(2)).

cannot conduct or sponsor a collection of information, and the public is generally not required to respond to an information collection, unless the OMB approves it 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 OMB Control Number. See 5 CFR 1320.5(a) and 1320.6.

DOL seeks PRA authorization for this information collection for three (3) years. OMB authorization for an ICR cannot be for more than three (3) years without renewal. The DOL notes that information collection requirements submitted to the OMB for existing ICRs receive a month-to-month extension while they undergo review.

Agency: DOL-ETA.

Title of Collection: Work Opportunity Tax Credit.

OMB Control Number: 1205-0371.

Affected Public: State Local and Tribal Governments.

Total Estimated Number of Respondents: 53.

Total Estimated Number of Responses: 18,604,708.

Total Estimated Annual Time Burden: 10,205,416 hours.

Total Estimated Annual Other Costs Burden: \$0.

(Authority: 44 U.S.C. 3507(a)(1)(D))

Michael Howell,

Senior Paperwork Reduction Act Analyst.

[FR Doc. 2026-07393 Filed 4-15-26; 8:45 am]

BILLING CODE 4510-FN-P

NATIONAL CREDIT UNION ADMINISTRATION

Proposed New and Renewal of Agency Information Collections; Request for Comments

AGENCY: National Credit Union Administration (NCUA).

ACTION: Notice of submission to the Office of Management and Budget.

SUMMARY: As required by the Paperwork Reduction Act of 1995, The National Credit Union Administration (NCUA) is submitting the following extensions and revisions of currently approved collections to the Office of Management and Budget (OMB) for renewal.

DATES: Written comments should be received on or before May 18, 2026 to be assured consideration.

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.

FOR FURTHER INFORMATION CONTACT:

Copies of the submission may be obtained by contacting Dacia Rogers at (703) 518-6547, emailing PRAComments@ncua.gov, or viewing the entire information collection request at www.reginfo.gov.

SUPPLEMENTARY INFORMATION:

OMB Number: 3133-0024.

Title: Mergers of Federally-Insured Credit Unions; Voluntary Termination or Conversion of Insured Status, 12 CFR 708b.

Type of Review: Extension of a previously approved collection.

Abstract: The Federal Credit Union Act requires written approval of the NCUA Board before one or more federally-insured credit unions merge or before a federally-insured credit union converts to nonfederal (private) share insurance or terminates federal share insurance and authorizes the NCUA Board to prescribe rules regarding mergers of federally-insured credit unions and changes in insured status. Part 708b of NCUA's rules sets forth the procedural and disclosure requirements for mergers of federally-insured credit unions, conversions from federal share insurance to nonfederal insurance, and federal share insurance terminations.

Affected Public: Private Sector: Not-for-profit institutions.

Estimated Number of Respondents: 163.

Estimated Number of Responses per Respondent: 6.

Estimated Total Annual Responses: 975.

Estimated Hours per Response: 5.5.

Estimated Total Annual Burden Hours: 5,322.

Reason for Change: Number of respondents for Share Insurance Conversions decreased.

OMB Number: 3133-0163.

Title: Privacy of Consumer Financial Information, Regulation P, 12 CFR part 1016.

Type of Review: Extension of a previously approved collection.

Abstract: Regulation P (12 CFR part 1016) requires credit unions to disclose its privacy policies to customers as well as offer customers a reasonable opportunity to opt out-in whole or in part-of those policies to further restrict the release of their personal financial information to nonaffiliated third parties. Credit unions are required to provide an initial privacy notice to

customers that is clear and conspicuous, an annual notice of the privacy policies and practices of the institution, a revised notice to customers if triggered by specific changes to the existing policy, and a notice of the right of the customer to opt out of the institution's information sharing practices.

Consumers who choose to exercise their opt-out right document this choice by returning an opt-out form or other permissible method. This information collection is needed to evidence compliance with title V of the Gramm-Leach-Bliley Act.

Affected Public: Private Sector: Not-for-profit institutions.

Estimated Number of Respondents: 1,801,750.

Estimated Number of Responses per Respondent: 1.

Estimated Total Annual Responses: 1,801,750.

Estimated Hours per Response: .27.

Estimated Total Annual Burden Hours: 485,282.

Reason for Change: Number of respondents increased due to credit union membership.

OMB Number: 3133-0181.

Title: Registration of Mortgage Loan Originators.

Type of Review: Extension of a previously approved collection.

Abstract: The S.A.F.E. Act (12 U.S.C. 5101-5116) requires an employee of an institution regulated by a Federal banking agency who engages in the business of a residential mortgage loan originator to register with the Nationwide Mortgage Licensing System and Registry and obtain a unique identifier. Under CFPB regulations at 12 CFR part 1007, agency-regulated institutions must require their employees who act as residential mortgage loan originators to comply with the requirements to register and obtain a unique identifier and adopt and follow written policies and procedures.

Affected Public: Private Sector: Not-for-profit institutions.

Estimated Number of Respondents: 71,440.

Estimated Number of Responses per Respondent: 2.1.

Estimated Total Annual Responses: 152,909.

Estimated Hours per Response: .5.

Estimated Total Annual Burden Hours: 80,058.

Reason for Change: Number of respondents decreased.

OMB Number: 3133-0187.

Title: Reverse Mortgage Products—Guidance for Managing Risks.

Type of Review: Extension of a previously approved collection.

Abstract: The guidance will assist institutions in managing the compliance

and risks associated with reverse mortgages. It will ensure that their risk management and consumer protection practices adequately address the compliance and risks raised by reverse mortgage lending.

Affected Public: Private Sector: Not-for-profit institutions.

Estimated Number of Respondents: 12.

Estimated Number of Responses per Respondent: 1.

Estimated Total Annual Responses: 12.

Estimated Hours per Response: 10.6.

Estimated Total Annual Burden Hours: 128.

Reason for Change: Number of respondents decreased.

OMB Number: 3133-NEW.

Title: Individual Access and Consent for Disclosure of Records Protected Under the Privacy Act.

Type of Review: New.

Abstract: This collection aims to prevent wrongful disclosure of individuals' records by NCUA. It supports NCUA staff in processing FOIA and Privacy Act requests by verifying identities and obtaining consent for record disclosures.

Affected Public: Private Sector: Not-for-profit institutions.

Estimated Number of Respondents: 60.

Estimated Number of Responses per Respondent: 1

Estimated Total Annual Responses: 60.

Estimated Hours per Response: 0.25.

Estimated Total Annual Burden Hours: 16.

Request for Comments: Comments submitted in response to this notice will be summarized and included in the request for Office of Management and Budget approval. All comments will become a matter of public record. The public is invited to submit comments concerning: (a) whether the collection of information is necessary for the proper performance of the function of the agency, including whether the information will have practical utility; (b) the accuracy of the agency's estimate of the burden of the collection of information, including the validity of the methodology 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 the information on the respondents, including the use of automated collection techniques or other forms of information technology.

By the National Credit Union Administration Board.

Melane Conyers-Ausbrooks,
Secretary of the Board.

[FR Doc. 2026-07415 Filed 4-15-26; 8:45 am]

BILLING CODE 7535-01-P

NATIONAL SCIENCE FOUNDATION

Sunshine Act Meetings

FEDERAL REGISTER CITATION OF PREVIOUS ANNOUNCEMENT: The meeting was previously noticed at 91 FR 19206 on April 14, 2026.

PREVIOUSLY ANNOUNCED TIME AND DATE OF THE MEETING: Thursday, April 16, 2026, at 4:00 p.m. Eastern.

CHANGES IN THE MEETING: This meeting is cancelled.

CONTACT PERSON FOR MORE INFORMATION: Point of contact for this meeting is: Chris Blair, cblair@nsf.gov, 703/292-7000. Meeting information and updates may be found at www.nsf.gov/nsb.

Ann E. Bushmiller,

Senior Counsel to the National Science Board.

[FR Doc. 2026-07435 Filed 4-14-26; 4:15 pm]

BILLING CODE 7555-01-P

NEIGHBORHOOD REINVESTMENT CORPORATION

Sunshine Act Meetings

TIME AND DATE: 2:00 p.m., Thursday, April 16, 2026.

PLACE: via ZOOM.

STATUS: Parts of this meeting will be open to the public. The rest of the meeting will be closed to the public.

MATTERS TO BE CONSIDERED: Regular Board of Directors meeting. The General Counsel of the Corporation has certified that in her opinion, one or more of the exemptions set forth in the Government in the Sunshine Act, 5 U.S.C. 552b(c)(2) permit closure of the following portion(s) of this meeting:

- Executive (Closed) Session

Agenda

- I. Call to Order
- II. Action Item: Resolution To Elect a Temporary Board Chair
- III. Action Item: Approval of Government in Sunshine Act Notice Waiver
- IV. Discussion Item: FY2025 External Audit With CliftonLarsonAllen Auditors
- V. Sunshine Act Approval of Executive (Closed) Session
- VI. Executive Session: FY2025 External Audit With CliftonLarsonAllen

- VII. Executive Session: CEO Report
- VIII. Executive Session: CFO Report
- IX. Executive Session: General Counsel Report—Proposed Refinements to Board Governance
- X. Action Item: Approval of Meeting Minutes for February 19, 2026 Regular Board Meeting
- XI. Action Item: Approval of FY2025 External Audit
- XII. Action Item: Approval of Health Insurance Special Delegation
- XIII. Action Item: Approval of Salesforce Licensing Contract
- XIV. Action Item: Approval of PRISM Post-Implementation Audit Report
- XV. Discussion Item: Management Program Background and Updates
 - a. General Counsel Report
 - b. CIO Report
 - c. 2026 Board Calendar
 - d. 2026 Board Agenda Planner
 - e. CFO Report
 - i. Financials (Through 1/31/26)
 - ii. Single Invoice Approvals \$100K and Over
 - iii. Vendor Payments \$350K and Over
 - iv. Exceptions
 - f. FY25-FY27 SP Scorecard—End of FY2025 Year Report
 - g. Network Watchlist Report
 - h. 2026 Board Calendar
 - i. 2026 Board Agenda Planner

PORTIONS OPEN TO THE PUBLIC:

Everything except the Executive (Closed) Session.

PORTIONS CLOSED TO THE PUBLIC:

Executive (Closed) Session.

CONTACT PERSON FOR MORE INFORMATION:

Jenna Sylvester, Paralegal, (202) 568-2560; jsylvester@nw.org.

Jenna Sylvester,

Paralegal.

[FR Doc. 2026-07424 Filed 4-14-26; 4:15 pm]

BILLING CODE 7570-01-P

NUCLEAR REGULATORY COMMISSION

[Docket Nos. 50-482, 50-354, 50-272, 50-311 and 50-298; NRC-2026-1718]

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 three exemptions in response to requests as detailed in the available documents.

DATES: This notice contains three exemptions that the NRC granted during the period from January 1, 2026, to March 31, 2026, in response to requests submitted by three licensees.

ADDRESSES: Please refer to Docket ID NRC–2026–1718 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–2026–1718. 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 January 1, 2026, through March 31, 2026, the NRC granted the included three exemptions

in response to requests submitted by the following licensees: Wolf Creek Nuclear Operating Corporation, PSEG Nuclear LLC, and Nebraska Public Power District.

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 the Requirements of 10 CFR 50.46 (EPID L–2024–LLE–0026).	ML25323A012, Package	January 14, 2026.

PSEG NUCLEAR LLC; HOPE CREEK GENERATING STATION; SALEM NUCLEAR GENERATING STATION, UNIT NOS. 1 AND 2; DOCKET NOS. 50–354, 50–272, AND 50–311

Document description	ADAMS Accession No.	Document date
Hope Creek Generating Station and Salem Nuclear Generating Station, Unit Nos. 1 and 2—Exemptions from the Requirements of 10 CFR 50.71(e)(4) Final Safety Analysis Report Update Schedule (EPID L–2025–LLE–0008).	ML26020A072, Package	February 9, 2026.

NEBRASKA PUBLIC POWER DISTRICT; COOPER NUCLEAR STATION; DOCKET NO. 50–298

Document description	ADAMS Accession No.	Document date
Cooper Nuclear Station—Exemption from the Requirements of 10 CFR 50.46 to Use Global Nuclear Fuel (EPID L–2025–LLE–0027).	ML26063A391, Package	March 17, 2026.

(Authority: 42 U.S.C. 2011 *et seq.*)

Dated: April 14, 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. 2026–07450 Filed 4–15–26; 8:45 am]

BILLING CODE 7590–01–P

POSTAL REGULATORY COMMISSION

[Docket Nos. MC2026–202 and K2026–201; MC2026–203 and K2026–202; MC2026–204 and K2026–203; MC2026–205 and K2026–204; MC2026–206 and K2026–205]

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:* April 21, 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. The comment due date discussed below does not apply to Section III proceedings (Docket Nos. MC2026–202 and K2026–201; MC2026–203 and K2026–202; MC2026–205 and K2026–204; MC2026–206 and K2026–205).

II. Public Proceeding(s)

1. *Docket No(s): MC2026–204 and K2026–203; Filing Title: USPS Request to Add Priority Mail Express, Priority Mail & USPS Ground Advantage Contract 1500 to the Competitive Product List and Notice of Filing Materials Under Seal; Filing Acceptance Date: April 13, 2026; Filing Authority: 39 U.S.C. 3642, 39 CFR 3035.105, and 39 CFR 3041.310; Public Representative: Jennaca Upperman; Comments Due: April 21, 2026.*

III. Summary Proceeding(s)

1. *Docket No(s): MC2026–202 and K2026–201; Filing Title: USPS Request to Add New Fulfillment Standardized Distinct Product, PM–GA Contract 957, and Notice of Filing Materials Under Seal; Filing Acceptance Date: April 13, 2026; Filing Authority: 39 U.S.C. 3642 and 3633, 39 CFR 3035.105, and 39 CFR 3041.325.*

2. *Docket No(s): MC2026–203 and K2026–202; Filing Title: USPS Request to Add New Fulfillment Standardized Distinct Product, PM–GA Contract 958, and Notice of Filing Materials Under Seal; Filing Acceptance Date: April 13, 2026; Filing Authority: 39 U.S.C. 3642 and 3633, 39 CFR 3035.105, and 39 CFR 3041.325.*

3. *Docket No(s): MC2026–205 and K2026–204; Filing Title: USPS Request to Add New Fulfillment Standardized Distinct Product, PM–GA Contract 959, and Notice of Filing Materials Under Seal; Filing Acceptance Date: April 13, 2026; Filing Authority: 39 U.S.C. 3642*

and 3633, 39 CFR 3035.105, and 39 CFR 3041.325.

4. *Docket No(s): MC2026–206 and K2026–205; Filing Title: USPS Request to Add New Fulfillment Standardized Distinct Product, PM–GA Contract 960, and Notice of Filing Materials Under Seal; Filing Acceptance Date: April 13, 2026; Filing Authority: 39 U.S.C. 3642 and 3633, 39 CFR 3035.105, and 39 CFR 3041.325.*

This Notice will be published in the **Federal Register**.

Danielle LeFlore,

Legal Assistant.

[FR Doc. 2026–07428 Filed 4–15–26; 8:45 am]

BILLING CODE 7710–FW–P

SECURITIES AND EXCHANGE COMMISSION

[Release No. 34–105210; File No. SR–NSCC–2026–006]

**Self-Regulatory Organizations;
National Securities Clearing
Corporation; Notice of Filing of
Proposed Rule Change Concerning
NSCC's Ability To Support Industry
Efforts To Extend Trading Hours for
the U.S. Equity Markets**

April 13, 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 April 2, 2026, National Securities Clearing Corporation (“NSCC”) 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 clearing agency. The Commission is publishing this notice to solicit comments on the proposed rule change from interested persons.

**I. Clearing Agency's Statement of the
Terms of Substance of the Proposed
Rule Change**

The proposed rule change consists of amendments to the NSCC Rules & Procedures (“NSCC Rules”) to describe (i) NSCC's ability to support industry efforts to extend trading hours for the U.S. equity markets and (ii) the publication of general timeframes, deadlines or cutoff times related to NSCC's core trade acceptance, clearing, settlement and risk management processes, including those applicable to extend trading hours.³

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

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).

II. Clearing Agency's Statement of the Purpose of, and Statutory Basis for, the Proposed Rule Change

In its filing with the Commission, the clearing agency 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 clearing agency has prepared summaries, set forth in sections A, B, and C below, of the most significant aspects of such statements.

(A) Clearing Agency's Statement of the Purpose of, and Statutory Basis for, the Proposed Rule Change

1. Purpose

The primary purpose of the proposed rule change is to amend the NSCC Rules to describe NSCC's ability to support industry efforts to extend trading hours for the U.S. equity markets. The proposed rule change would also describe how NSCC would provide additional clarity and transparency around the key timeframes related to NSCC's core trade acceptance, clearing, settlement and risk management processes, including those applicable to extended trading and clearing hours, by making such times available on the NSCC website. The proposed rule change is discussed in detail below.

Background

NSCC Trade Capture and Recording Services

The Universal Trade Capture system ("UTC") is NSCC's system for validating and reporting equity transactions submitted to NSCC by self-regulatory organizations ("SROs"), specifically registered securities exchanges ("Exchanges"), and Qualified Special Representatives ("QSRs")⁴ submitting

Rules, available at www.dtcc.com/legal/rules-and-procedures.

⁴ A "Special Representative" is a Member or a Registered Clearing Agency which applies to NSCC for such status and designates those Members for which it will act. Special Representatives may submit to NSCC for trade recording trade data on any transaction calling for delivery of Cleared Securities between it and another person. See NSCC Rule 7, Sections 1 and 2(a), *supra* note 3. A "Qualified Special Representative" (or QSR) is a Special Representative who (i) operates an automated execution system where it is always the contra side to each transaction; (ii) has a parent corporation or affiliated corporation that operates an automated execution system where the Special Representative is always the contra side to each transaction; or (iii) clears for a broker/dealer who operates an automated execution system where the broker/dealer is always the contra side to each transaction, and the subscribers to the automated execution system enter into an agreement with the broker/dealer and the Special Representative

trades on behalf of an automated execution system or Alternative Trading System ("ATS"). UTC currently operates from 1:30 a.m. to 11:30 p.m. Eastern Time each business day.⁵

NSCC begins accepting locked-in trades from certain QSRs for ATS activity between 1:30 and 4:00 a.m. each business day.⁶ NSCC also accepts locked-in trades from both Exchanges and QSRs from 4:00 a.m. to 8:00 p.m. each business day. This window is aligned with current Exchange trading sessions supported by the Securities Information Processors ("SIPs"),⁷ which generally include an early hours or pre-market session from 4:00 to 9:30 a.m., regular hours or core market session from 9:30 a.m. to 4:00 p.m., and late hours or post-market session from 4:00 to 8:00 p.m. In addition, NSCC accepts other non-Exchange/non-QSR activity through UTC between the hours of 8:00 and 11:30 p.m., such as primary market exchange-traded fund activity, prime broker activity, and options exercise and assignment activity from The Options Clearing Corporation.

In response to growing demand for 24-hour trading, NSCC proposes to extend its UTC operating hours and associated clearing hours to support extended trading hours for the U.S. equity markets.

Industry Initiatives To Extend Trading Hours for U.S. Equities

The industry is currently working on a number of initiatives to expand trading hours for the U.S. equity markets due to growing interest in 24-

acknowledging the Special Representative's role in the clearance of trades executed on the automated execution system. See NSCC Rule 7, Section 3, *supra* note 3.

⁵ All times discussed herein are Eastern Time unless otherwise indicated.

⁶ This activity currently represents approximately one percent of the overall trade volume cleared by NSCC.

⁷ SIPs link the U.S. markets by processing and consolidating all protected equities bid/ask quotes and trades from every registered exchange and the Financial Industry Regulatory Authority, Inc.'s Alternative Display Facility into a single, easily consumable data feed. There are currently two SIPs: (i) the combined Consolidated Tape Association ("CTA") SIP, and (ii) the Unlisted Trading Privileges ("UTP") SIP. The CTA SIP oversees the dissemination of real-time trade and quote information in New York Stock Exchange LLC (Network A) and Bats, Cboe, NYSE Arca, NYSE American and other regional exchanges (Network B) listed securities. See CTA Plan website available at www.ctaplan.com/index. The UTP SIP oversees the dissemination of Nasdaq-listed securities (sometimes called "Network C" or "Tape C" securities). See UTP Plan website, available at www.utpplan.com. Each SIP is governed by a plan and run by an Operating Committee comprised of its plan participants, which are counseled by an advisory committee made up of individuals representing firms from across the industry and representing the diverse viewpoints of the market.

hour trading, particularly from retail investors. This includes initiatives by Exchanges, QSRs and ATS operators, and the SIPs, as well as industry coordination through task forces and working groups organized by The Depository Trust & Clearing Corporation ("DTCC")⁸ and the Securities Industry and Financial Markets Association ("SIFMA"). For example:

- On November 27, 2024, the Commission issued an order approving an application by 24X National Exchange LLC ("24X") for registration as a national securities exchange.⁹ As part of its application, 24X proposed to operate an overnight trading session from 8:00 p.m. to 4:00 a.m. ("24X Market Session").¹⁰ The adoption of this overnight session is subject to 24X filing a subsequent proposed rule change with the Commission and such filing being approved or otherwise becoming effective;¹¹

- On February 11, 2025, the Commission approved a proposed rule change by NYSE Arca, Inc. ("NYSE Arca") to offer trading from 1:30 a.m. through 11:30 p.m. on Monday through Thursday, and 1:30 a.m. through 8:00 p.m. on Friday.¹² The adoption of NYSE Arca's proposal is also subject to NYSE Arca filing a subsequent proposed rule change with the Commission and such filing being approved or otherwise becoming effective;¹³

- Cboe Global Markets announced plans to offer 24-hour, five-days-a-week trading for U.S. equities on its Cboe EDGX Equities Exchange ("EDGX"), subject to regulatory review;¹⁴ and

- Nasdaq announced plans to enable 24-hour trading on the Nasdaq Stock Market, subject to regulatory review.¹⁵

The participants of the SIPs have also submitted amendments to their respective operating plans ("Plan Amendments") to the Commission to extend their operating hours. The Plan Amendments propose new operating

⁸ DTCC is NSCC's parent company.

⁹ See Securities Exchange Act Release No. 101777 (Nov. 27, 2024), 89 FR 97092 (Dec. 6, 2024) (File No. 10-242) ("24X Order").

¹⁰ 24X subsequently filed a proposed rule change with the Commission to amend the start time of the 24X Market Session to 9:00 p.m. See Securities Exchange Act Release No. 104086 (Sept. 26, 2025), 90 FR 46978 (Sept. 30, 2025) (SR-24X-2025-07).

¹¹ See 24X Order at 97105-97106, *supra* note 9.

¹² See Securities Exchange Act Release No. 102400 (Feb. 11, 2025), 90 FR 9794 (Feb. 18, 2025) (SR-NYSEARCA-2024-89) ("NYSE Arca Order").

¹³ See NYSE Arca Order at 9795-9796, *id.*

¹⁴ See Cboe Global Markets, Cboe Announces Plans to Launch 24x5 U.S. Equities Trading, available at <https://ir.cboe.com/news/news-details/2025/Cboe-Announces-Plans-to-Launch-24x5-U.S.-Equities-Trading-2025-NwujmKvsxb/default.aspx>.

¹⁵ See Nasdaq 24-Hour Trading Hub website, available at www.nasdaq.com/24-hour-trading-hub.

hours (excluding holidays) of 9:00 p.m. Sunday to 8:00 p.m. Friday; provided, however, that the SIPs will pause operations at 8:00 p.m. on Monday through Thursday for an hour to accommodate technical refreshes for the SIPs, SIP participants, and other market participants.¹⁶ NSCC notes that the SIPs' Plan Amendments include certain conditions, including that DTCC offers clearing during the proposed hours of operation.

There are also several ATSs offering overnight trading in U.S. equities during the hours of 8:00 p.m. to 4:00 a.m., including Blue Ocean Technologies, LLC's Blue Ocean ATS,¹⁷ OTC Markets Group's MOON ATS,¹⁸ and Bruce Markets' Bruce ATS.¹⁹ Moreover, NSCC understands that there are additional ATSs working to expand trading hours to include overnight trading sessions.

With respect to industry engagement, NSCC has held discussions concerning extended trading hours with advisory councils of DTCC's subsidiary clearing agencies NSCC, Fixed Income Clearing Corporation, and The Depository Trust Company ("DTC") (collectively, the "Clearing Agencies"), which are made up of representatives of the Clearing Agencies' participants and other relevant stakeholders,²⁰ as well as with certain working groups focusing on issues related to extended trading hours. The advisory councils and working groups were supportive of NSCC's

proposal to extend its hours to accommodate extended trading hours.

SIFMA has also convened task forces made up of industry subject-matter experts to evaluate the operational and market impacts across the equities industry as markets move toward broader adoption of extended trading hours. SIFMA and the industry, in collaboration with DTCC and the Exchanges, have convened additional working group sessions in the areas of clearing and settlement, market structure, corporate actions, volatility mechanisms, and margin, among others. These working group sessions include a broad representation across market participants, including broker-dealers, asset managers, data vendors and service providers.²¹

In response to these industry initiatives and growing demand for 24-hour trading, NSCC proposes to extend its UTC operating and clearing hours to reduce the time between trade execution and the clearance and guarantee of overnight trades. NSCC would operate on a "24x5" basis from Sunday at 8:00 p.m. to Friday at 8:00 p.m. to support overnight trading activity from Exchanges and QSRs submitting on behalf of an ATS. NSCC's extended clearing hours will facilitate the trade clearance and guarantee of overnight activity across different time zones for global industry participants and mitigate counterparty risk across the industry. The proposed rule change is discussed in detail below.

Proposed Changes

NSCC proposes to amend the NSCC Rules to provide additional clarity regarding (i) NSCC's ability to support industry efforts to extend trading hours for the U.S. equity markets and (ii) general timeframes, deadlines or cutoff times related to NSCC's core trade acceptance, clearing, settlement and risk management processes.

Trade Acceptance and Processing

NSCC proposes to amend NSCC Rule 1 (Definitions and Descriptions) and Procedure II (Trade Comparison and Recording Service) of the NSCC Rules to add new defined terms and to describe trade acceptance and processing for Exchange and QSR/ATS market trading sessions.

NSCC proposes to add new definitions to NSCC Rule 1 for the terms "Market Trading Session" and "Trade Processing Date." The term "Market Trading Session" would be defined to mean "any market trading hours

established or agreed upon by (i) self-regulatory organizations, (ii) automated execution systems (or alternative trading systems) for which transactions are submitted on a locked-in basis by Qualified Special Representatives, and/or (iii) securities information processors, which may include, but are not limited to, any pre-market trading sessions, core trading sessions, post-market trading sessions or overnight trading sessions." The term "Trade Processing Date" would be defined to mean "the business date for which a trade is expected to be cleared by [NSCC]." These new defined terms would be used in the proposed changes to Procedure II of the NSCC Rules, which are further described below.

NSCC proposes to adopt new subsection G of Procedure II to describe trade acceptance and processing for locked-in trades submitted during SRO (*i.e.*, Exchange) and QSR/ATS Market Trading Sessions, including those submitted during extended trading hours. The proposed rule would provide that NSCC may accept locked-in trade data for any Market Trading Sessions, provided that such trades shall be accepted and processed within the operating hours of NSCC's trade capture system. NSCC proposes to move to a "24x5" operating model where UTC would be open for accepting trades for any valid trade date from Sunday at 8:00 p.m. to Friday at 8:00 p.m. to support all Market Trading Sessions during those times.²² The proposed 24x5 operating hours would allow NSCC to accommodate trading activity currently anticipated from Exchanges and QSR/ATSs, including any pre-market trading sessions, core trading sessions, post-market trading sessions, and overnight trading sessions that they may offer during NSCC's proposed 24x5 hours. The proposed 24x5 operating hours would be communicated to Members, SROs, ATSs and the general public in a schedule of timeframes maintained on the NSCC website (as described in further detail below).

NSCC would also adopt new rule text in proposed subsection G of Procedure II to require that SROs and QSRs submitting locked-in trade data for overnight trading sessions include such indicators as NSCC may determine to designate such transactions as overnight trading session activity. The proposed rule change would help to ensure that all trades submitted for the overnight session are properly identified so that NSCC can verify Special Representative trading relationships (discussed below)

¹⁶ See Securities Exchange Act Release Nos. 104665 (Jan. 22, 2026), 91 FR 3602 (Jan. 27, 2026) (SR-CTA/CQ-2026-01) (Consolidated Tape Association; Notice of Filing of Fortieth Substantive Amendment to the Second Restatement of the CTA Plan and Thirty-First Substantive Amendment to the Restated CQ Plan) and 104670 (Jan. 22, 2026), 91 FR 3609 (Jan. 27, 2026) (File No. S7-24-89) (Joint Industry Plan; Notice of Filing of the Fifty-Fifth Amendment to the Joint Self-Regulatory Organization Plan Governing the Collection, Consolidation and Dissemination of Quotation and Transaction Information for Nasdaq-Listed Securities Traded on Exchanges on an Unlisted Trading Privileges Basis).

¹⁷ See Blue Ocean ATS Session hours on the Blue Ocean Technologies, LLC website, available at <https://blueocean-tech.io>.

¹⁸ See MOON ATS operating hours on the OTC Markets Group website, available at www.otcm Markets.com/otc-link/moon-ats.

¹⁹ See Bruce Markets ATS operating hours on the Bruce Markets website, available at www.brucemarkets.com.

²⁰ The Clearing Agencies have established various advisory councils to ensure appropriate stakeholders are consulted for different types of material developments at the Clearing Agencies, which include an NSCC and DTC Clearance and Settlement Advisory Council, to facilitate compliance with Rule 17ad-25(j) under the Act. See 17 CFR 240.17ad-25(j). See also Securities Exchange Act Release No. 101764 (Nov. 26, 2024), 89 FR 95843, 95845 (Dec. 3, 2024) (SR-DTC-2024-009, SR-FICC-2024-010, SR-NSCC-2024-006).

²¹ See <https://www.sifma.org/issues/market-structure/extended-trading-hours>.

²² Next day trades will not be accepted the night before a non-U.S. trading day for equity markets.

and perform appropriate trade validations for the overnight session.

NSCC would also adopt rules in proposed subsection G of Procedure II to describe the process for Exchanges and QSRs to close out their trading activity for each Trade Processing Date. Under NSCC's current trade processing operations, at the end of each Trade Processing Date, trading markets and other sending entities (*e.g.*, Exchanges and QSRs) send a "Good Night Message" to UTC to close out their trading day, which includes trade totals for each trading market. UTC balances these totals with each trading market and sends a confirmation message to each sending entity. UTC then sends a Good Night Message to NSCC Members indicating trade totals as of each trading market close. When all trading markets are closed, UTC sends a final Good Night Message to Members indicating UTC is closed for the Trade Processing Date. This process is critical to ensure that (i) NSCC and trade submitters can reconcile their trade submission information for each Trade Processing Date; (ii) NSCC can communicate trade totals and the close of each trading market and Trade Processing Date to its Members; and (iii) NSCC can roll its trade capture and risk systems to the next Trade Processing Date.

NSCC therefore proposes to adopt new rules in proposed subsection G of Procedure II to provide that, each business day, each SRO and QSR shall submit a message to NSCC, in such form and at such times established by NSCC, confirming the conclusion of trading activity for the current Trade Processing Date (*i.e.*, the "Good Night Message"). The proposed rule would further provide that, in the event that an SRO or QSR does not submit a Good Night Message for any Trade Processing Date, NSCC would have the authority to issue a Good Night Message on behalf of such SRO or QSR. NSCC believes it is important to clarify this process, and particularly its authority to issue Good Night Messages on behalf of SROs or QSRs who fail to submit such messages, so that NSCC can close UTC for all activity for a given Trade Processing Date in a timely manner and facilitate the end of day reporting, reconciliation and UTC processing tasks described above.

In connection with the move to 24x5, NSCC also proposes to adopt new rules in proposed subsection G of Procedure II to provide that SROs and QSRs shall not submit locked-in trade data for the next trade date prior to (i) NSCC processing a Good Night Message to close out the current Trade Processing Date for such submitter and (ii) NSCC's

designated time for accepting trades for the next Trade Processing Date, which NSCC currently expects to occur around 8:00 p.m. These times would be communicated to Members, SROs, ATs and the general public in a schedule of timeframes maintained on the NSCC website, as described in further detail below. The proposed rule change is intended to reflect industry alignment around standardized start and end times for the trading day, and the beginning of overnight trading sessions, as reflected in Exchange proposals, ATS operating hours, and the SIP Plan Amendments discussed above. Standardizing the trading day allows the industry to address a range of implementation considerations and operational complexities necessary to support the expansion of trading hours, including but limited to issues related to settlement processes, corporate actions, risk management, technology infrastructure and industry coordination.

Finally, NSCC would amend proposed subsection G of Procedure II to state that NSCC will make available on its public website a schedule of timeframes containing information concerning: (i) the operating hours of NSCC's equity trade capture system (*i.e.*, UTC); (ii) NSCC's time for accepting locked-in trades for the next Trade Processing Date; and (iii) the expected timelines and deadlines for the inclusion of locked-in trades in NSCC's (a) CNS night and day cycles, (b) trade reporting and outputs to Members, and (c) Required Fund Deposit calculations. The proposed rule change would promote improved clarity and transparency around NSCC's trade acceptance, trade processing and risk management timelines to Members, SROs, ATs and the general public.

Special Representative Relationships

As noted above, a Special Representative is a Member that is authorized by one or more Member firms to act on their behalf, including for the submission of trades to NSCC.²³ A QSR is a type of Special Representative that is authorized to submit trades executed on an automated trading platform (*e.g.*, an ATS).²⁴ Transactions submitted by Special Representatives and QSRs are treated by NSCC in the same manner as if both parties had agreed to the details of the transactions. Once a trade is submitted by a Special Representative or QSR, NSCC treats it as "locked-in," meaning

it is compared, validated, and guaranteed for settlement.

Special Representatives and QSRs must establish and maintain their Special Representative relationships with NSCC. Special Representative relationships are bilateral agreements between firms that are governed by the NSCC Rules and cover both QSR and correspondent clearing arrangements. As described in Procedure IV.E of the NSCC Rules,²⁵ NSCC provides an automated relationship management system through which Members may establish and ultimately retire these Special Representative relationships pursuant to the NSCC Rules.

NSCC proposes to expand Special Representative relationships, and the relationship management system, to cover separate relationships for the overnight trading session. Accordingly, NSCC proposes to amend Procedure IV.E of the NSCC Rules to clarify that Members who wish to participate in overnight trading sessions must establish and maintain separate Special Representative and Qualified Special Representative relationships for overnight trading sessions. The proposed rule change would provide an additional control for Members to use to manage their overnight activity at NSCC.

Publication of Key Timeframes

As part of the proposed rule change, NSCC would also modify the NSCC Rules concerning the maintenance of certain time schedules referenced in the NSCC Rules. Procedure XII of the NSCC Rules currently provides that the Procedures state that NSCC will receive and deliver information, data and other items at specified times, and the specified times may change from time to time. In addition, the Procedure states that Members may, upon request, obtain the time schedule then in effect, and that NSCC will notify Members of any change in the time schedule ten (10) days in advance of the change.

NSCC proposes to delete existing rule text in Procedure XII and replace it with new text to provide that NSCC shall make available on its public website information concerning key timeframes, deadlines or cutoff times related to its core trade acceptance, clearing, settlement and risk management of transactions under the NSCC Rules.²⁶ The proposed rule text would also clarify that all such times may be extended as needed by NSCC to (i)

²⁵ See Procedure IV, Section E, *supra* note 3.

²⁶ NSCC has included a draft version of the NSCC Schedule of Trade Processing Timeframes for Equity Clearing and Settlement in Exhibit 3 to this filing.

²³ See *supra* note 4.

²⁴ *Id.*

address operational or other delays that would reasonably prevent Members or NSCC from meeting the deadline or timeframe, as applicable, or (ii) allow NSCC time to operationally exercise its existing rights under the NSCC Rules. In addition, the proposed rule would clarify that all times applicable to NSCC are standards and not deadlines, and that actual processing times may vary slightly, as necessary.

NSCC believes that making key timeframes available on its public website would improve Members' and the general public's understanding of the timeframes applicable to NSCC's core trade acceptance, clearing, settlement and risk management of transactions.

Risk Management and Operational Monitoring of Overnight Trades

Risk Management Overview

NSCC is not currently proposing any changes to its risk management rules or margin/Clearing Fund methodology in connection with the move to 24x5. NSCC would manage additional trading activity received during overnight trading sessions through its existing risk management rules and margin/Clearing Fund methodology, similar to the risk management of overnight QSR/ATS activity and pre-market trading session activity currently cleared by NSCC.

NSCC generally expects that overnight trading sessions would occur between the hours of 9:00 p.m. and 9:30 a.m. for Exchanges and 8:00 p.m. to 4:00 a.m. for QSR/ATS activity; however, NSCC notes that these timeframes are subject to change based on, for example, proposed rule change filings by the Exchanges and the approval of the SIP Plan Amendment necessary to implement extended trading hours. Under its current and future risk processing capabilities, NSCC accepts trades and incorporates those transactions into its start-of-day ("SOD") risk margin calculations until UTC sends a final Good Night Message closing the Trade Processing Date for NSCC (approximately 12:00 a.m. each day). Accordingly, any overnight trades received prior to UTC closing out the current Trade Processing Date would be incorporated into NSCC's SOD risk margin calculations and Clearing Fund collection processes, as set forth in NSCC Rule 4 and Procedure XV of the NSCC Rules. Any overnight trades received after UTC has closed the current Trade Processing Date would be included in NSCC's intraday monitoring

and margin process, as set forth in Section I.(B)(5) of Procedure XV.²⁷

NSCC believes its current risk management practices would adequately address the risk presented by the additional activity received during extended trading hours. NSCC calculates and collects Clearing Fund from its Members using a risk-based margin methodology that enables NSCC to identify the risks posed by a Member's unsettled portfolio and quickly adjust and collect additional deposits as needed to cover those risks. The margin requirement differential ("MRD") charge (defined further below) is specifically designed to capture the risk of a Member's portfolio for the accumulated trades during the entire day, up to the UTC Good Night Message, to cover the day-over-day increase in the portfolio risk stemming from all trades during the day, including any overnight trading session. The MRD charge's design also uses a look-back period to capture the spikes in volumes and associated risk over the past 100 days. As discussed above, overnight trades received prior to UTC closing out the current Trade Processing Date would be incorporated into NSCC's SOD risk margin calculations and Clearing Fund collection processes and would be subject to the MRD charge. Any overnight trades received after UTC has closed the current Trade Processing Date would be included in NSCC's intraday monitoring and margin process to address additional risk exposures that may arise in the overnight session after the close of UTC.

Additionally, trading activity submitted for the overnight trading session represents a small fraction of the overall trade volume cleared by NSCC. Based on feedback from industry outreach, NSCC believes that overnight trading volumes will increase gradually and steadily over the next few years as ATSS and Exchanges expand and normalize overnight trading hours as opposed to seeing an immediate significant increase in volumes upon the implementation of NSCC's 24x5 proposal.

These risk management processes are described in further detail below.

Required Fund Deposits

NSCC manages its credit exposure to its Members by determining the

appropriate Required Fund Deposit to the Clearing Fund for each Member and by monitoring the sufficiency of such deposits, as provided for in the NSCC Rules.²⁸ The objective of a Member's Required Fund Deposit is to mitigate potential losses to NSCC associated with liquidating a Member's portfolio in the event NSCC ceases to act for that Member (hereinafter referred to as a "default").²⁹ Required Fund Deposits operate, individually, as the Member's margin, and the aggregate of all such Members' deposits is referred to, collectively, as the Clearing Fund, which operates as NSCC's default fund. NSCC would access the Clearing Fund should a defaulting Member's own Required Fund Deposit be insufficient to satisfy losses to NSCC caused by the liquidation of that Member's portfolio.

NSCC calculates and collects Clearing Fund from its Members (*i.e.*, a Required Fund Deposit) on a daily basis using a risk-based margin methodology. A Member's Required Fund Deposit may vary daily and is generally based upon the Member's trading activity and current unsettled positions. Required Fund Deposit deficits are due to NSCC each business day, typically by 10:00 a.m. As noted above, transactions accepted by NSCC prior to UTC's final Good Night Message, which is expected to occur at approximately 12:00 a.m. each business day, would be factored into this SOD margin collection.

Each Member's Required Fund Deposit amount consists of a number of applicable components, each of which is calculated to address specific risks faced by NSCC, as identified within the NSCC Rules. The major components of NSCC's Clearing Fund charges include, but are not limited to: (i) volatility charges for securities based on asset type and liquidity profile; (ii) mark-to-market charges; (iii) fail charges; (iv) a charge for Family-Issued Securities to mitigate wrong way risk; (v) a charge to mitigate day-over-day margin differentials (*i.e.*, the margin requirement differential or "MRD" charge); (vi) a coverage component; (vii) a margin liquidity adjustment component; (viii) a backtesting charge; and (ix) an excess capital premium charge.³⁰

The MRD charge, specifically, addresses potential market risk based on portfolio fluctuations as a Member executes trades throughout the day, which would include portfolio

²⁷ For example, a trade received at 11:00 p.m. on Monday would be included in NSCC's SOD margin/Clearing Fund calculations for collection on Tuesday morning, while a trade received at 1:30 a.m. on Tuesday would not be included in the SOD calculations for Tuesday but would be included in Tuesday's intraday risk monitoring and margin process.

²⁸ See NSCC Rule 4, *supra* note 3.

²⁹ The NSCC Rules identify when NSCC may cease to act for a Member and the types of actions NSCC may take. See NSCC Rule 46, *supra* note 3.

³⁰ See Procedure XV, *supra* note 3.

fluctuations that occur during extended/overnight trading hours. Pursuant to Addendum K of the NSCC Rules, NSCC's central counterparty ("CCP") trade guaranty generally attaches immediately upon trade validation, which may occur before the time that NSCC has collected the Member's Required Fund Deposit at the start of each day. As a result, NSCC may be exposed to large un-margined intraday portfolio fluctuations before NSCC has collected the Member's Clearing Fund requirement the following morning.

The MRD charge is calculated based on the day-over-day positive changes in the Member's SOD volatility charge and mark-to-market ("MTM") charge components, which are calculated based on the overnight or end-of-day positions.³¹ The MRD charge is designed to mitigate the risks posed to NSCC by day-over-day fluctuations in a Member's portfolio by forecasting future changes in a Member's portfolio based on a historical look-back at each Member's portfolio over a given time period. Since the MRD charge captures the risk of the portfolio for the accumulated trades during the entire day, up to the UTC Good Night Message at approximately 12:00 a.m., the day-over-day increase in the portfolio risk stemming from all trades during the day, including any overnight trading session, would be reflected in the MRD calculation. Given the MRD's design to use a look-back period, the spikes in volumes and associated risk over the past 100 days are already captured in the MRD calculation each day. Members that present NSCC with larger increases in day-over-day value-at-risk ("VaR") and MTM also have larger MRD amounts. In this way, NSCC believes the MRD charge will capture credit exposures that may arise from its participants related to overnight trading activity.

Moreover, NSCC's Clearing Fund methodology, including the MRD component, is subject to regular periodic model performance monitoring reviews under the Clearing Agency Model Risk Management Framework and associated policies and procedures, both in the aggregate and at the Member-level. Any model performance issues, if found attributable to the extended trading activities, will lead to further analysis, escalation, and remediation.

³¹ See Section I.(A)(1)(e) and I.(A)(2)(d) of Procedure XV, *supra* note 3.

Intraday Monitoring and Margin Collection

NSCC may also collect payments from Members on an intraday basis based on changes in its risk exposures (an "Intraday Margin Charge"), including when certain risk thresholds are breached or when the products cleared or markets served display elevated volatility.³² Intraday Margin Charges include charges based on NSCC's recalculated intraday mark-to-market exposures ("Intraday MTM Charge")³³ and intraday volatility exposures ("Intraday Volatility Charge")³⁴ for each Member. As noted above, any overnight trades received after UTC has closed the current Trade Processing Date would be included in these intraday monitoring and margin processes.

The Intraday MTM Charge is based on the difference between the last marked-to-market price of a Member's net CNS and Balance Order positions (including CNS fails) and the most recently observed market price for such positions.³⁵ An Intraday MTM Charge may generally be imposed if the difference of this calculation meets or exceeds 80 percent of the "volatility charge" component of the Member's start of day Clearing Fund requirement ("Intraday MTM Threshold").³⁶ NSCC may reduce the Intraday MTM Threshold during volatile market conditions if it determines that a reduction of the threshold is appropriate to mitigate risks to NSCC.³⁷ NSCC also has the authority to reduce the threshold for an individual Member or group of Members if NSCC determines it to be necessary to protect itself and its Members in response to factors such as market conditions or financial or operational capabilities affecting such Member(s), which may be used to account for specific risks posed by a Member's activity.

The Intraday Volatility Charge is based on the difference between a

³² See Section I.(B)(5) of Procedure XV, *supra* note 3.

³³ See Section I.(B)(5)(a) of Procedure XV, *supra* note 3.

³⁴ See Section I.(B)(5)(b) of Procedure XV, *supra* note 3.

³⁵ See Section I.(B)(5) of Procedure XV, *supra* note 3.

³⁶ The "volatility charge" component of each Member's Required Fund Deposit is designed to measure market price volatility of the start-of-day portfolio and is calculated for Members' net unsettled positions. See Procedure XV, Section I.(A)(1)(a) for CNS Transactions and Section I.(A)(2)(a) for Balance Order Transactions, *supra* note 3.

³⁷ Examples of market conditions that NSCC may consider with respect to reducing the Intraday MTM Threshold may include, but shall not be limited to, the occurrence of large price changes in a major benchmark equity index.

Member's start of day volatility charge and intraday volatility charges calculated with respect to its net unsettled CNS and Balance Order positions.³⁸ An Intraday Volatility Charge may generally be imposed if the difference of this calculation meets or exceeds 100 percent, and the amount that would be collected is greater than \$250,000 ("Intraday Volatility Threshold"). NSCC may reduce the Intraday Volatility Threshold, for example during volatile market conditions or market events that cause increases in trading volumes, if NSCC determines that a reduction of the threshold is appropriate to mitigate risks to NSCC.³⁹ NSCC also has the authority to reduce the Intraday Volatility Threshold for an individual Member or group of Members if NSCC determines it to be necessary to protect itself and its Members in response to factors such as market conditions or financial or operational capabilities affecting such Member(s), which may be used to account for specific risks posed by a Member's activity.

NSCC risk systems generate and monitor intraday volatility and mark-to-market exposures on a 15-minute basis between 6:00 a.m. and 11:00 p.m. each business day. NSCC generally conducts intraday monitoring of its exposures for purposes of assessing Intraday Margin Charges at 15-minute intervals between the hours of 10:00 a.m. and 4:30 p.m.; however, NSCC maintains authority and operational capacity to collect Intraday Margin Charges at any time during the system monitoring window if circumstances warrant.⁴⁰ Furthermore, NSCC notes that it is currently working to expand its 15-minute monitoring capability beyond the current hours of 6:00 a.m. to 11:00 p.m.

NSCC also plans to expand its offshore time zone footprint beyond existing locations with continuous training to be provided to offshore teams, with U.S.-based staff remaining

³⁸ See Section I.(B)(5)(b) of Procedure XV, *supra* note 3. The amount of the charge is reduced by the portion of the margin requirement differential charge that represents the volatility component collected at the start of the day and excludes the amount calculated for long positions in Family Issued Securities and shares delivered to or received by the Member to satisfy all or any portion of a short or long position.

³⁹ Examples of market conditions that NSCC may consider with respect to reducing the Intraday Volatility Threshold may include, but shall not be limited to, ETF index rebalancing periods or the occurrence of large price changes in a major benchmark equity index.

⁴⁰ Additional information concerning NSCC's margin methodology and intraday risk management processes can be found in the NSCC Risk Margin Component Guide, available at <https://dtcclearing.com/products-and-services/equities-clearing/nscc-risk-management.html>.

available for escalation support to ensure continuity and oversight.

Operational Monitoring and Support

In addition to the risk management framework described above, NSCC also has additional operational monitoring and support capabilities to support extended trading hours. NSCC would leverage DTCC's existing global footprint to ensure continuous support coverage and monitoring from Sunday at 8:00 p.m. through Friday at 8:00 p.m. without expanding infrastructure or concentrating risk in any single region. NSCC currently operates with a 24x7 technology/application support model and 24x6.5 client/trade submitter support hours (currently from Sunday at 7:00 a.m. to Saturday at 4:00 p.m.) to monitor and address issues during extended trading hours, with trained staffing around the globe to support these functions and address significant incidents.⁴¹ NSCC is also enhancing its trade capture platform by developing data observability dashboards to provide detective anomaly controls to assist in identifying potentially erroneous submissions in UTC. Further, all transaction monitoring protocols used during core trading hours (9:30 a.m.—4:00 p.m.) would be extended to the overnight session.

DTCC's Enterprise Resiliency Office ("ERO") also plays a central role in the Clearing Agencies' coordination and facilitation of the incident management and reporting processes. ERO has implemented a 24x7 "follow-the-sun" coverage model to appropriately identify, assess, and manage incidents or potential incidents that may impact NSCC's ability to deliver products or services, including those that may occur during the overnight trading session.

Additional Risk Management Enhancements

Following implementation of this proposed rule change, NSCC will continue to monitor and evaluate trading volumes and risk exposures during the overnight trading session, and determine whether additional margin or risk management enhancements are necessary to address the additional risks presented by overnight trading. Such risk management enhancements could include changes to NSCC's margin methodology or Clearing Fund requirements, Intraday Margin Charge

requirements, or ongoing membership requirements concerning financial or operational capability related to the 24x5 operating model. Based on its assessment of any additional risks presented by overnight trading, NSCC will propose and file further rule changes pursuant to Section 19(b)(1) of the Act,⁴² and the rules thereunder, prior to accepting overnight trades from Exchanges, if NSCC determines that additional risk management enhancements are necessary to address additional risks presented by overnight trading. NSCC would file such proposed rule change(s) with the objective of seeking regulatory approval and implementation of any proposed enhancements to risk management prior to Exchanges going live with 24x5 trading.

Implementation Timeframe

Subject to approval by the Commission, NSCC would implement the proposed rule change on June 28, 2026.

2. Statutory Basis

NSCC believes that the proposed rule change is consistent with the requirements of the Act and the rules and regulations thereunder applicable to a registered clearing agency. Specifically, NSCC believes that the proposed changes are consistent with Section 17A(b)(3)(F) of the Act⁴³ and Rules 17ad-22(e)(4)(i), (6)(iii) and (21) thereunder⁴⁴ for the reasons set forth below.

Section 17A(b)(3)(F) of Act⁴⁵ requires, in part, that the rules of a clearing agency be designed to promote the prompt and accurate clearance and settlement of securities transactions, to 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, in general, to protect investors and the public interest. The proposed rule change would describe NSCC's ability to support extended trading hours for the U.S. equity markets and provide improved clarity around relevant processing times for its equity clearing services. The extension of NSCC's UTC operating and clearing hours would enable NSCC to promptly and accurately clear, guarantee, risk manage, and settle trades executed during extended trading hours, particularly those trades executed during overnight trading sessions, which are not fully

covered by NSCC's existing operating model.

Under the proposed rule change, NSCC would operate on a "24 x 5" basis from Sunday at 8:00 p.m. to Friday at 8:00 p.m., with its UTC system open to accept trades submitted at any time during its 24 x 5 hours for a valid trade date. NSCC believes that the proposed 24 x 5 model is effectively designed to accommodate the various proposals and industry-wide initiatives to extend trading hours for the U.S. equity markets, as discussed above. The proposed 24 x 5 operating model would enable NSCC to promptly and accurately clear and apply its CCP trade guaranty to trades executed during extended trading hours, particularly overnight trading sessions occurring across different time zones for global industry participants. In this way, NSCC believes the proposed rule change is designed to promote the prompt and accurate clearance and settlement of securities transactions.

NSCC would manage the risk from the activity cleared during extended trading hours using its existing risk management framework. NSCC uses a risk-based margin and Clearing Fund methodology to calculate and collect SOD margin requirements each day from Members to cover NSCC's potential exposures and to monitor and address intraday exposures through the Intraday MTM Charge and Intraday Volatility Charge. NSCC's margin methodology also includes an MRD charge specifically designed to mitigate the risks posed to NSCC by day-over-day fluctuations in a Member's portfolio by forecasting future changes in a Member's portfolio based on a historical look-back at each Member's portfolio over a given time period, which would capture fluctuations in NSCC's risk exposure during overnight trading sessions. NSCC believes its existing risk management framework would enable it to identify, measure, monitor, and manage the potential credit exposures that may arise from its participants related to overnight trading activity. NSCC uses the margin and Clearing Fund it collects to mitigate potential losses to NSCC (and, through loss allocation, to its Members) associated with liquidating a defaulting Member's portfolio and to continue to effect the prompt and accurate clearance and settlement of securities transactions in the event NSCC ceases to act for a Member, thereby assuring the safeguarding of securities and funds which are in the custody or control of NSCC or for which it is responsible and, in general, protecting investors and the public interest.

⁴¹ This includes client/trade submitter support across three (3) shifts that would be covered from the U.S. (Jersey City, Boston, Dallas and Tampa), Philippines (Manilla), United Kingdom (London), Singapore (Singapore), and India (Chennai and Hyderabad).

⁴² 15 U.S.C. 78s(b)(1).

⁴³ 15 U.S.C. 78q-1(b)(3)(F).

⁴⁴ 17 CFR 240.17ad-22(e)(4)(i), (6)(iii) and (21).

⁴⁵ 15 U.S.C. 78q-1(b)(3)(F).

The proposed rule change would also require NSCC to maintain a schedule of its key equity clearing and settlement processes on its public website. NSCC believes maintaining such a schedule on its website would improve Members' understanding of the key timeframes applicable to NSCC's core trade acceptance, clearing, settlement and risk management of transactions. This, in turn, would help Members understand their potential obligations to NSCC, facilitating the prompt and accurate clearance and settlement of securities transactions.

For these reasons, NSCC believes the proposed rule change is designed to promote the prompt and accurate clearance and settlement of securities transactions, to assure the safeguarding of securities and funds which are in its custody or control or for which it is responsible, and, in general, to protect investors and the public interest, consistent with the requirements of Section 17A(b)(3)(F) of Act.

Rule 17ad-22(e)(4)(i)⁴⁶ under the Act requires that a covered clearing agency 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 maintaining sufficient financial resources to cover its credit exposure to each participant fully with a high degree of confidence. Rule 17ad-22(e)(6)(iii)⁴⁷ under the Act further requires that a covered clearing agency that provides CCP services establish, implement, maintain, and enforce written policies and procedures reasonably designed to cover its credit exposures to its participants by establishing a risk-based margin system that calculates margin sufficient to cover its potential future exposure to participants in the interval between the last margin collection and the close out of positions following a participant default.

As described above, NSCC would manage the risk from the activity cleared during extended trading hours using its existing risk management framework. NSCC uses a risk-based margin and Clearing Fund methodology to calculate and collect SOD margin requirements each day from Members to cover its potential exposures and to monitor and address intraday exposures through the Intraday MTM Charge and Intraday Volatility Charge. NSCC's margin methodology includes an MRD charge specifically designed to mitigate

the risks posed to NSCC by day-over-day fluctuations in a Member's portfolio by forecasting future changes in a Member's portfolio based on a historical look-back at each Member's portfolio over a given time period, which would capture fluctuations in NSCC's risk exposure during overnight trading sessions. Since the MRD charge captures the risk of the portfolio for the accumulated trades during the entire day, up to the UTC Good Night Message at approximately 12:00 a.m., the day-over-day increase in the portfolio risk stemming from all trades during the day, including any overnight trading session, would be reflected in the MRD calculation. Given the MRD's design to use a look-back period, the spikes in volumes and associated risk over the past 100 days are already captured in the MRD calculation each day. Members that present NSCC with larger increases in day-over-day VaR and MTM also have larger MRD amounts. As discussed above, overnight trades received prior to UTC closing out the current Trade Processing Date would be incorporated into NSCC's SOD risk margin calculations and Clearing Fund collection processes and would be subject to the MRD charge.

Additionally, any overnight trades received after UTC has closed the current Trade Processing Date would be included in NSCC's intraday monitoring and margin process to address additional risk exposures that may arise in the overnight session after the close of UTC. Furthermore, trading activity submitted for the overnight trading session represents a small fraction of the overall trade volume cleared by NSCC. Based on feedback from industry outreach, NSCC believes that overnight trading volumes will increase gradually and steadily over the next few years as ATs and Exchanges expand and normalize overnight trading hours as opposed to seeing an immediate significant increase in volumes upon the implementation of NSCC's 24 x 5 proposal. For these reasons, NSCC believes its existing risk management framework is reasonably designed to enable NSCC to identify, measure, monitor, and manage the potential credit exposures that may arise from its participants related to overnight trading activity, and to calculate and collect margin sufficient to cover its potential future exposure to participants in accordance with the requirements of Rules 17ad-22(e)(4)(i) and (6)(iii) under the Act.

Finally, Rule 17ad-22(e)(21)⁴⁸ under the Act requires, in part, that a covered

clearing agency establish, implement, maintain, and enforce written policies and procedures reasonably designed to be efficient and effective in meeting the requirements of its participants and the markets it serves. As described above, the industry is currently working on a number of initiatives to expand trading hours for the U.S. equity markets due to growing interest in 24-hour trading, particularly from retail investors. This includes initiatives by Exchanges, QSRs and ATS operators, and the SIPs, as well as industry coordination through task forces and working groups organized by DTCC and SIFMA. The proposed 24 x 5 operating model is designed to accommodate these industry efforts and would enable NSCC to promptly and accurately clear and apply its CCP trade guaranty to trades executed during extended trading hours, particularly overnight trading sessions occurring across different time zones for global industry participants. In this way, NSCC believes the proposal is reasonably designed to efficiently and effectively meet the requirements of its participants and the markets it serves in accordance with Rule 17ad-22(e)(21).

For the reasons set forth above, NSCC believes the proposed rule change is consistent with Section 17A(b)(3)(F) of the Act and Rules 17ad-22(e)(4)(i), (6)(iii) and (21) thereunder.

(B) Clearing Agency's Statement on Burden on Competition

Section 17A(b)(3)(I) of Act⁴⁹ requires that the rules of a clearing agency do not impose any burden on competition not necessary or appropriate in furtherance of the purposes of the Act. NSCC does not believe the proposed rule change would present any burden or have any impact on competition. The proposed rule change would apply to all Members and trading markets equally and would not advantage or disadvantage any particular participant or user of NSCC's services or unfairly inhibit access to its services. NSCC's proposal to operate on a "24 x 5" basis is designed generally to accommodate efforts across the industry to support overnight trading and is not designed to favor the operating hours or proposals of any specific trading market. Therefore, NSCC does not believe that the proposed rule changes would impose any burden on competition that is not necessary or appropriate in furtherance of the purposes of the Act.

⁴⁶ 17 CFR 240.17ad-22(e)(4)(i).

⁴⁷ 17 CFR 240.17ad-22(e)(6)(iii).

⁴⁸ 17 CFR 240.17ad-22(e)(21).

⁴⁹ 15 U.S.C. 78q-1(b)(3)(I).

(C) Clearing Agency's Statement on Comments on the Proposed Rule Change Received From Members, Participants, or Others

NSCC has not received or solicited any written comments relating to this proposal. If any written comments are received, NSCC will amend this filing to publicly file such comments as an Exhibit 2 to this filing, as required by Form 19b-4 and the General Instructions thereto.

Persons submitting comments are cautioned that, according to Section IV (Solicitation of Comments) of the Exhibit 1A in the General Instructions to Form 19b-4, the Commission does not edit personal identifying information from comment submissions. Commenters should submit only information that they wish to make available publicly, including their name, email address, and any other identifying information.

All prospective commenters should follow the Commission's instructions on how to submit comments, available at www.sec.gov/rules-regulations/how-submit-comment. General questions regarding the rule filing process or logistical questions regarding this filing should be directed to the Main Office of the Commission's Division of Trading and Markets at tradingandmarkets@sec.gov or 202-551-5777.

NSCC reserves the right not to respond to any comments received.

III. Date of Effectiveness of the Proposed Rule Change, and Timing for Commission Action

Within 45 days of the date of publication of this notice in the **Federal Register** or within such longer period up to 90 days (i) as the Commission may designate if it finds such longer period to be appropriate and publishes its reasons for so finding or (ii) as to which the self-regulatory organization consents, the Commission will:

- (A) by order approve or disapprove such proposed rule change, or
- (B) institute proceedings to determine whether the proposed rule change should be 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-NSCC-2026-006 on the subject line.

Paper Comments

- Send paper comments in triplicate to Secretary, Securities and Exchange Commission, 100 F Street NE, Washington, DC 20549.

All submissions should refer to file number SR-NSCC-2026-006. 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 NSCC and on DTCC's website (<https://dtcc.com/legal/sec-rule-filings.aspx>). 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-NSCC-2026-006 and should be submitted on or before May 7, 2026.

For the Commission, by the Division of Trading and Markets, pursuant to delegated authority.⁵⁰

Sherry R. Haywood,
Assistant Secretary.

[FR Doc. 2026-07344 Filed 4-15-26; 8:45 am]

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SECURITIES AND EXCHANGE COMMISSION

[Release No. 34-105215; File No. SR-CboeBZX-2026-028]

Self-Regulatory Organizations; Cboe BZX Exchange, Inc.; Notice of Filing and Immediate Effectiveness of a Proposed Rule Change To Amend Rule 21.15(b) To Introduce the Exchange's Clock Service

April 13, 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 April 7, 2026, Cboe BZX Exchange, Inc. (the "Exchange" or "BZX") 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

Cboe BZX Exchange, Inc. (the "Exchange" or "BZX Options") proposes to amend Rule 21.15(b) 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 21.15(b), to provide for the new service called the Clock Service.^{3 4} The Clock Service is an optional product⁵ 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 highly correlated latency

³ The Exchange also proposes to amend the title of Rule 21.15 from "Exchange Data Products" to "Exchange Data Products and Services."

⁴ The Exchange initially filed the proposed changes on February 27, 2026 (SR-CboeBZX-2026-015). On April 7, 2026, the Exchange withdrew that filing and submitted this proposal.

⁵ 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.

⁵⁰ 17 CFR 200.30-3(a)(12).

¹ 15 U.S.C. 78s(b)(1).

² 17 CFR 240.19b-4.

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. economy and infrastructure. The proposed Clock 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").⁶ 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 System ("GPS") clock⁷ 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.⁸ 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").⁹

⁶ See Securities Exchange Act Release No. 94915 (May 16, 2022), 87 FR 31022 (May 20, 2022) (SR-EMERALD-2022-16).

⁷ 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").

⁸ 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. . . ."

⁹ 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

The Exchange's primary clock¹⁰ is the time source used to synchronize the Exchange's System,¹¹ 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 Rabbit¹² 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

Measurement and Control Systems" available at <https://www.nist.gov/system/files/documents/el/isd/ieee/tutorial-basic.pdf>.

¹⁰ 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.

¹¹ 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).

¹² White Rabbit is a high-precision time synchronization technology that combines PTP with synchronous ethernet to achieve up to sub-nanosecond accuracy.

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.¹³ 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 synchronization¹⁴ 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.¹⁵

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.).¹⁶ Participants

¹³ The Exchange notes that MIAx Emerald, LLC similarly requires a 1 Gbps connection in order to utilize its respective clock service.

¹⁴ 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.

¹⁵ The Exchange notes that participants are responsible for procuring the applicable license(s) as needed.

¹⁶ 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

may then enhance their own systems to ensure that they are receiving such communications in a timelier manner 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.¹⁷

The proposed Clock Service would be described under proposed Rule 21.15(b), 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.¹⁸ 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.¹⁹ Specifically, the Exchange believes the proposed rule change is consistent with the Section 6(b)(5)²⁰ 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.²¹ 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

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.

¹⁷ See Rule 4.6.

¹⁸ 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).

¹⁹ 15 U.S.C. 78f(b).

²⁰ 15 U.S.C. 78f(b)(5).

²¹ The Exchange intends to provide this information in nanoseconds by the end of March.

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.

As noted above, MIAX Emerald currently offers a clock service that has been reviewed and approved by the Commission.²² 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.²³ Similar to MIAX Emerald, this 1 Gbps Physical Port will be used solely for the Clock Service offering.²⁴ 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.²⁵

Additionally, MIAX Emerald's offering also utilizes White Rabbit technology.²⁶ 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.

²² 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").

²³ As noted above, MIAX also requires a 1 Gbps connection.

²⁴ See Securities Exchange Act Release No. 94915 (May 16, 2022), 87 FR 31002 (May 20, 2022) (SR-EMERALD-2022-16).

²⁵ 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.

²⁶ See MIAX_Emerald_Options_EnhancedPTP_WhiteRabbit_08302021.pdf, noting the White Rabbit technology that is used for this service offering.

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.²⁷

Additionally, the Exchange believes the proposed rule change is consistent with the Section 6(b)(5)²⁸ 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.²⁹ 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 21.15(b) 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

²⁷ See Rule 4.6.

²⁸ 15 U.S.C. 78f(b)(5).

²⁹ The Exchange intends to submit a separate filing with the Commission pursuant to Section 19(b)(1) to propose fees for the Clock Service.

to its Members.³⁰ The proposed Clock Service would provide subscribers with a tool to assist them in recalibrating 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 Act³¹ and Rule 19b-4(f)(6)³² 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-CboeBZX-2026-028 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-CboeBZX-2026-028. 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-CboeBZX-2026-028 and should be submitted on or before May 7, 2026.

For the Commission, by the Division of Trading and Markets, pursuant to delegated authority.³³

Sherry R. Haywood,

Assistant Secretary.

[FR Doc. 2026-07346 Filed 4-15-26; 8:45 am]

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SECURITIES AND EXCHANGE COMMISSION

[Release No. 34-105217; File No. SR-SAPPHIRE-2026-16]

Self-Regulatory Organizations; MIAX Sapphire, LLC; Notice of Filing and Immediate Effectiveness of a Proposed Rule Change To Make Clarifying Changes to the Rule Text Related to the Trading Floor

April 13, 2026.

Pursuant to Section 19(b)(1) of the Securities Exchange Act of 1934 ("Act" or "Exchange Act")¹ and Rule 19b-4 thereunder,² notice is hereby given that on March 31, 2026, MIAX Sapphire, LLC ("MIAX Sapphire" or "Exchange") filed with the Securities and Exchange Commission ("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 proposes to make clarifying changes to the rule text.

The text of the proposed rule change is available on the Exchange's website at <https://www.miaxglobal.com/markets/us-options/all-options-exchanges/rule-filings>, and at MIAX Sapphire's principal office.

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 make clarifying changes to select provisions in the Exchange's Rulebook. These proposed changes are intended to

³⁰ See MIAX Emerald Fee Schedule, Section 8, Services.

³¹ 15 U.S.C. 78s(b)(3)(A).

³² 17 CFR 240.19b-4(f)(6).

³³ 17 CFR 200.30-3(a)(12).

¹ 15 U.S.C. 78s(b)(1).

² 17 CFR 240.19b-4.

provide additional detail and clarity regarding trading on the Exchange's Trading Floor.³ There is no change to any Exchange functionality, its operation, or any policy or procedure.

Background

On the Exchange's Trading Floor, liquidity is provided by Floor Participants,⁴ including Floor Market Makers.⁵ After a Floor Broker⁶ announces and exposes a single-sided or two-sided order, a Qualified Floor Order or "QFO," to the trading crowd on the Floor, the Floor Broker submits any resulting two-sided executed order into the Exchange's System,⁷ to facilitate post-trade workflows as described below. All QFOs are subject to an open outcry process prior to submission to the System to facilitate post-trade workflows. During the open outcry process, the Floor Broker must provide Floor Participants a reasonable amount of time to respond with interest in trading against the order held by the Floor Broker.⁸ Floor Participants respond at their discretion, indicating their interest (if any) in trading against the order. The Floor Broker then makes allocations (if any) to the responding Floor Participants, as required, in accordance with the Exchange's allocation rules as set forth in the Exchange Rulebook. At this point, the QFO is considered executed. Then the

Floor Broker must submit the executed QFO to the System⁹ without undue delay.¹⁰ The execution price must be equal to or better than the NBBO,¹¹ with certain exceptions, and may not trade through any equal priced or better priced Priority Customer¹² bids or offers on the Electronic Book¹³ or trade through any better priced interest.¹⁴ The highest bid (or lowest offer) has priority, but where two or more bids (or offers) represent the highest (or lowest) price, priority is afforded to such bids (or offers) in the sequence in which they are made.¹⁵ The Floor Broker is responsible for handling all orders in accordance with the Exchange's priority and trade-through rules and for determining the sequence in which bids or offers are vocalized on the Trading Floor in response to the Floor Broker's bid, offer, or call for a market.¹⁶ For instance, when a Floor Broker executes a single-leg QFO, the Floor Broker shall ensure that the execution price must be equal to or better than the NBBO, subject to the exceptions in Rule 1401(b). Additionally, the Floor Broker shall ensure that the QFO may not (1) trade through any equal or better priced Priority Customer bids or offers on the Simple Order Book; or (2) trade through any interest on the Simple Order Book that is priced better than the proposed execution price.¹⁷ If Floor Participants provide a collective response to a Floor Broker's request for a market in order to fill a large order and the size of the trading crowd's market exceeds the size

of the order to be filled, that order will be allocated on a size pro rata basis.¹⁸

Proposal

The Exchange proposes to make clarifying changes to certain provisions in Exchange Rule 2030, Responsibilities of Floor Brokers; Rule 2040, Qualified Floor Orders; and Rule 2055, Clerks, to more accurately describe order processing on the Exchange's Trading Floor.

Exchange Rule 2030, Responsibilities of Floor Brokers

The Exchange proposes to amend the announcement provision of Exchange Rule 2030. Currently, Rule 2030(e)(2) provides that, "[a] Floor Broker must announce an agency order that the Floor Broker is representing to the trading crowd before submitting the order to the Exchange's System for execution. This announcement must take place whether the Floor Broker is representing a single-sided order and soliciting contra-side interest, or the Floor Broker has sufficient interest to match against the agency order already. If a Floor Broker is holding two non-Priority Customer agency orders or two Priority Customer agency orders, the Floor Broker will choose which order is the agency order. If only one of the agency orders is for the account of a Priority Customer, that order must be the agency order."

The Exchange proposes to amend the first sentence of Rule 2030(e)(2) to better clarify the stages of an order on the Trading Floor and the processing that is performed when the executed order is submitted to the Exchange's System. Specifically, the Exchange proposes to revise this sentence to provide that, "[a] Floor Broker must announce an agency order that the Floor Broker is representing to the trading crowd before submitting the two-sided executed order to the Exchange's System to facilitate post-trade workflows." The Exchange believes this language properly delineates that an order is executed on the trading floor but must still undergo post-trade validation, designed to ensure regulatory conformity, prior to being treated as a validated trade (e.g., transmitted to the OCC).

The Exchange also proposes to make a similar change to Policy .02 of Exchange Rule 2030. Currently, Interpretation and Policy .02 to Rule 2030 provides that, "Floor Brokers must make reasonable efforts to ascertain

³ The term "Trading Floor" or "Floor" means the physical trading floor of the Exchange located in Miami, Florida. The Trading Floor shall consist of one "Crowd Area" or "Pit" where Floor Participants will be located and option contracts will be traded. The Crowd Area or Pit shall be marked with specific visible boundaries on the Trading Floor, as determined by the Exchange. A Floor Broker must represent all orders in an "open outcry" fashion in the Crowd Area. See Exchange Rule 100.

⁴ The term "Floor Participant" means Floor Brokers as defined in Rule 2015 and Floor Market Makers as defined in Rule 2105(b). See Exchange Rule 100.

⁵ A Floor Market Maker is a Floor Participant of the Exchange located on the Trading Floor who has received permission from the Exchange to trade in options for his own account. See Exchange Rule 2105(b).

⁶ A Floor Broker is an individual who is registered with the Exchange for the purpose, while on the Trading Floor, of accepting and handling options orders. A Floor Broker must be registered as a Floor Participant prior to registering as a Floor Broker. A Floor Broker may take into his own account, and subsequently liquidate, any position that results from an error made while attempting to execute, as Floor Broker, an order. See Exchange Rule 2015.

⁷ The term "System" means the automated trading system used by the Exchange for the trading of securities. See Exchange Rule 100.

⁸ See Exchange Rule 2040, Interpretations and Policies .09. A Floor Participant must verbalize that he is "in" after a Floor Broker announces an order, even if a valid quote has been provided by the Floor Participant prior to the announcement of the order by a Floor Broker.

⁹ See *supra* note 7.

¹⁰ See Exchange Rule 2040(c).

¹¹ The term "NBBO" means the national best bid or offer as calculated by the Exchange based on market information received by the Exchange from OPRA. See Exchange Rule 100.

¹² "Priority Customer" is defined as a person or entity that (i) is not a broker or dealer in securities, and (ii) does not place more than 390 orders in listed options per day on average during a calendar month for its own beneficial accounts. See Exchange Rule 100.

¹³ The term "Electronic Book" means the Exchange's Simple Order Book and Strategy Book. The "Simple Order Book" is the Exchange's regular electronic book of orders and quotes. The "Strategy Book" is the Exchange's electronic book of complex orders. See Exchange Rule 100.

¹⁴ See Exchange Rule 2040(c).

¹⁵ See Exchange Rule 2045(a) and (b). If the bids (or offers) of two or more Floor Participants are made simultaneously, or if it is impossible to determine clearly the order of time in which they are made, such bids (or offers) will be deemed to be on parity and priority will be afforded to them, insofar as practicable, on an equal basis. See Exchange Rule 2045(c). Exchange Rules also provide split-price priority to a Floor Participant that buys (sells) one or more contracts at one price with respect to buying (selling) the same number of contracts at the next lower (higher) price. See Exchange Rule 2040(i).

¹⁶ See Exchange Rules 2040(a) and 2045(d)(1).

¹⁷ See Exchange Rule 2040(c).

¹⁸ See Exchange Rule 2045(d)(5). In such circumstances, the size of the order to be allocated will be multiplied by the size of an individual Floor Participant's quote divided by the aggregate size of all Floor Participants' quotes. See Exchange Rule 2045(d)(5)(ii).

whether each order entrusted to them is for the account of a Priority Customer or a broker-dealer. If it is ascertained that the order is for the account of a broker-dealer, the responsible Floor Broker must advise the trading crowd of that fact prior to bidding/offering on behalf of the order or submitting the order for execution. The Floor Broker or his employees must make the appropriate notation in their system when it has been determined that the order is for an account of a broker-dealer.”

The Exchange now proposes to amend the second sentence of Interpretation and Policy.02 of Exchange Rule 2030 to properly align it to the lifecycle of an order executed on the Trading Floor. Specifically, the Exchange proposes to amend the sentence to provide that, “[i]f it is ascertained that the order is for the account of a broker-dealer, the responsible Floor Broker must advise the trading crowd of that fact prior to bidding/offering on behalf of the order or submitting the two-sided executed order into the Exchange’s System to facilitate post-trade workflows.” The Exchange believes this revision better encapsulates order processing on the Trading Floor.

Rule 2040, Qualified Floor Orders

The Exchange proposes to amend Exchange Rule 2040(a), (b), (c), and (h) to clarify that the Exchange’s System does not execute QFOs. Rather, QFOs are executed on the Trading Floor and are only submitted to the Exchange’s System to facilitate post-trade workflows. After QFOs are executed on the Trading Floor, they are subject to post-trade validation. Post-trade workflows include validating that the trade price is in compliance with Regulation NMS (National Market System) or (“Reg NMS”), the Options Locked and Crossed Market Plan, and Trading Floor Price Collar Protection (“TFPCP”), and also validating that the QFO is handled in accordance with the Exchange priority rules, and recording the transaction by the Exchange. If a QFO fails post-trade validation, it will be invalidated. The trading workflow on the Trading Floor starts when a Floor Broker receives or forms a fully paired order or a one-sided order through any of their own proprietary systems or sources (from clients directly, messaging systems, etc.). The Floor Broker will then announce, as required, the agency side of the paired order or the one-sided order to the trading crowd, including underlying, contract details, side, price, and total size of the order. Floor Participants will respond at their discretion, indicating their interest on the contra side of the trade. The Floor

Broker will indicate allocations to each of the responding Floor Participants, as required, in accordance with the Exchange’s allocation rules¹⁹ as set forth in the Exchange Rulebook. At this point, the QFO is considered executed. The purpose of submitting the QFO to the Exchange’s System is to facilitate post-trade workflows. Post-trade workflows include validating that the trade price is in compliance with Reg NMS, the Options Locked and Crossed Market Plan, and TFPCP, and also validating that the QFO is handled in accordance with the Exchange priority rules, and recording the transaction by the Exchange. As part of post-trade workflows, the System validates that there are no contracts on the Electronic Book that have priority over the contra-side order, among other things. A Floor Broker may, but is not required to, provide a maximum surrender size.²⁰ The maximum surrender size is a feature offered by the Exchange, which facilitates a process which could otherwise be completed by the Floor Broker, whereby the Floor Broker provides an instruction to the System to sweep the Electronic Book as needed for higher priority liquidity.²¹ Pursuant to the maximum surrender size feature, if the number of contracts on the Electronic Book that have priority over the contra-side order is less than or equal to the maximum surrender size the QFO (cQFO) is treated as valid, however, the contracts on the initiating side of the QFO (cQFO) will be allocated against contracts on the Electronic Book with higher priority over the contra-side of the order.²² The number of contracts to be crossed will be reduced by the number of contracts on the Electronic Book with higher priority over the contra-side of the QFO. The remaining balance of contracts on the initiating side of the QFO (cQFO) will be allocated against the contracts on the contra-side of the QFO in accordance with Exchange Rule 2040(d). If the number of contracts on the Electronic Book with higher priority over the contra-side of the QFO is greater than the maximum surrender size, then the QFO is invalidated and the Floor Broker is notified.²³ An invalidation message stating that the QFO is invalidated and the reason why it is invalidated will be sent to the Floor Broker. The Floor Broker may address

the issue identified in the invalidation message and resubmit the QFO to the System. Alternatively, the Floor Broker may elect not to resubmit the QFO. The Exchange proposes to amend Exchange Rules 2040(d)(1), (2) and (3) to clarify the allocation rules. Exchange Rules 2040(d)(1) and (2) currently state that, provided that an adequate maximum surrender size was provided by the Floor Broker, the initiating side of the QFO (cQFO) will match against any bids or offers on the Simple Order Book (Strategy Book) priced better than the contra-side, then match against Priority Customer Orders on the Simple Order Book (Strategy Book), along with any bids or offers of non-Priority Customers ranked ahead of such Priority Customer Orders on the Simple Order Book (Strategy Book). Last, Exchange Rule 2040(d)(3) currently provides that, the remaining balance of the initiating side of the QFO (cQFO) will match against the contra-side of the QFO (cQFO). The Exchange proposes to amend Exchange Rule 2040(d) to provide that the initiating side of QFO will be allocated against, not match against, any contracts on the Electronic Book with higher priority over the contra-side of the QFO. This is to clarify that the System does not match QFOs (e.g., when the number of contracts on the Electronic Book with higher priority over the contra-side of the QFO is greater than the maximum surrender size, the QFO is simply invalidated). Rather, QFOs are matched by Floor Brokers and executed on the Trading Floor. Proposed Exchange Rule 2040 would provide how a QFO is allocated, not how a QFO is matched. In addition, the Exchange proposes to remove “by the System” from the first sentence of Exchange Rule 2040(d)(3). This is to clarify that it is the Floor Broker who will allocate the initiating side the QFO (cQFO) against the contra-side of the QFO (cQFO), not the Exchange’s System.

The Exchange proposes to amend Exchange Rule 2040(h) to clarify how the initiating side of the QFO (cQFO) is allocated provided that an adequate maximum surrender size was provided by the Floor Broker. Specifically, the Exchange proposes to amend the last sentences of the first and second paragraphs in Exchange Rule 2040(h) to clarify that if the number of contracts on the Electronic Book that have priority over the contra-side order is less than or equal to the maximum surrender size, then the initiating side of the QFO (cQFO) will be allocated against any bids or offers on the Simple Order Book (Strategy Book) with higher priority over the contra-side of the QFO (cQFO), and

¹⁹ See Exchange Rule 2040(d).

²⁰ See Exchange Rule 2040(h).

²¹ The maximum surrender size is an optional feature that assist Floor Brokers by eliminating the need to send a separate order to clear higher priority liquidity on the Electronic Book.

²² See Exchange Rule 2040(d)(1).

²³ See proposed Exchange Rule 2040(h).

the remaining balance of the initiating side of QFO (cQFO) will be allocated against the contra-side of the QFO (cQFO). The purpose of the proposed changes is to add more detail within the Rulebook as to how the initiating side of the QFO (cQFO) is allocated provided that an adequate maximum surrender size was provided by the Floor Broker. The proposed changes to Rule 2040(h) are consistent with allocation rules set forth in proposed Exchange Rule 2040(d).

The Exchange proposes to add “as an instruction to the System” at the end of the first sentence of the first and second paragraphs in Exchange Rule 2040(h). The purpose of the proposed changes is to specify that the maximum surrender size is the instruction provided by the Floor Broker to the Exchange to clear a certain number of contracts on the Simple Order Book and Strategy Book that have priority over the contra-side order.

The Exchange also proposes to add a sentence specifying that “[i]f the Floor Broker fails to provide a maximum surrender size, such value shall be deemed to be zero” after the second sentence of both of the first and second paragraphs in Exchange Rule 2040(h). As mentioned above, the maximum surrender size is the instruction provided by the Floor Broker to the Exchange to clear a certain number of contracts on the Simple Order Book and Strategy Book that have priority over the contra-side order. The Exchange does not clear any contracts on the Simple Order Book and Strategy Book unless there is a clear instruction provided by the Floor Broker, therefore, the Exchange believes that it is appropriate to set the default value of the maximum surrender size as zero if the Floor Broker fails to provide a maximum surrender size. The purpose of the proposed changes is to specify that the maximum surrender size shall be deemed to be zero, unless a maximum surrender size is expressly provided by the Floor Broker.

The Exchange proposes to remove “electronic” from the second sentence of Exchange Rule 2055(f)(2). Currently, Exchange Rule 2055 provides that “. . . [a] Floor Market Maker Clerk may consummate *electronic* transactions under the express direction of his or her Floor Market Maker employer by matching bids and offers . . .” The Exchange proposes to remove “electronic” from Exchange Rule 2055(f)(2). The Exchange does maintain a separate, fully automated electronic options matching engine, however, the Exchange notes that its electronic matching engine operates completely

independent from its Trading Floor trade matching process. The transactions occurring on the Trading Floor are executed on the Trading Floor, and then the two-sided executed transactions are submitted to the Exchange’s System to facilitate post-trade workflows as discussed above. The purpose of the proposed rule change is to clarify that the transactions occurring on the Trading Floor are separate and distinct from transactions occurring in the electronic market and Floor Market Maker Clerks are only involved in the transactions occurring on the Trading Floor.

The Exchange proposes to add “on the Simple Order Book” at the end of Exchange Rule 2040(a)(6). The purpose of the proposed change is to add greater detail to the Exchange’s Rulebook and make it easier to understand. QFOs may be complex orders as defined in proposed Exchange Rule 518. A “complex order” is any order involving the concurrent purchase and/or sale of two or more different options in the same underlying security (the “legs” or “components” of the complex order), for the same account, in a conforming or non-conforming ratio as defined below for the purposes of executing a particular investment strategy.²⁴ For a cQFO to be valid, all of the components need to be open for trading on the Simple Order Book. In addition, for stock-tied cQFOs, the stock must be open for trading.

The Exchange proposes to add a comma after “If” in the beginning of the last sentence in Exchange Rule 2040(d)(3). The purpose of the proposed change is to correct grammatical error and make it easier to interpret the Exchange’s Rulebook.

In addition, the Exchange propose to replace “Complex QFO” with “cQFO” throughout Exchange Rule 2040. Complex QFO is cQFO, as defined in Rule 2040(a)(6). This is to add more clarity and consistency within the Rulebook.

The Exchange does not propose to amend any existing functionality of the Exchange’s System with this proposal. The Exchange proposes to make clarifying changes to select provisions in the Exchange’s Rulebook. These proposed changes are intended to provide additional detail and clarity regarding trading on the Exchange’s Trading Floor. There is no change to any Exchange functionality, its operation, or any policy or procedure. These proposed non-substantive changes would ensure that the Exchange’s Rules

are not misleading and easier to understand.

2. Statutory Basis

The proposed rule change is consistent with Section 6(b) of the Act,²⁵ in general, and furthers the objectives of Section 6(b)(5)²⁶ of the Act in particular, in that it is designed to promote just and equitable principles of trade, to foster cooperation and coordination with persons engaged in 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.

The Exchange proposes to make clarifying changes to the rule text. The proposal to amend Exchange Rule 2030(e)(2), Interpretation and Policy .02 to Exchange Rule 2030, and Exchange Rule 2040(a), (b), (c), and (h) is to clarify that the Exchange’s System does not execute QFOs. Rather, the QFOs are submitted to the Exchange’s System to facilitate post-trade workflows. QFOs are executed on the Trading Floor and subject to post-trade validation. If a QFO fails post-trade validation, it is invalidated. The proposal to amend Exchange Rule 2040(d) is to provide that the initiating side of QFO will be allocated against, not match against, any contracts on the Electronic Book with higher priority over the contra-side of the QFO, and to clarify that it is the Floor Broker who will match the initiating side the QFO (cQFO) against the contra-side of the QFO (cQFO), not the Exchange’s System. The proposed change to add “as an instruction to the System” at the end of the first sentence of the first and second paragraphs in Exchange Rule 2040(h) is to specify that the maximum surrender size is the instruction provided by the Floor Broker to the Exchange to clear a certain number of contracts on the Simple Order Book and Strategy Book that have priority over the contra-side order. The proposed change to amend Exchange Rule 2040(h) is to specify that the maximum surrender size shall be deemed to be zero, unless a maximum surrender size is expressly provided by the floor broker and to add more detail within the Rulebook as to how the initiating side of the QFO (cQFO) is allocated provided that an adequate maximum surrender size was provided by the Floor Broker. The proposal to amend Exchange Rule 2055(f)(2) is to clarify that the transactions occurring on the Trading Floor are separate and

²⁵ 15 U.S.C. 78f(b).

²⁶ 15 U.S.C. 78f(b)(5).

²⁴ See Exchange Rule 518(a).

distinct from transactions occurring in the electronic market and Floor Market Maker Clerks are only involved in transactions on the Trading Floor. The proposed change to add “on the Simple Order Book” at the end of Exchange Rule 2040(a)(6) is to add greater detail to the Exchange’s Rulebook. The proposed change to add a comma after “If” in the beginning of the last sentence in Exchange Rule 2040(d)(3) is to correct grammatical error and make it easier to interpret the Exchange’s Rulebook. The proposal to replace “Complex QFO” with “cQFO” throughout Exchange Rule 2040 is to add more clarity and consistency within the Rulebook. The Exchange does not propose to amend any existing functionality of the Exchange’s System with this proposal. The Exchange proposes to make clarifying changes to select provisions in the Exchange’s Rulebook. These proposed changes are intended to provide additional detail and clarity regarding trading on the Exchange’s Trading Floor. There is no change to any Exchange functionality, its operation, or any policy or procedure.

These proposed non-substantive changes would ensure that the Exchange’s Rules are not misleading and easier to understand. In addition, the proposed rule changes would reduce potential investor and market participant confusion and therefore remove impediments to and perfect the mechanism of a free and open market and a national market system by ensuring that investors and market participants can more easily navigate, understand and comply with the Exchange’s Rules. The Exchange also believes that the proposed rule changes would remove impediments to and perfects the mechanism of a free and open market by ensuring that persons subject to the Exchange’s jurisdiction, regulators, and the investing public can more easily navigate and understand the Exchange’s Rules. The proposed rule changes are not inconsistent with the public interest and the protection of investors because investors will not be harmed and in fact would benefit from the increased transparency and clarity, thereby reducing potential confusion.

B. Self-Regulatory Organization’s Statement on Burden on Competition

The Exchange does not believe that the proposed rule changes will impose any burden on competition that is not necessary or appropriate in furtherance of the purposes of the Act.

Intramarket Competition

The Exchange believes the proposed rule changes do not impose any burden

on intramarket competition that is not necessary or appropriate in furtherance of the purposes of the Act. The proposed rule changes are not intended to address competitive issues but rather are concerned solely with making clarifying changes to the rule text with no proposed changes to related functionality.

Intermarket Competition

The Exchange believes the proposed rule changes do not impose any burden on intermarket competition that is not necessary or appropriate in furtherance of the purposes of the Act. The proposed rule changes are not intended to address competitive issues but rather are concerned solely with making clarifying changes to the rule text with no proposed changes to related functionality.

C. Self-Regulatory Organization’s Statement on Comments on the Proposed Rule Change Received From Members, Participants, or Others

Written comments were neither solicited nor received.

III. Date of Effectiveness of the Proposed Rule Change and Timing for Commission Action

The Exchange has designated this rule filing as non-controversial under Section 19(b)(3)(A) of the Act²⁷ and Rule 19b-4(f)(6)²⁸ thereunder. Because the proposed rule change does not: (i) significantly affect the protection of investors or the public interest; (ii) impose any significant burden on competition; and (iii) 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 Act²⁹ and Rule 19b-4(f)(6)³⁰ thereunder.

At any time within 60 days of the filing of this 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.

²⁷ 15 U.S.C. 78s(b)(3)(A).

²⁸ 17 CFR 240.19b-4(f)(6).

²⁹ 15 U.S.C. 78s(b)(3)(A).

³⁰ 17 CFR 240.19b-4(f)(6). In addition, Rule 19b-4(f)(6)(iii) requires a self-regulatory organization to give the Commission written notice of its intent to file the proposed rule change, along with a brief description and text of the proposed rule change, at least five business days prior to the date of filing of the proposed rule change, or such shorter time as designated by the Commission. The Exchange has satisfied this requirement.

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-SAPPHIRE-2026-16 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-SAPPHIRE-2026-16. 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-SAPPHIRE-2026-16 and should be submitted on or before May 7, 2026.

For the Commission, by the Division of Trading and Markets, pursuant to delegated authority.³¹

Sherry R. Haywood,

Assistant Secretary.

[FR Doc. 2026-07348 Filed 4-15-26; 8:45 am]

BILLING CODE 8011-01-P

³¹ 17 CFR 200.30-3(a)(12).

SECURITIES AND EXCHANGE COMMISSION

[Release No. 34–105216; File No. SR–SAPPHIRE–2026–14]

Self-Regulatory Organizations; MIAx Sapphire, LLC; Notice of Filing and Immediate Effectiveness of a Proposed Rule Change To Amend the MIAx Sapphire Options Exchange Fee Schedule

April 13, 2026.

Pursuant to Section 19(b)(1) of the Securities Exchange Act of 1934 (“Act” or “Exchange Act”) ¹ and Rule 19b–4 thereunder,² notice is hereby given that on March 31, 2026, MIAx Sapphire, LLC (“MIAx Sapphire” or “Exchange”) filed with the Securities and Exchange Commission (“Commission”) a 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 the MIAx Sapphire Options Exchange Fee Schedule (“Fee Schedule”) to: (1) establish a surcharge on certain Floor Market Maker orders in multiply-listed classes in the Penny Interval Program and not in the Penny Interval Program that are executed on the Trading Floor; and (2) establish a rebate payable to certain Floor Broker Priority Customer orders when the counterparty is a Floor Market Maker order for Trading Floor transactions (all capitalized terms defined and described below).

The text of the proposed rule change is available on the Exchange’s website at <https://www.miaxglobal.com/markets/us-options/all-options-exchanges/rule-filings>, and at MIAx Sapphire’s principal office.

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 Section 1(c)(i) of the Fee Schedule to: (1) establish a surcharge on certain Floor Market Maker ³ orders that are executed as part of a transaction with certain Floor Broker ⁴ Priority Customer ⁵ orders in multiply-listed classes in the Penny Interval Program ⁶ (“Penny classes”) and not in the Penny Interval Program (“non-Penny classes”) on the Trading Floor; ⁷ and (2) establish an enhanced rebate payable to Floor Brokers for certain Priority Customer orders that interact with the Floor Market Maker order described above for Trading Floor transactions.

Background of Fees and Rebates for Transaction on the Trading Floor

The Exchange assesses fees (and/or provides rebates) for transactions on the Trading Floor based on origin. For Priority Customers ⁸ and Professional Customers ⁹ the Exchange does not

³ A Floor Market Maker is a Floor Participant of the Exchange located on the Trading Floor who has received permission from the Exchange to trade in options for his own account. See Exchange Rule 2105(b).

⁴ A Floor Broker is an individual who is registered with the Exchange for the purpose, while on the Trading Floor, of accepting and handling options orders. See Exchange Rule 2015.

⁵ The term “Priority Customer” means a person or entity that (i) is not a broker or dealer in securities, and (ii) does not place more than 390 orders in listed options per day on average during a calendar month for its own beneficial account(s). See the Definitions section of the Fee Schedule and Exchange Rule 100.

⁶ See Exchange Rule 510(c).

⁷ The term “Trading Floor” or “Floor” means the physical trading floor of the Exchange located in Miami, Florida. The Trading Floor shall consist of one “Crowd Area” or “Pit” where Floor Participants will be located and option contracts will be traded. The Crowd Area or Put shall be marked with specific visible boundaries on the Trading Floor, as determined by the Exchange. A Floor Broker must represent all orders in an “open outcry” fashion in the Crowd Area. See Exchange Rule 100.

⁸ The term “Priority Customer” means a person or entity that (i) is not a broker or dealer in securities, and (ii) does not place more than 390 orders in listed options per day on average during a calendar month for its own beneficial account(s). See the Definitions section of the Fee Schedule and Exchange Rule 100.

⁹ The term “Professional Customer” for the purposes of the Fee Schedule, shall mean a Public Customer that is not a Priority Customer. See the Definitions section of the Fee Schedule. The term “Public Customer” means a person that is not a broker or dealer in securities. See the Definitions section of the Fee Schedule and Exchange Rule 100.

currently assess a per contract fee (or provide a rebate) for Qualified Floor Order (“QFO”) ¹⁰ and Complex Qualified Floor Order (“cQFO”) ¹¹ transactions in all multiply-listed Penny and non-Penny classes.¹² The Exchange assesses a \$0.25 per contract fee for QFO and cQFO transactions in SPY/QQQ/IWM, Penny classes (excluding SPY/QQQ/IWM), and non-Penny classes, for Away Market Maker,¹³ Firm, and Broker-Dealer origins. The Exchange does not assess a fee (or provide a rebate) for QFO and cQFO transactions in SPY/QQQ/IWM, Penny classes (excluding SPY/QQQ/IWM), and non-Penny classes, for Firm and Broker-Dealer origins that are facilitating a Priority Customer or Professional Customer order. The Exchange assesses Floor Market Makers a fee of \$0.50 per contract for QFOs and cQFOs that trade against all other origins.¹⁴ The Exchange provides a rebate of (\$0.10) per contract for transactions in SPY/QQQ/IWM, Penny classes (excluding SPY/QQQ/IWM), and non-Penny classes, for Floor Broker origins on both the agency and contra sides, if applicable. The Exchange also provides a Floor Broker Breakup Credit of (\$0.20) per contract for transactions in SPY/QQQ/IWM, Penny classes (excluding SPY/QQQ/IWM), and non-Penny classes.

Proposal

The Exchange proposes to amend Section 1(c)(i) of the Fee Schedule to establish a \$0.20 per contract surcharge for Floor Market Maker orders in Penny and non-Penny classes when the Floor Market Maker is the counterparty to a Priority Customer cQFO executed by a Floor Broker on the Trading Floor. The Exchange proposes that for such trade, the Exchange will provide the Floor Broker a (\$0.20) per contract rebate (referred to as the “Floor Broker Enhanced Complex Rebate”), which will be in addition to the Floor Broker Breakup Credit of (\$0.20) per contract that the Floor Broker may also receive for such transaction. The Exchange also proposes to provide that the above-described surcharge and the rebate will not apply to cQCC ¹⁵ transactions,

¹⁰ See Exchange Rule 2040.

¹¹ See Exchange Rule 2040(a)(4).

¹² A QFO or cQFO must be entered as a two-sided order, with an initiating side and a contra side and the QFO and cQFO fees, rebates, and applicable fee and rebate caps will apply to both sides of the order. Further, cQFO fees and rebates are per executed side per leg.

¹³ The term “Away Market Maker” for the purposes of the Fee Schedule, shall mean a non MIAx Sapphire Market Maker.

¹⁴ See Fee Schedule, Section 1(c)(i).

¹⁵ A cQCC transaction is comprised of an “initiating complex order” to buy (sell) where each

¹ 15 U.S.C. 78s(b)(1).

² 17 CFR 240.19b–4.

cC2C¹⁶ transactions, Strategy¹⁷ transactions, or other non-complex transactions. The Exchange proposes to establish new footnote #1 in the Floor Market Maker origin in the table in Section 1(c)i) of the Fee Schedule, with explanatory text for footnote #1 below the QFO and cQFO Fees and Rebates Table, as follows:

Floor Market Makers will be assessed a \$0.20 per contract surcharge when the Floor Market Maker is the counterparty to a Priority Customer cQFO transaction executed by a Floor Broker in multiply-listed Penny or non-Penny Classes, and the executing Floor Broker will be paid a rebate of (\$0.20) per contract ("Floor Broker Enhanced Complex Rebate") for such trade. The surcharge and Floor Broker Enhanced Complex Rebate will not apply to cQCC transactions, cC2C transactions, Strategy transactions, or other non-complex transactions. The Floor Broker Enhanced Complex Rebate paid to the executing Floor Broker under the terms of this footnote 1 will be in addition to any Floor Broker Breakup Credit that the Floor Broker may also receive for the Priority Customer cQFO transaction.

Although the proposed surcharge would increase certain fees for Floor Market Makers when acting as counterparty to Priority Customer cQFOs on the Trading Floor, the Exchange believes these participants will continue to quote actively to participate in Trading Floor transactions as they do today, thereby continuing to promote trading opportunities and competition on the Trading Floor to the benefit of all market participants. The purpose of this change is to further incentivize Floor Brokers to participate on the Trading Floor by increasing Priority Customer cQFO volume. The Exchange believes this will lead to increased Trading Floor volume, which should benefit all market participants by providing more trading opportunities and tighter spreads. As the Trading Floor is less than a year into operations, the Exchange believes it is important to incentivize Floor Brokers to continue to provide Priority Customer volume.

component is at least 1,000 contracts that is identified as being part of a qualified contingent trade, coupled with a contra-side complex order or orders to sell (buy) an equal number of contracts. The stock handling fee for the stock leg of cQCC transactions is described in Section 1(c)vi) of the Fee Schedule. *See* Fee Schedule, Section 1(c)iii).

¹⁶ A cC2C Order is comprised of one Priority Customer complex order to buy and one Priority Customer complex order to sell at the same price and for the same quantity. *See* Fee Schedule, Section 1(c)iv).

¹⁷ As of the time of this filing, the Exchange allows for the following Strategy transactions: Box Spread, Jelly Roll Strategy, Short/Long Stock Interest Spread, Merger Spread, Reversal/Conversion Spread, and a Dividend Strategy. *See, generally*, the Definitions section of the Fee Schedule for the definition of each type of Strategy transaction.

The Exchange notes that the proposed complex surcharge and rebates are not new or novel. At least one other exchange assesses a similar surcharge and provides a similar rebate for customer complex order transactions on its trading floor where a floor market maker is the counterparty to the customer order that originates from a floor broker.¹⁸

The proposed changes are effective beginning April 1, 2026.

2. Statutory Basis

The Exchange believes that the proposed rule change is consistent with Section 6(b) of the Act,¹⁹ in general, and furthers the objectives of Section 6(b)(5) of the Act,²⁰ in particular, in that it is not designed to permit unfair discrimination among customers, brokers, or dealers. The Exchange also believes that its proposal is consistent with Section 6(b)(4) of the Act²¹ because it represents an equitable allocation of reasonable dues, fees and other charges among market participants using any facility or system which the Exchange operates or controls.

The Exchange believes its proposal to assess a surcharge of \$0.20 per contract to Floor Market Maker orders that is the counterparty to Floor Broker Priority Customer cQFOs in Penny and non-Penny classes on the Trading Floor is reasonable because, even with the proposed surcharge, Floor Market Makers will continue to interact with Trading Floor orders and would not be discouraged from continuing to quote and trade actively on the Exchange. The Exchange believes that the proposed rebate of (\$0.20) per contract to be paid to Floor Brokers for such transactions would incentivize Floor Brokers to direct additional Priority Customer cQFO volume to the Trading Floor, thereby creating more trading opportunities on the Trading Floor for all market participants, including Floor Market Makers. The Exchange believes that the proposed changes are

reasonably designed to incentivize Floor Brokers (and other participants on the Trading Floor) to increase the number of cQFOs sent to the Exchange. The Exchange believes this may increase trading volume and create more trading opportunities for all market participants which, in turn, may 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 surcharge and rebate are similar in structure to a program offered by at least one other competing exchange that offers floor trading.²²

The Exchange further believes the proposed surcharge is reasonable because it is designed to offset costs associated with the proposed rebate payable to Floor Brokers when their Priority Customer cQFOs interact with Floor Market Maker orders 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, including Floor Market Makers. 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, particularly since the Trading Floor is less than a year into operations and seeks growth opportunities for its market.

The Exchange believes it is equitable to apply the proposed rebate only to Floor Brokers and not Floor Market Makers. Floor Market Makers represent their own interest on the Trading Floor and, therefore, the Exchange believes these market participants may not need a similar incentive. Unlike Floor Market Makers, Floor Brokers act as agents in representing orders on the Exchange's Trading Floor. Participants who desire to have a Priority Customer order executed on the Trading Floor would provide that order to a Floor Broker to

¹⁸ *See* Nasdaq PHLX LLC, Options 7: Pricing Schedule, Section 4, note 9 (providing that Floor Lead Market Makers and Floor Market Makers will be assessed a \$0.20 per contract surcharge when the Floor Lead Market Maker or Floor Market Maker is the counterparty to a Customer complex open outcry floor transaction executed by a Floor Broker in multiply-listed Penny or non-Penny Symbols, and the Floor Broker will be paid a rebate of \$0.20 per contract. The surcharge and the rebate will not apply to index options and singly listed options . . . strategy transactions (dividend, merger, short stock interest, reversal and conversion, jelly roll and box spread strategies), Floor Qualified Contingent Cross Orders, or Customer Cross Orders).

¹⁹ 15 U.S.C. 78f(b).

²⁰ 15 U.S.C. 78f(b)(5).

²¹ 15 U.S.C. 78f(b)(4).

²² *See supra* note 18.

be represented. Floor Market Makers may interact with orders represented by the Floor Broker in open outcry on the Trading Floor. Finally, 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, a function which benefits all market participants on the Trading Floor.

Moreover, the proposal is designed to incentivize 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 Exchange especially since the Exchange's Trading Floor recently launched operations. 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-quality and price discovery.

The Exchange believes it is not unfairly discriminatory to impose a surcharge on Floor Market Maker orders on the Trading Floor that are a counterparty to a Priority Customer cQFO transaction executed by a Floor Broker because the proposed change would apply to all Floor Market Maker orders equally, and, as discussed above, the Exchange believes it is not unfairly discriminatory to incent order flow to the Trading Floor, which may 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 Priority Customer cQFO transaction that trades

with a Floor Market Maker order is not unfairly discriminatory because it would be available to all similarly-situated market participants on an equal and non-discriminatory basis.

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 cQCC, cC2C and Strategy transactions is reasonable, equitable and not unfairly discriminatory. Trading Floor cQCC and cC2C are not transacted in open outcry. The Exchange would apply the exclusions in a uniform manner to all Floor Participants.²³

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.

Inter-Market Competition

The proposal does not impose an undue burden on inter-market competition. The Exchange believes its proposal remains competitive with at least one other options exchange that offers a similar surcharge and rebate program and this proposal 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.

The Exchange believes that the proposed rule change reflects this competitive environment because it modifies the Exchange's fees and rebates 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.

The proposed changes are designed to attract additional order flow to the Trading Floor. The Exchange believes that the proposed surcharge assessed to Floor Market Maker orders that interact with Floor Broker Priority Customer cQFOs on the Trading Floor and the proposed rebate payable to the Floor Broker would encourage Floor Broker open outcry order flow and would not disincentivize 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 proposed exclusions described in proposed footnote 1 in a uniform manner to all Floor Participants.

²³ The term "Floor Participant" means Floor Brokers as defined in Rule 2015 and Floor Market Makers as defined in Rule 2105(b). See the Definitions section of the Fee Schedule and Exchange Rule 100.

C. Self-Regulatory Organization's Statement on Comments on the Proposed Rule Change Received From Members, Participants, or Others

Written comments were neither solicited nor 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,²⁴ and Rule 19b-4(f)(2)²⁵ 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 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-SAPPHIRE-2026-14 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-SAPPHIRE-2026-14. 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-SAPPHIRE-2026-14 and should be submitted on or before May 7, 2026.

For the Commission, by the Division of Trading and Markets, pursuant to delegated authority.²⁶

Sherry R. Haywood,

Assistant Secretary.

[FR Doc. 2026-07347 Filed 4-15-26; 8:45 am]

BILLING CODE 8011-01-P

SECURITIES AND EXCHANGE COMMISSION

[OMB Control No. 3235-0362]

Agency Information Collection Activities; Proposed Collection; Comment Request; Extension: Form 5—Annual Statement of Beneficial Ownership

Upon Written Request, Copies Available From: Securities and Exchange Commission, Office of FOIA Services, 100 F Street NE, Washington, DC 20549-2736

Notice is hereby given that, pursuant to the Paperwork Reduction Act of 1995 (44 U.S.C. 3501 *et seq.*), the Securities and Exchange Commission ("Commission") is soliciting comments on the collection of information summarized below. The Commission also is requesting approval from OMB to designate this existing collection of information (OMB Control No. 3235-0362) as a "common form" for purposes of PRA submissions¹ because the Board of Governors of the Federal Reserve

²⁶ 17 CFR 200.30-3(a)(12).

¹ See ROCIS PRA Module User Guide v. 8.2, at 110-111 (Mar. 2024), available at <https://www.rocis.gov/rocis/viewResources.do> ("A 'common form' is an information collection that can be used by two or more agencies, or government-wide, for the same purpose. The Common Forms Module [in ROCIS] allows a 'host' agency to obtain [OMB] approval of an information collection for use by one or more 'using' agencies. After OMB grants approval, any prospective using agency that seeks to collect identical information for the same purpose can obtain approval to use the 'common form' by providing its agency-specific information to OMB (e.g., burden estimates and number of respondents). . . . The host agency will indicate in the **Federal Register** notices that it is requesting approval of a common form and, if known, identify other agencies that may use the information collection. Both the **Federal Register** notices and the ICR should account only for the burden imposed by the host agency's use of the common form. Once the host agency has received approval from OMB, any agency will be able to request OMB approval for its use of the common form in ROCIS by providing its agency specific information to OMB e.g., burden estimates and number of respondents). Additional public notice by those agencies will not be required.")

System uses this information collection (under OMB Control No. 7100-0091). The Commission plans to submit this existing collection of information to the Office of Management and Budget for extension and approval.

Congress enacted Section 16 of the Securities Exchange Act of 1934 ("Exchange Act") to address insider trading. Pursuant to Section 16(a), every person who owns more than ten percent of any class of equity security (other than an exempted security) which is registered under Section 12 of the Exchange Act, or who is a director or an officer of the issuer of such security (collectively "reporting persons") are required to file statements disclosing their ownership of the issuer's equity securities. The Commission adopted Form 5 (17 CFR 249.105) pursuant to Section 16. Form 5 requires disclosure of certain information about a reporting person and their beneficial ownership of the relevant class of securities. A reporting person must file a Form 5 on or before the 45th day after the end of the issuer's fiscal year end. We estimate that Form 5 takes approximately one hour per response and is filed once per year by approximately 2,724 respondents, for an estimated total of 2,724 responses annually.² We estimate that 100% of the one hour per response is carried internally by the respondent for annual reporting burden of 2,724 hours (one hour per response × 2,724 responses) and \$0 of estimated annual cost burden.

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.

Written comments are invited on: (a) whether this 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) the accuracy of the agency's estimate of the burden imposed by the collection of information; (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 respondents, including through the use of automated collection techniques or other forms of information technology.

² We calculated this estimate by adding (A) the average number of Form 5 filings annually for the period 2023 through 2025 (1,550 responses annually) to (B) the Commission's estimated increase in the annual number of Form 5 filings based on its recent amendments to implement the Holding Foreign Insiders Accountable Act (1,174 responses). See *Holding Foreign Insiders Accountable Act Disclosure*, Release No. 34-104903 (Feb. 27, 2026) [91 FR 10320 (Mar. 3, 2026)].

²⁴ 15 U.S.C. 78s(b)(3)(A)(ii).

²⁵ 17 CFR 240.19b-4(f)(2).

Please direct your written comments on this 60-Day Collection Notice to Austin Gerig, Director/Chief Data Officer, Securities and Exchange Commission, c/o Tanya Ruttenberg via email to PaperworkReductionAct@sec.gov by June 15, 2026. There will be a second opportunity to comment on this SEC request following the **Federal Register** publishing a 30-Day Submission Notice.

Dated: April 14, 2026.

Sherry R. Haywood,

Assistant Secretary.

[FR Doc. 2026-07432 Filed 4-15-26; 8:45 am]

BILLING CODE 8011-01-P

SECURITIES AND EXCHANGE COMMISSION

[Release No. 34-105219; File No. SR-GEMX-2026-14]

Self-Regulatory Organizations; Nasdaq GEMX, LLC; Notice of Filing and Immediate Effectiveness of Proposed Rule Change To Amend Review of Professional Orders

April 13, 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 31, 2026, Nasdaq GEMX, LLC (“GEMX” 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 the quarterly review of Professional Orders.³

The text of the proposed rule change is available on the Exchange’s website at <https://listingcenter.nasdaq.com/rulebook/gemx/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

The Exchange proposes to amend the quarterly review of Professional Orders. Today, orders for any Priority Customer⁴ that average more than 390 orders per day during any month of a calendar quarter must be represented as Professional orders for the next calendar quarter.⁵ In order to properly represent orders entered on the Exchange, Members⁶ are required currently to review their Priority Customers’ activity and, on at least a quarterly basis, designate orders as Priority Customer orders or Professional orders.⁷ Specifically, Members are required to conduct a quarterly review and make any appropriate changes to the way in which they are representing orders within five days after the end of each calendar quarter.⁸ While Members are required to designate accounts on a quarterly basis, if during a quarter the Exchange identifies a customer for

⁴ The term “Priority Customer” means a person or entity that (i) is not a broker or dealer in securities, and (ii) does not place more than 390 orders in listed options per day on average during a calendar month for its own beneficial account(s). See Options 1, Section 1(a)(36).

⁵ The requirement to review Priority Customers’ activity on at least a quarterly basis to determine whether orders that are not for the account of a broker-dealer should be represented as Priority Customer Orders or Professional Orders is not in the current rule text, however it was described in the adopting proposal. See Securities Exchange Act Release No. 78790 (September 8, 2016), 81 FR 63245 (September 14, 2016) (SR-ISEGemini-2016-08) (Notice of Filing and Immediate Effectiveness of Proposed Rule Change To Amend Exchange Rule 100(a)(37C) (Definitions) To Add Specificity to the Definition of a Professional) (“SR-ISEGemini-2016-08”). The instant proposal seeks to codify the timing for review of Priority Customers’ activity.

⁶ The term “Member” means an organization that has been approved to exercise trading rights associated with Exchange Rights. See General 1, Section 1(a)(14).

⁷ See 81 FR 63245 at 63245.

⁸ See *id.*

which orders are being represented as Priority Customer Orders but that has averaged more than 390 orders per day during a month, the Exchange must notify the Member and the Member is required to change the manner in which it is representing the customer’s orders within five days.⁹

Proposal

At this time, the Exchange proposes to shorten the quarterly review and designation to a monthly review. The Exchange proposes to state at Options 1, Section 1(a)(38)(b) that orders for any customer that had an average of more than 390 orders per day during any calendar month must be represented as Professional orders for the next calendar month.

As noted, currently, each Member is required to monitor Priority Customer orders to determine if the Priority Customer has averaged more than 390 orders per day during a month. Determining whether a Priority Customer has executed more than 390 orders per day during a month requires computing a daily average. As such, Members should be performing the workflow necessary to designate orders on a daily basis. Therefore, the proposal does not amend the current workflow, rather, the proposal amends the timeframe to change the manner in which the customer’s order is being represented from five days after the end of each calendar quarter to five days after the end of each calendar month.

The Exchange does not believe that this amendment is a significant departure from the current rule, nor does it impose any burden on any Member because each broker-dealer is required currently to perform the necessary calculation daily to arrive at the requisite average.

Further, in addition to the calculation, broker-dealers are subject to know-your-customer and suitability requirements under FINRA Rules 2090 (Know Your Customer) and 2111 (Suitability) and would need to consider whether a customer meets the Professional designation for purposes of determining best execution and making appropriate recommendations. The Exchange notes that the trading behavior of a Priority Customer can be distinguished from that of a Professional which is the purpose of the separate designations. Finally, some Members currently designate a Priority Customer that has averaged more than 390 orders per day during a month as a Professional on a more expedited basis, not waiting until five days after the quarter.

⁹ See *id.*

¹ 15 U.S.C. 78s(b)(1).

² 17 CFR 240.19b-4.

³ The term “Professional Order” means an order that is for the account of a person or entity that is not a Priority Customer. See Options 1, Section 1(a)(38). The manner in which a Professional Order is calculated is specified in Options 1, Section 1(a)(28)(a).

The Exchange believes that a calendar month is a sufficient time period to determine whether the activity of a customer meets the criteria for a Professional order. The Exchange believes that the shortened time period will ensure that the spirit of the designation of Professional order is met in that Members will make any appropriate changes to the way in which they are representing orders in a 30-day timeframe as opposed to a 90-day timeframe, thereby ensuring the designation is applied in a more expeditious manner.

The Exchange continues to believe that identifying Professional orders based upon the average number of orders entered in qualified accounts is an appropriate and objective approach to reasonably distinguish such persons and entities from retail investors or market participants.

Technical Amendment

The Exchange proposes to reserve Options 3B, Options 3C and Options 4D. Other Nasdaq affiliated exchanges have proposed rules in those corresponding sections. The reserved sections are intended to harmonize the structure of the Exchange's rules to those of other Nasdaq affiliated exchanges. The Exchange proposes that this amendment be operative 30 days from the date of filing.

Implementation

The Exchange proposes implementing this rule change on July 1, 2026, except for the technical amendments which should become operative 30 days after the date of the filing. The Exchange will issue an Options Trader Alert to provide notice to Members of the proposed change.

2. Statutory Basis

The Exchange believes that the proposed rule change is consistent with Section 6(b) of the Act,¹⁰ in general, and furthers the objectives of Section 6(b)(5) of the Act,¹¹ in particular, in that it 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.

The Exchange's proposal to shorten the quarterly look-back to a monthly look-back is consistent with the Act because it will ensure that the spirit of the designation of Professional order continues to be met, only on a more

expedited basis—removing a potential delay of two months before affecting a change in the designation. The Exchange believes that this amendment will remove impediments to and perfect the mechanism of a free and open market and a national market system by promoting the consistent application of its rules and shortening the timeframe to change the designation for all Members while continuing to provide a sufficient time period to determine whether the activity of a customer meets the criteria for a Professional order. Further, the Exchange believes that the shortened time period will continue to promote consistency in the treatment of orders as Professional orders while also preventing members with high volume from receiving benefits reserved for Priority Customer orders.

As noted, currently, each Member is required to monitor Priority Customer orders to determine if the Priority Customer has averaged more than 390 orders per day during a month. Determining whether a Priority Customer has executed more than 390 orders per day during a month requires computing a daily average. As such, Members should be performing the workflow necessary to designate orders on a daily basis. Therefore, the proposal does not amend the current workflow, rather, the proposal amends the timeframe to change the manner in which the customer's order is being represented from five days after the end of each calendar quarter to five days after the end of each calendar month.

The Exchange does not believe that this amendment is a significant departure from the current rule, nor does it impose any burden on any Member because each broker-dealer is required currently to perform the necessary calculation daily to arrive at the requisite average. Further, in addition to the calculation, broker-dealers are subject to know-your-customer and suitability requirements under FINRA Rules 2090 (Know Your Customer) and 2111 (Suitability) and would need to consider whether a customer meets the Professional designation for purposes of determining best execution and making appropriate recommendations. Finally, some Members currently designate a Priority Customer that has averaged more than 390 orders per day during a month as a Professional on a more expedited basis, not waiting until five days after the quarter.

The Exchange notes that the trading behavior of a Priority Customer can be distinguished from that of a Professional which is the purpose of the separate designations. The Exchange continues

to believe that identifying Professional orders based upon the average number of orders entered in qualified accounts is an appropriately objective approach to reasonably distinguish such persons and entities from retail investors or market participants. Priority is one of the marketplace advantages provided to Priority Customer orders on the Exchange. Priority Customer orders are given execution priority over non-Customer orders and quotations of market makers at the same price. Another marketplace advantage afforded to Priority Customer orders on the Exchange is that members are generally not assessed transaction fees or are assessed lower fees for the execution of Priority Customer orders. The purpose of these marketplace advantages is to attract retail order flow to the Exchange by leveling the playing field for retail investors over market Professionals. This proposal will continue to provide Priority Customer accounts with marketplace advantages and distinguish those accounts non-Professional retail investors from the Professionals accounts. The Exchange notes that some non-broker-dealer individuals and entities have access to information and technology that enables them to Professionally trade listed options in the same manner as a broker or dealer in securities.

Technical Amendment

Reserving Options 3B, Options 3C and Options 4D are non-substantive amendments.

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.

Specifically, the Exchange does not believe that the proposed rule change will impose any burden on intra-market competition because, today, each Member is required to monitor Priority Customer orders to determine if the Priority Customer has averaged more than 390 orders per day during a month. Determining whether a Priority Customer has executed more than 390 orders per day during a month requires computing a daily average. As such, Members should be performing the workflow necessary to designate orders on a daily basis. Therefore, the proposal does not amend the current workflow, rather, the proposal amends the timeframe to change the manner in which the customer's order is being represented from five days after the end

¹⁰ 15 U.S.C. 78f(b).

¹¹ 15 U.S.C. 78f(b)(5).

of each calendar quarter to five days after the end of each calendar month.

The Exchange does not believe that this amendment is a significant departure from the current rule, nor does it impose any burden on any Member because each broker-dealer is required currently to perform the necessary calculation daily to arrive at the requisite average. Further, in addition to the calculation, broker-dealers are subject to know-your-customer and suitability requirements under FINRA Rules 2090 (Know Your Customer) and 2111 (Suitability) and would need to consider whether a customer meets the Professional designation for purposes of determining best execution and making appropriate recommendations. Finally, some Members currently designate a Priority Customer that has averaged more than 390 orders per day during a month as a Professional on a more expedited basis, not waiting until five days after the quarter.

The Exchange notes that the trading behavior of a Priority Customer can be distinguished from that of a Professional which is the purpose of the separate designations.

Further, the designation of Professional orders would not result in any different treatment of such orders for purposes of compliance with the Exchange's Rules. Priority Customers have been granted certain priority over other non-broker-dealer individuals and entities that have access to information and technology that enables them to Professionally trade listed options in the same manner as a broker or dealer in securities. Further, the Priority Customer designation allows the Exchange to attract order flow or create more competitive markets.

Also, the Exchange does not believe that the proposed rule change will impose any burden on inter-market competition because other exchanges are expected to adopt similar rules.

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

Because the foregoing proposed rule change does not: (i) significantly affect the protection of investors or the public interest; (ii) impose any significant burden on competition; and (iii) 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)(iii) of the Act¹² and subparagraph (f)(6) of Rule 19b-4 thereunder.¹³

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 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-GEMX-2026-14 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-GEMX-2026-14. 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

¹² 15 U.S.C. 78s(b)(3)(A)(iii).

¹³ 17 CFR 240.19b-4(f)(6). In addition, Rule 19b-4(f)(6) requires a self-regulatory organization to give the Commission written notice of its intent to file the proposed rule change at least five business days prior to the date of filing of the proposed rule change, or such shorter time as designated by the Commission. The Exchange has satisfied this requirement.

protection. All submissions should refer to file number SR-GEMX-2026-14 and should be submitted on or before May 7, 2026.

For the Commission, by the Division of Trading and Markets, pursuant to delegated authority.¹⁴

Sherry R. Haywood,

Assistant Secretary.

[FR Doc. 2026-07350 Filed 4-15-26; 8:45 am]

BILLING CODE 8011-01-P

SECURITIES AND EXCHANGE COMMISSION

[Release No. 34-105220; File No. SR-MIAX-2026-13]

Self-Regulatory Organizations; Miami International Securities Exchange, LLC; Notice of Filing of a Proposed Rule Change To Amend Exchange Rule 402, Criteria for Underlying Securities, and Exchange Rule 403, Withdrawal of Approval of Underlying Securities, To Establish Listing Criteria and Withdrawal Standards for Options on Commodity-Based Trusts Holding Multiple Crypto Assets

April 13, 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 30, 2026, Miami International Securities Exchange, LLC ("MIAX" or "Exchange") filed with the Securities and Exchange Commission ("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 proposes to amend Exchange Rule 402, Criteria for Underlying Securities, and Exchange Rule 403, Withdrawal of Approval of Underlying Securities, to establish listing criteria and withdrawal standards for options on Commodity-Based Trusts that hold multiple crypto assets.

The text of the proposed rule change is available on the Exchange's website at <https://www.miaxglobal.com/markets/us-options/all-options-exchanges/rule-filings> and at MIAX's principal office.

¹⁴ 17 CFR 200.30-3(a)(12).

¹ 15 U.S.C. 78s(b)(1).

² 17 CFR 240.19b-4.

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 Exchange Rule 402, Criteria for Underlying Securities, and Exchange Rule 403, Withdrawal of Approval of Underlying Securities, to establish listing criteria and withdrawal standards for options on Commodity-Based Trusts that hold multiple crypto assets.³ Specifically, the Exchange proposes to amend the criteria for listing options on Exchange-Traded Fund Shares ("ETFs") at Exchange Rule 402(i) and withdrawal criteria at Exchange Rule 403. This is a competitive filing substantively identical to the proposal submitted by Nasdaq ISE, LLC ("ISE") to the Securities and Exchange Commission (the "Commission"), which was recently approved.⁴

On March 5, 2025,⁵ the Exchange filed SR-MIAX-2025-07, as Modified by Partial Amendment No. 1, a proposed rule change to amend its listing rules at Exchange Rule 402, Criteria for Underlying Securities, to

allow the listing and trading of options on interests in a Commodity-Based Trust and on November 6, 2025, during the government shutdown, the Exchange submitted Amendment 2 to SR-MIAX-2025-07. SR-MIAX-2025-07 was deemed approved as of November 14, 2025.⁶ The Exchange also reiterated the changes proposed in SR-MIAX-2025-07 to codify the proposed rule text in the Exchange's Rulebook by filing SR-MIAX-2025-49, which was noticed for immediate effectiveness.⁷ Currently, Exchange Rule 402(i)(6) allows the Exchange to list and trade options on a Commodity-Based Trust that meets the generic listing standards for Commodity-Based Trust Shares of the applicable primary listing market, provided that the Commodity-Based Trust holds a single crypto asset.⁸

On September 17, 2025, the Commission approved proposals by The Nasdaq Stock Market LLC, Cboe BZX Exchange, Inc. and NYSE Arca, Inc., to Adopt Generic Listing Standards for Commodity-Based Trusts.⁹ In the approval order, the Commission noted that each of the exchanges proposed to adopt substantially identical "generic" listing standards for Commodity-Based

Trusts. Those generic listing standards define the term shares of a "Commodity-Based Trust" as a security¹⁰ that:

(1) is issued by a trust, limited liability company, partnership, or other similar entity ("Trust") that, if applicable, is operated by a registered commodity pool operator pursuant to the Commodity Exchange Act ("CEA"), and is not registered as an investment company pursuant to the Investment Company Act of 1940, or series or class thereof;

(2) is designed to reflect the performance of one or more reference assets or an index of reference assets;

(3) in order to reflect the performance, is issued by a Trust that holds (a) one or more commodities or commodity-based assets, and (b) in addition to such commodities or commodity-based assets, may hold securities, cash, and cash equivalents;

(4) is issued by such Trust in a specified aggregate minimum number in return for a deposit of (a) a specified quantity of the underlying commodities, commodity-based assets, securities, cash, and/or cash equivalents or (b) a cash amount with a value based on the next determined net asset value per Trust share; and

(5) when aggregated in the same specified minimum number, may be redeemed at a holder's request by such Trust which will deliver to the redeeming holder (a) the specified quantity of the underlying commodities, commodity-based assets, securities, cash, and/or cash equivalents or (b) a cash amount with a value based on the next determined net asset value per Trust share.

Further, a Commodity-Based Trust that meets the requirements of Exchange Rule 402(i)(6) must also satisfy the following requirements: (A) the total global supply of the underlying crypto asset held by the Commodity Based Trust must have an average daily market value of at least \$700 million over the last 12 months; and (B) the crypto asset held by the Commodity-Based Trust must underlie a derivatives contract that trades on a market with which the Exchange has a comprehensive

³ The Exchange notes that its affiliate options exchanges, MIAX PEARL, LLC ("MIAX Pearl") and MIAX Sapphire, LLC ("MIAX Sapphire"), submitted (or will submit) substantively similar proposals. The Exchange notes that the rules of Chapter IV of MIAX, including Exchange Rule 402, are incorporated by reference into the MIAX Emerald, LLC ("MIAX Emerald") rulebook.

⁴ See Securities Exchange Act Release No. 105072 (March 24, 2026), (SR-ISE-2025-30) (Self-Regulatory Organizations; Nasdaq ISE, LLC; Order Approving a Proposed Rule Change, as Modified by Amendment Nos. 1 and 2, Regarding the Adoption of Listing Criteria for Options on Commodity-Based Trusts That Hold Multiple Crypto Assets).

⁵ See Securities Exchange Act Release No. 102658 (March 5, 2025), 90 FR 12870 (March 19, 2025) (SR-MIAX-2025-07) (Self-Regulatory Organizations; Notice of Filing of a Proposed Rule Change, as Modified by Partial Amendment No. 1, by Miami International Securities Exchange, LLC To Amend Exchange Rule 402, Criteria for Underlying Securities, To List and Trade Options on Commodity-Based Trust Shares).

⁶ See Securities Exchange Act Release No. 104210 (November 18, 2025), 90 FR 52727 (November 21, 2025) (SR-MIAX-2025-07) (Self-Regulatory Organizations; BOX Exchange LLC, Cboe Exchange, Inc., Cboe BYX Exchange, Inc., Cboe BZX Exchange, Inc., Cboe EDGX Exchange, Inc., Miami International Securities Exchange, LLC, MIAX PEARL, LLC, MIAX Sapphire, LLC, Nasdaq ISE, LLC, New York Stock Exchange LLC, NYSE American LLC, NYSE Arca, Inc., NYSE National, Inc., and NYSE Texas, Inc.; Notice of Deemed Approval of Various Proposed Rule Changes).

⁷ See Securities Exchange Act Release No. 104451 (December 4, 2025), 90 FR 60208 (December 23, 2025) (SR-MIAX-2025-49) (Self-Regulatory Organizations; Miami International Securities Exchange, LLC; Notice of Filing of a Proposed Rule Change To Amend Exchange Rule 402, Criteria for Underlying Securities, To Permit Options on Commodity-Based Trust Shares).

⁸ The term "crypto asset" means an asset that is generated, issued and/or transferred using a blockchain or similar distributive ledger technology network, including but not limited to, assets known as "tokens," "digital assets," "virtual currencies," and "coins" and that relies on cryptographic protocols. See Exchange Rule 402(i)(6)(iii).

⁹ See Securities Exchange Act Release No. 103995 (Sept. 17, 2025), 90 FR 45414 (Sept. 22, 2025) (Self-Regulatory Organizations; The Nasdaq Stock Market LLC; Cboe BZX Exchange, Inc.; NYSE Arca, Inc.; Order Granting Accelerated Approval of Proposed Rule Changes, as Modified by Amendments Thereto, To Adopt Generic Listing Standards for Commodity-Based Trust Shares) (SR-NASDAQ-2025-056; SR-CboeBZX-2025-104; SR-NYSEARCA-2025-54) ("Generic Listing Standards for Commodity-Based Trust Shares Approval"). The Exchange believes that it is appropriate to rely on the generic listing standards outlined by the primary listing market due to the potential proliferation of new primary listing markets and the Commission's acknowledgment that the definition of shares of a Commodity-Based Trust across those primary listing markets is substantially identical.

¹⁰ Shares of the applicable Commodity-Based Trust trade as equity securities. See Securities Exchange Act Release No. 50603 (Oct. 28, 2004), 69 FR 64614, 64619 (Nov. 5, 2004) (SR-NYSE-2004-22) (approving the listing and trading of streetTRACKS Gold Shares) ("Spot Gold Approval Order") and ETP Request for Comments, infra note 20, at 34731. See also Nasdaq Rule 5711(d)(ii); proposed BZX Rule 14.11(e)(4)(B); proposed NYSE Arca Rule 8.201-E(b) (Generic) (stating that Commodity-Based Trust Shares are included within the definition of a "security" as such term is used in the Exchanges' rules and are subject to the Exchanges' existing rules governing the trading of equity securities).

surveillance sharing agreement, whether directly or through common membership in the Intermarket Surveillance Group (“ISG”).

At this time, the Exchange proposes to amend Exchange Rule 402(i)(6) to permit the listing and trading of options on a Commodity-Based Trust that holds multiple crypto assets in addition to a Commodity-Based Trust that holds a single crypto asset. As amended, Exchange Rule 402(i)(6) would state, represent interests in a Commodity-Based Trust that meet the generic listing standards for Commodity-Based Trust Shares of the applicable primary listing market, except that the Commodity-Based Trust holds a single crypto asset or multiple crypto assets as defined in subparagraph (iii) below, provided that all of the following conditions are met:

Further, the Exchange proposes to amend Exchange Rule 402(i)(6)(iii) to state,

Additionally, with respect to a Commodity-Based Trust that meets the requirements of Exchange Rule 402(i)(6), the following requirements are satisfied: (A) the total global supply of each underlying crypto asset(s) held by the Commodity-Based Trust has an average daily market value of at least \$700 million over the last 12 months; and (B) each crypto asset held by the Commodity-Based Trust underlies a derivatives contract that trades on a market with which the Exchange has a comprehensive surveillance sharing agreement, whether directly or through common membership in the Intermarket Surveillance Group. For purposes of this rule the term “crypto asset” means an asset that is generated, issued and/or transferred using a blockchain or similar distributive ledger technology network, including but not limited to, assets known as “tokens,” “digital assets,” “virtual currencies,” and “coins” and that relies on cryptographic protocols.

With the addition of multiple crypto assets, the criteria would require each underlying crypto asset to meet the total global supply figure and to underlie a derivative contract that trades on a market with which the Exchange has a comprehensive surveillance sharing agreement. The market value for each underlying crypto asset held by a Commodity-Based Trust will be calculated by taking the total global supply of the particular crypto asset multiplied by the token price of that asset.¹¹ The total supply of a crypto asset includes all crypto assets currently

issued and does not include unissued crypto assets.¹²

As a result of this filing, the proposed listing criteria would permit a Commodity Based Trust that is generically listed on the applicable primary listing market and holds multiple crypto assets to qualify for the listing of options on that ETF, provided Exchange Rule 402(i)(6)(iii), as amended in the relevant part, has also been met, as well as the listing criteria in Exchange Rule 402(a) and (b), or Exchange Rule 402(i)(6)(i)(B).

Similar to options on any ETF, an option on a Commodity-Based Trust that meets the requirements of Exchange Rule 402(i)(6) would also be subject to the Exchange’s continued listing standards for options on ETFs set forth in Exchange Rule 403(g). Currently, pursuant to Exchange Rule 403(g), ETFs approved for options trading pursuant to Exchange Rule 402(i) will not be deemed to meet the requirements for continued approval, and the Exchange shall not open for trading any additional series of option contracts of the class covering that such ETFs, if the ETFs are delisted from trading pursuant to Exchange Rule 403(b)(4),¹³ are halted or suspended from trading in their primary market.¹⁴ With respect to options on Commodity-Based Trusts that are approved subject to Exchange Rule 402(i)(6), the Exchange proposes to amend Exchange Rule 403(g) to adopt a new subparagraph (3) which states, “In the case of options covering Exchange-Traded Fund Shares approved pursuant to Exchange Rule 402(i)(6), if the criteria in Exchange Rule 402(i)(6)(iii)(A) are no longer satisfied, as determined by the Exchange on a monthly basis, or if the criteria in Exchange Rule 402(i)(6)(iii)(B) are no longer satisfied.”¹⁵ This proposed new criteria would require ETFs that are listed pursuant to Exchange Rule 402(i)(6) to continue to meet the requirements of Exchange Rule 402(i)(6)(iii)(A) and (B). Additionally, this proposed new

criteria, which would also be added to Exchange Rule 403(g)(1), would require ETFs that are listed pursuant to Exchange Rule 402(i)(6)(i)(A) to continue to meet the requirements of Exchange Rule 403 subparagraphs (b)(1), (2), (3) and (4) of Exchange Rule 403. The Exchange is proposing that the criteria in Exchange Rule 402(i)(6)(iii)(A) be met on a monthly basis while the criteria in Exchange Rule 402(i)(6)(iii)(B) be met on a daily basis. The Exchange believes that requiring the criteria in Exchange Rule 402(i)(6)(iii)(A) to be met on a monthly basis is reasonable given that the Exchange believes that it is unlikely that a crypto asset with an average daily market value of at least \$700 million over the previous twelve months would fail to meet that standard as a resulting of trading over a relatively short period of time. By way of example, if a crypto asset has a market capitalization of \$900 million and traded at that market capitalization for 15 days in a 20-day trading month, the crypto asset could lose a substantial amount of its value (up to 88%) and still meet the criteria. Similarly, a crypto asset with a market capitalization of \$500 million for 15 days in a 20-day trading month, would have to achieve a market capitalization of \$1.3 billion (a 160% increase) in the last 5 days to meet the criteria. Given the unlikelihood that there would be a huge movement over a month’s period of time and considering the work that would be required to calculate the criteria on a daily basis as compared to each month, the Exchange believes that the proposed continued listing obligation for the average daily market value criteria is sufficient. Further, options on Commodity-Based Trusts that are approved subject to Exchange Rule 402(i)(6) would continue to be subject to Exchange Rule 403(g)(5), as renumbered, which states that the Exchange may consider suspending open transactions in options on an ETF if, “such other event occurs or condition exists that in the opinion of the Exchange makes further dealing in such options on the Exchange inadvisable.” The Exchange may determine at any point to delist an option on a Commodity-Based Trust that may not have sufficient liquidity or market demand.

Consistent with current Exchange Rule 404, which governs the opening of options series on a specific underlying security (including ETFs), the Exchange will open at least one expiration month¹⁶ for options on Commodity-

¹¹ The market supply information can be obtained from publicly available sources such as [coingecko.com](https://www.coingecko.com) or [coinmarketcap.com](https://www.coinmarketcap.com).

¹² For example, if Bitcoin were the underlying crypto asset, the Exchange would consider the total supply of all Bitcoin currently issued instead of the maximum supply, which would be currently issued as well as unmined Bitcoin. As of March 10, 2026 Bitcoin’s total supply was 20,000,406 (the maximum supply is 21,000,000). See <https://www.coingecko.com/en/coins/bitcoin>. The Exchange would calculate market value by utilizing the total supply number multiplied by the Bitcoin price on that day.

¹³ Exchange Rule 403(b)(4) provides the Exchange will not open for trading any additional series of options on shares of an ETF if the ETF is no longer an NMS stock as defined in Rule 600 of Reg NMS under the Act.

¹⁴ See Exchange Rule 403(g).

¹⁵ The Exchange would renumber the remaining paragraphs of Exchange Rule 403(g).

¹⁶ See Exchange Rule 404(b). The monthly expirations are subject to certain listing criteria for

Based Trusts that are approved subject to Exchange Rule 402(i)(6) and may also list series of options on Commodity-Based Trust Share for trading on a weekly,¹⁷ monthly,¹⁸ or quarterly¹⁹ basis. The Exchange may also list long-term equity option series (“LEAPS”) that expire from 12 to 39 months from the time they are listed.²⁰

Pursuant to Exchange Rule 404, Interpretation and Policy .06, which governs strike prices of series of options on ETFs, the interval between strike prices of series of options on ETFs approved for options trading pursuant to Exchange Rule 402(i) shall be fixed at a price per share which is reasonably close to the price per share at which the underlying security is traded in the primary market at or about the same time such series of options is first open for trading on the Exchange, or at such intervals as may have been established on another options exchange prior to the initiation of trading on the Exchange. With respect to the Short Term Options Series or Weekly Program, during the month prior to expiration of an option class that is selected for the Short Term Option Series Program, the strike price intervals for the related non-Short Term Option (“Related non-Short Term Option”) shall be the same as the strike price intervals for the Short Term Option.²¹ Specifically, the Exchange may open for trading Short Term Option Series at strike price intervals of (i) \$0.50 or greater where the strike price

is less than \$100, and \$1 or greater where the strike price is between \$100 and \$150 for all option classes that participate in the Short Term Options Series Program; (ii) \$0.50 for option classes that trade in one dollar increments and are in the Short Term Option Series Program; or (iii) \$2.50 or greater where the strike price is above \$150.²² Additionally, the Exchange may list series of options pursuant to the \$1 Strike Price Interval Program,²³ the \$0.50 Strike Program,²⁴ and the \$2.50 Strike Price Program.²⁵ Pursuant to Exchange Rule 510, where the price of a series of options on a Commodity-Based Trust is less than \$3.00, the minimum increment will be \$0.05, and where the price is \$3.00 or higher, the minimum increment will be \$0.10²⁶ consistent with the minimum increments for options on other ETFs listed on the Exchange. Any and all new series of a Commodity-Based Trust options that the Exchange lists will be consistent and comply with the expirations, strike prices, and minimum increments set forth in Rules 404 and 510, as applicable.

Further, options on Commodity-Based Trusts that are approved subject to Exchange Rule 402(i)(6) would trade in the same manner as options on other ETFs on the Exchange. The Exchange Rules that currently apply to the listing and trading of all options on ETFs on the Exchange, including, for example, Rules that govern listing criteria, expirations, exercise prices, minimum increments, position and exercise limits, margin requirements, customer accounts and trading halt procedures would apply to the listing and trading of options on Commodity-Based Trusts that are approved subject to Exchange Rule 402(i)(6) in the same manner.

Position and exercise limits for options on Commodity-Based Trusts that are approved pursuant to Exchange Rule 402(i)(6) would be determined pursuant to Exchange Rules 307 and 309, respectively, as is the case for other options on other ETFs. Position and exercise limits for options on ETF vary according to the number of outstanding shares and the trading volumes of the underlying ETF over the past six months, where the largest in capitalization and the most frequently traded ETFs have an option position and exercise limits of 250,000 contracts (with adjustments for splits, re-

capitalizations, etc.) on the same side of the market; and smaller capitalization ETFs have position and exercise limits of 200,000, 75,000, 50,000 or 25,000 contracts (with adjustments for splits, re-capitalizations, etc.) on the same side of the market. Further, Exchange Rule 1502, which governs margin requirements applicable to trading on the Exchange, including options on ETFs, will also apply to the trading of options on a Commodity-Based Trusts listed pursuant to Exchange Rule 402(i)(6).

The Exchange represents that the same surveillance procedures applicable to all other options on other ETFs currently listed and traded on the Exchange will apply to the trading of options on Commodity-Based Trusts that are approved subject to Exchange Rule 402(i)(6).²⁷ The Exchange represents that it has the necessary systems capacity to support the new option series. The Exchange believes that its existing surveillance and reporting safeguards are designed to deter and detect possible manipulative behavior which might potentially arise from listing and trading options on ETFs, including the listing of options on Commodity-Based Trusts that are approved subject to Exchange Rule 402(i)(6). Also, the Exchange may obtain information from designated contract markets that are members of the ISG related to a financial instrument that is based, in whole or in part, upon an interest in or performance of a crypto asset, as applicable. The Exchange has specified in proposed Exchange Rule 402(i)(6) that each crypto asset held by the Commodity-Based Trust must underlie a derivatives contract that trades on a market with which the Exchange has a comprehensive surveillance sharing agreement, whether directly or through common membership in ISG.²⁸ The Exchange will be required to ensure that this requirement is met prior to listing options on a Commodity-Based Trust listed pursuant to proposed Exchange Rule 402(i)(6).

Additionally, the Exchange has also analyzed its capacity and represents that it believes the Exchange and the Options Price Reporting Authority or “OPRA” have the necessary systems

underlying securities described within Exchange Rule 404 and its Interpretations and Policies. Monthly listings expire the third Friday of the month. The term “expiration date” (unless separately defined elsewhere in the OCC By-Laws), when used in respect of an option contract (subject to certain exceptions), means the third Friday of the expiration month of such option contract, or if such Friday is a day on which the exchange on which such option is listed is not open for business, the preceding day on which such exchange is open for business. See OCC By-Laws Article I, Section 1. Pursuant to Exchange Rule 404(c), additional series of options of the same class may be opened for trading on the Exchange when the Exchange deems it necessary to maintain an orderly market, to meet customer demand or when the market price of the underlying stock moves more than five strike prices from the initial exercise price or prices. Pursuant to Exchange Rule 404(e), new series of options on an individual stock may be added until the beginning of the month in which the options contract will expire. Due to unusual market conditions, the Exchange, in its discretion, may add a new series of options on an individual stock until the close of trading on the business day prior to expiration.

¹⁷ See Exchange Rule 404, Interpretation and Policy .02.

¹⁸ See Exchange Rule 404, Interpretation and Policy .13.

¹⁹ See Exchange Rule 404, Interpretation and Policy .03.

²⁰ See Exchange Rule 406.

²¹ See Exchange Rule 404, Interpretation and Policy .02(e).

²² *Id.*

²³ See Exchange Rule 404, Interpretation and Policy .01.

²⁴ See Exchange Rule 404, Interpretation and Policy .04.

²⁵ See Exchange Rule 404(f).

²⁶ See Exchange Rule 510.

²⁷ The surveillance program includes real-time patterns for price and volume movements and post-trade surveillance patterns (e.g., spoofing, marking the close, ping, phishing).

²⁸ There are a number of futures contracts on digital asset commodities that are listed and trading on the CME and Coinbase Derivatives, both of which are ISG members. See <https://www.cmegroup.com/markets/cryptocurrencies.html#products>. See also <https://www.coinbase.com/derivatives>.

capacity to handle the additional traffic associated with the listing of new series of ETFs, including options on Commodity-Based Trusts, that are approved subject to Exchange Rule 402(i)(6), up to the number of expirations currently permissible under the Exchange Rules.

Finally, today, the Exchange lists and trades options on ETFs that would qualify for listing as an option on a Commodity-Based Trust under proposed Exchange Rule 402(i)(6),²⁹ and it has not identified any issues with the listing and trading of options on those ETFs.

2. Statutory Basis

The Exchange believes the proposed rule change is consistent with the Act and the rules and regulations thereunder applicable to the Exchange and, in particular, the requirements of Section 6(b) of the Act.³⁰ Specifically, the Exchange believes the proposed rule change is consistent with the Section 6(b)(5)³¹ requirements that the rules of an exchange be designed to prevent fraudulent and manipulative acts and practices, to promote just and equitable principles of trade, to foster cooperation and coordination with persons engaged in regulating, clearing, settling, processing information with respect to, and facilitating transactions in securities, to remove impediments to and perfect the mechanism of a free and open market and a national market system, and, in general, to protect investors and the public interest. Additionally, the Exchange believes the proposed rule change is consistent with the Section 6(b)(5)³² requirement that the rules of an exchange not be designed to permit unfair discrimination between customers, issuers, brokers, or dealers.

In particular, the Exchange believes that its proposal to permit Commodity-Based Trust Shares that hold multiple crypto assets to be listed and traded without the need for additional approvals, will remove impediments to and perfect the mechanism of a free and open market and a national market system and, in general, protect investors because it would allow the Exchange to immediately list and trade qualifying

options on Commodity-Based Trusts, provided the initial listing criteria has been met, without any additional approvals from the Commission.

Specifically, the Exchange's proposal to adopt Exchange Rule 402(i)(6) to allow the listing and trading of options on units that represent interests in Commodity-Based Trusts that meet the generic listing standards for Commodity-Based Trust Shares of the applicable primary listing market,³³ and hold multiple crypto assets in addition to single crypto assets, is consistent with the Act because it will permit the Exchange to offer options on Commodity-Based Trusts soon after the listing of the ETF on the primary listing market, provided that all the generic listing standards for that Commodity-Based Trust on that primary listing market have been met. Listing these options will avail market participants of the opportunity to hedge their positions in the Commodity-Based Trusts in a timely manner, thereby providing investors with the ability to hedge their exposure to the underlying Commodity-Based Trust. Options on Commodity-Based Trusts benefits investors, similar to the listing of any other option on an ETF, by providing investors with a relatively lower-cost risk management tool to manage their positions and associated risk in their portfolios more easily in connection with exposure to the price of a crypto asset. Additionally, listing options on Commodity-Based Trusts provides investors with the ability to transact in such options on a listed market as opposed to the OTC options market, which increases market transparency and enhances the process of price discovery to the benefit of all investors.

Also, this proposal would permit options on Commodity-Based Trusts to be listed on the Exchange in the same manner as all other securities that are subject to the current listing criteria in Exchange Rule 402. The Exchange notes that the majority of ETFs are able to list and trade options once the initial listing criteria have been met without the need for additional approvals. The proposed rule change would allow options on certain Commodity-Based Trusts to likewise list and trade options once the initial listing criteria on the primary listing market have been met without the need for additional approvals.

As proposed, the Exchange would list options in a Commodity-Based Trust that met the generic criteria of the applicable primary listing market, provided the Commodity-Based Trust held multiple crypto assets. Further,

each crypto asset held by the Commodity-Based Trust would also be required to satisfy the conditions in proposed Exchange Rule 402(i)(6)(iii), which requires that (A) the total global supply of each underlying crypto asset held by the Commodity-Based Trust has an average daily market value of at least \$700 million over the last 12 months; and (B) each crypto asset held by the Commodity-Based Trust underlie a derivatives contract that trades on a market with which the Exchange has a comprehensive surveillance sharing agreement, whether directly or through common membership in the ISG.

These requirements are consistent with the Act and the protection of investors as they should ensure that each crypto asset held by the underlying ETF has sufficient liquidity prior to listing options, which will serve to prevent disruption to the underlying market. The Exchange believes that market supply serves as a good measure of liquidity to permit options trading in options on Commodity-Based Trusts that holds multiple crypto assets. Requiring each underlying crypto asset to have a requisite amount of deliverable supply, in addition to all the other criteria the ETF is required to have under the applicable primary listing market rules, should ensure adequate liquidity prior to listing. Further, ensuring each crypto asset held by the Commodity-Based Trust underlies a derivatives contract that trades on a market with which the Exchange has a comprehensive surveillance sharing agreement, whether directly or through common membership in the ISG, will provide the Exchange with information to adequately surveil options on qualifying Commodity-Based Trusts. Today, the Exchange has a comprehensive surveillance sharing agreement in place with both the CME and Coinbase Derivatives through its common membership in ISG. This facilitates the sharing of information that is available to the CME and Coinbase Derivatives through their surveillance of their respective markets, including their surveillance of their respective digital asset futures markets.

The Exchange also believes the proposed rule change will remove impediments to and perfect the mechanism of a free and open market and a national market system, because it is consistent with current Exchange Rules, previously filed with the Commission. Options on qualifying Commodity-Based Trusts must satisfy the initial listing standards and continued listing standards currently in the Exchange Rules applicable to options on all ETFs, including ETFs that

²⁹ The following ETFs currently have options listed on them on the Exchange: iShares Bitcoin Trust, the Fidelity Wise Origin Bitcoin Fund, the ARK21Shares Bitcoin ETF, the Grayscale Bitcoin Trust (BTC), the Grayscale Bitcoin Mini Trust BTC, and the Bitwise Bitcoin ETF. See Exchange Rule 402(i)(4). The Exchange filed rule proposals and received the appropriate regulatory notice or approval to list the aforementioned options on the ETFs.

³⁰ 15 U.S.C. 78f(b).

³¹ 15 U.S.C. 78f(b)(5).

³² *Id.*

³³ See *supra* note 9.

hold other crypto assets already deemed appropriate for options trading on the Exchange in addition to the proposed criteria.

Further, the proposal adopts new subparagraph (3) to Exchange Rule 403(g) which will require each crypto asset held by a Commodity-Based Trust to continue to meet the requirement of Exchange Rule 402(i)(6)(iii)(A) on a monthly basis and for the criteria in Exchange Rule 402(i)(6)(iii)(B) to be met on a continuous basis. Accordingly, each crypto asset held by a Commodity-Based Trust must continue to have a total global supply with an average daily market value of at least \$700 million over the last 12 months, and also must continue to underlie a derivatives contract that trades on a market with which the Exchange has a comprehensive surveillance sharing agreement, whether directly or through common membership in the ISG. The Exchange believes that this continued listing standard, in addition to requirements of Rule 402(i) would protect investors and the public interest by ensuring that the crypto assets held by the Commodity-Based Trust continue to remain liquid. The Exchange believes that requiring the criteria in Exchange Rule 402(i)(6)(iii)(A) on a monthly basis is consistent with the Act and the protection of investors given that the Exchange believes that it is unlikely that a crypto asset with an average daily market value of at least \$700 million over the previous twelve months would fail to meet that standard as a resulting of trading over a relatively short period of time. By way of example, if a crypto asset has a market capitalization of \$900 million and traded at that market capitalization for 15 days in a 20-day trading month, the crypto asset could lose a substantial amount of its value (up to 88%) and still meet the criteria. Similarly, a crypto asset with a market capitalization of \$500 million for 15 days in a 20-day trading month, would have to achieve a market capitalization of \$1.3 billion (a 160% increase) in the last 5 days to meet the criteria. Given the unlikelihood that there would be a huge movement over a month's period of time and considering the work that would be required to calculate the criteria on a daily basis as compared to each month, the Exchange believes that the proposed continued listing obligation for the average daily market value criteria is sufficient. Further, options on Commodity-Based Trusts that are approved subject to Exchange Rule 402(i)(6) would continue to be subject to exchange Rule 403(g)(5), as renumbered, which states that the

Exchange may consider suspending open transactions in options on an ETF if, "such other event occurs or condition exists that in the opinion of the Exchange makes further dealing in such options on the Exchange inadvisable." The Exchange may determine at any point to delist an option on a Commodity-Based Trust that may not have sufficient liquidity or market demand.

Options on qualifying Commodity-Based Trusts would trade in the same manner as any other ETF options—the same Exchange Rules that currently govern the listing and trading of all ETF options, including permissible expirations, strike prices and minimum increments, and applicable position and exercise limits and margin requirements, will govern the listing and trading of options on qualifying Commodity-Based Trusts.

The Exchange represents that it has the necessary systems capacity to support the listing and trading of options on qualifying Commodity-Based Trusts. The Exchange believes that its existing surveillance and reporting safeguards are designed to deter and detect possible manipulative behavior which might arise from listing and trading of these options on Commodity-Based Trust, particularly in light of the additional requirement that each crypto asset held by the Commodity-Based Trust underlies a derivatives contract that trades on a market with which the Exchange has a comprehensive surveillance sharing agreement, whether directly or through common membership in ISG.

Finally, today, the Exchange lists and trades options on ETFs that would qualify for listing as an option on a Commodity-Based Trust under proposed Exchange Rule 402(i)(6),³⁴ and it has not identified any issues with the listing and trading of options on those ETFs.

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 regard and as indicated above, the Exchange notes that the rule change is being

³⁴ The following ETFs currently have options listed on them on the Exchange: iShares Bitcoin Trust, the Fidelity Wise Origin Bitcoin Fund, the ARK21Shares Bitcoin ETF, the Grayscale Bitcoin Trust (BTC), the Grayscale Bitcoin Mini Trust BTC, and the Bitwise Bitcoin ETF. See Exchange Rule 402(i)(4). The Exchange filed rule proposals and received the appropriate regulatory notice or approval to list the aforementioned options on the ETFs.

proposed as a competitive response to the filing submitted by ISE.³⁵

The Exchange does not believe that the proposal to amend the listing criteria at Exchange Rule 402(i)(6), with respect to ETFs, to adopt new criteria to permit the listing and trading of options on certain Commodity-Based Trusts that hold multiple crypto assets and that were listed pursuant to the generic listing standards for Commodity-Based Trust Shares of the applicable primary listing market, without the need for additional approvals, will impose any burden on intramarket competition that is not necessary or appropriate in furtherance of the purposes of the Act. Options on qualifying Commodity-Based Trusts would need to satisfy the initial listing standards set forth in the Exchange Rules in the same manner as any other ETF before the Exchange could list options on them. Additionally, options on qualifying Commodity-Based Trusts will be equally available to all market participants who wish to trade such options. The Exchange Rules currently applicable to the listing and trading of options on ETFs on the Exchange will apply in the same manner to the listing and trading of all options on qualifying Commodity-Based Trusts.

Additionally, the Exchange notes that listing and trading options on qualifying Commodity-Based Trusts on the Exchange will subject such options to transparent exchange based rules as well as price discovery and liquidity, as opposed to alternatively trading such options in the OTC market. The Exchange believes that the proposed rule change may relieve any burden on, or otherwise promote, competition as it is designed to increase competition for order flow on the Exchange in a manner that is beneficial to investors by providing them with a lower-cost option to hedge their investment portfolios in a timely manner.

The Exchange does not believe that the proposal to adopt new listing criteria at Exchange Rule 402(i)(6) to permit the listing and trading of certain options on certain Commodity-Based Trusts that hold multiple crypto assets and that were listed pursuant to the generic listing standards for Commodity-Based Trust Shares of the applicable primary listing market, without the need for additional approvals, will impose any burden on intermarket competition that is not necessary or appropriate in furtherance of the purposes of the Act. Other options exchanges are free to amend their applicable rules to permit them to

³⁵ See *supra* note 4.

list and trade options on Commodity-Based Trusts that hold multiple crypto assets.

C. Self-Regulatory Organization's Statement on Comments on the Proposed Rule Change Received From Members, Participants, or Others

Written comments were neither solicited nor received.

III. Date of Effectiveness of the Proposed Rule Change and Timing for Commission Action

Within 45 days of the date of publication of this notice in the **Federal Register** or within such longer period up to 90 days (i) as the Commission may designate if it finds such longer period to be appropriate and publishes its reasons for so finding or (ii) as to which the Exchange consents, the Commission will:

A. by order approve or disapprove such proposed rule change, or

B. institute proceedings to determine whether the proposed rule change should be 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-MIAX-2026-13 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-MIAX-2026-13. 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-MIAX-2026-13 and should be submitted on or before May 7, 2026.

For the Commission, by the Division of Trading and Markets, pursuant to delegated authority.³⁶

Sherry R. Haywood,
Assistant Secretary.

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SECURITIES AND EXCHANGE COMMISSION

[Release No. 34-105222; File No. SR-SAPPHIRE-2026-13]

Self-Regulatory Organizations; MIAx Sapphire, LLC; Notice of Filing of a Proposed Rule Change To Amend Exchange Rule 402, Criteria for Underlying Securities, and Exchange Rule 403, Withdrawal of Approval of Underlying Securities, To Establish Listing Criteria and Withdrawal Standards for Options on Commodity-Based Trusts Holding Multiple Crypto Assets

April 13, 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 30, 2026, MIAx Sapphire, LLC ("MIAx Sapphire" or the "Exchange"), filed with the Securities and Exchange Commission ("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 proposes to amend Exchange Rule 402, Criteria for Underlying Securities, and Exchange Rule 403, Withdrawal of Approval of Underlying Securities, to establish listing criteria and withdrawal standards for options on Commodity-Based Trusts that hold multiple crypto assets.

The text of the proposed rule change is available on the Exchange's website at <https://www.miaxglobal.com/markets/us-options/miax-sapphire/rule-filings>, or at the Exchange's principal office.

³⁶ 17 CFR 200.30-3(a)(12).

¹ 15 U.S.C. 78s(b)(1).

² 17 CFR 240.19b-4.

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 Exchange Rule 402, Criteria for Underlying Securities, and Exchange Rule 403, Withdrawal of Approval of Underlying Securities, to establish listing criteria and withdrawal standards for options on Commodity-Based Trusts that hold multiple crypto assets.³ Specifically, the Exchange proposes to amend the criteria for listing options on Exchange-Traded Fund Shares ("ETFs") at Exchange Rule 402(i) and withdrawal criteria at Exchange Rule 403. This is a competitive filing substantively identical to the proposal submitted by Nasdaq ISE, LLC ("ISE") to the Securities and Exchange Commission (the "Commission"), which was recently approved.⁴

On March 5, 2025,⁵ the Exchange filed SR-SAPPHIRE-2025-12, as Modified by Partial Amendments No. 1 and 2, a proposed rule change to amend its listing rules at Exchange Rule 402, Criteria for Underlying Securities, to

³ The Exchange notes that its affiliate options exchanges, Miami International Securities Exchange, LLC ("MIAx") and MIAx Pearl, LLC ("MIAx Pearl"), submitted (or will submit) substantively similar proposals. The Exchange notes that the rules of Chapter IV of MIAx, including Exchange Rule 402, are incorporated by reference into the MIAx Emerald, LLC ("MIAx Emerald") rulebook.

⁴ See Securities Exchange Act Release No. 105072 (March 24, 2026), (SR-ISE-2025-30) (Self-Regulatory Organizations; Nasdaq ISE, LLC; Order Approving a Proposed Rule Change, as Modified by Amendment Nos. 1 and 2, Regarding the Adoption of Listing Criteria for Options on Commodity-Based Trusts That Hold Multiple Crypto Assets).

⁵ See Securities Exchange Act Release No. 102660 (March 5, 2025), 90 FR 12859 (March 19, 2025) (SR-SAPPHIRE-2025-12) (Self-Regulatory Organizations; Notice of Filing of a Proposed Rule Change, as Modified by Partial Amendment Nos. 1 and 2, by MIAx Sapphire, LLC To Amend Exchange Rule 402, Criteria for Underlying Securities, To List and Trade Options on Commodity-Based Trust Shares).

allow the listing and trading of options on interests in a Commodity-Based Trust and on November 6, 2025, during the government shutdown, the Exchange submitted Amendment 3 to SR-SAPPHIRE-2025-12. SR-SAPPHIRE-2025-12 was deemed approved as of November 14, 2025.⁶ The Exchange also reiterated the changes proposed in SR-SAPPHIRE-2025-12 to codify the proposed rule text in the Exchange's Rulebook by filing SR-SAPPHIRE-2025-44, which was noticed for immediate effectiveness.⁷ Currently, Exchange Rule 402(i)(6) allows the Exchange to list and trade options on a Commodity-Based Trust that meets the generic listing standards for Commodity-Based Trust Shares of the applicable primary listing market, provided that the Commodity-Based Trust holds a single crypto asset.⁸

On September 17, 2025, the Commission approved proposals by The Nasdaq Stock Market LLC, Cboe BZX Exchange, Inc. and NYSE Arca, Inc., to Adopt Generic Listing Standards for Commodity-Based Trusts.⁹ In the approval order, the Commission noted that each of the exchanges proposed to adopt substantially identical "generic"

listing standards for Commodity-Based Trusts. Those generic listing standards define the term shares of a "Commodity-Based Trust" as a security¹⁰ that:

(1) is issued by a trust, limited liability company, partnership, or other similar entity ("Trust") that, if applicable, is operated by a registered commodity pool operator pursuant to the Commodity Exchange Act ("CEA"), and is not registered as an investment company pursuant to the Investment Company Act of 1940, or series or class thereof;

(2) is designed to reflect the performance of one or more reference assets or an index of reference assets;

(3) in order to reflect the performance, is issued by a Trust that holds (a) one or more commodities or commodity-based assets, and (b) in addition to such commodities or commodity-based assets, may hold securities, cash, and cash equivalents;

(4) is issued by such Trust in a specified aggregate minimum number in return for a deposit of (a) a specified quantity of the underlying commodities, commodity-based assets, securities, cash, and/or cash equivalents or (b) a cash amount with a value based on the next determined net asset value per Trust share; and

(5) when aggregated in the same specified minimum number, may be redeemed at a holder's request by such Trust which will deliver to the redeeming holder (a) the specified quantity of the underlying commodities, commodity-based assets, securities, cash, and/or cash equivalents or (b) a cash amount with a value based on the next determined net asset value per Trust share.

Further, a Commodity-Based Trust that meets the requirements of Exchange Rule 402(i)(6) must also satisfy the following requirements: (A) the total global supply of the underlying crypto asset held by the Commodity Based Trust must have an average daily market value of at least \$700 million over the last 12 months; and (B) the crypto asset held by the Commodity-Based Trust must underlie a derivatives contract that trades on a market with which the

Exchange has a comprehensive surveillance sharing agreement, whether directly or through common membership in the Intermarket Surveillance Group ("ISG").

At this time, the Exchange proposes to amend Exchange Rule 402(i)(6) to permit the listing and trading of options on a Commodity-Based Trust that holds multiple crypto assets in addition to a Commodity-Based Trust that holds a single crypto asset. As amended, Exchange Rule 402(i)(6) would state,

(6) represent interests in a Commodity-Based Trust that meet the generic listing standards for Commodity-Based Trust Shares of the applicable primary listing market, except that the Commodity-Based Trust holds a single crypto asset or multiple crypto assets as defined in subparagraph (iii) below, provided that all of the following conditions are met:

Further, the Exchange proposes to amend Exchange Rule 402(i)(6)(iii) to state,

Additionally, with respect to a Commodity-Based Trust that meets the requirements of Exchange Rule 402(i)(6), the following requirements are satisfied: (A) the total global supply of each underlying crypto asset(s) held by the Commodity-Based Trust has an average daily market value of at least \$700 million over the last 12 months; and (B) each crypto asset held by the Commodity-Based Trust underlies a derivatives contract that trades on a market with which the Exchange has a comprehensive surveillance sharing agreement, whether directly or through common membership in the Intermarket Surveillance Group. For purposes of this rule the term "crypto asset" means an asset that is generated, issued and/or transferred using a blockchain or similar distributive ledger technology network, including but not limited to, assets known as "tokens," "digital assets," "virtual currencies," and "coins" and that relies on cryptographic protocols.

With the addition of multiple crypto assets, the criteria would require each underlying crypto asset to meet the total global supply figure and to underlie a derivative contract that trades on a market with which the Exchange has a comprehensive surveillance sharing agreement. The market value for each underlying crypto asset held by a Commodity-Based Trust will be calculated by taking the total global supply of the particular crypto asset multiplied by the token price of that asset.¹¹ The total supply of a crypto asset includes all crypto assets currently

⁶ See Securities Exchange Act Release No. 104210 (November 18, 2025), 90 FR 52727 (November 21, 2025) (SR-SAPPHIRE-2025-12) (Self-Regulatory Organizations; BOX Exchange LLC, Cboe Exchange, Inc., Cboe BYX Exchange, Inc., Cboe BZX Exchange, Inc., Cboe EDGX Exchange, Inc., Miami International Securities Exchange, LLC, MIAx PEARL, LLC, MIAx Sapphire, LLC, Nasdaq ISE, LLC, New York Stock Exchange LLC, NYSE American LLC, NYSE Arca, Inc., NYSE National, Inc., and NYSE Texas, Inc.; Notice of Deemed Approval of Various Proposed Rule Changes).

⁷ See Securities Exchange Act Release No. 104460 (December 5, 2025), 90 FR 60141 (December 23, 2025) (SR-SAPPHIRE-2025-44) (Self-Regulatory Organizations; MIAx Sapphire, LLC; Notice of Filing of a Proposed Rule Change To Amend Exchange Rule 402, Criteria for Underlying Securities, To List and Trade Options on Commodity-Based Trust Shares).

⁸ The term "crypto asset" means an asset that is generated, issued and/or transferred using a blockchain or similar distributive ledger technology network, including but not limited to, assets known as "tokens," "digital assets," "virtual currencies," and "coins" and that relies on cryptographic protocols. See Exchange Rule 402(i)(6)(iii).

⁹ See Securities Exchange Act Release No. 103995 (Sept. 17, 2025), 90 FR 45414 (Sept. 22, 2025) (Self-Regulatory Organizations; The Nasdaq Stock Market LLC; Cboe BZX Exchange, Inc.; NYSE Arca, Inc.; Order Granting Accelerated Approval of Proposed Rule Changes, as Modified by Amendments Thereto, To Adopt Generic Listing Standards for Commodity-Based Trust Shares) (SR-NASDAQ-2025-056; SR-CboeBZX-2025-104; SR-NYSEARCA-2025-54) ("Generic Listing Standards for Commodity-Based Trust Shares Approval"). The Exchange believes that it is appropriate to rely on the generic listing standards outlined by the primary listing market due to the potential proliferation of new primary listing markets and the Commission's acknowledgment that the definition of shares of a Commodity-Based Trust across those primary listing markets is substantially identical.

¹⁰ Shares of the applicable Commodity-Based Trust trade as equity securities. See Securities Exchange Act Release No. 50603 (Oct. 28, 2004), 69 FR 64614, 64619 (Nov. 5, 2004) (SR-NYSE-2004-22) (approving the listing and trading of streetTRACKS Gold Shares) ("Spot Gold Approval Order") and ETP Request for Comments, *infra* note 20, at 34731. See also Nasdaq Rule 5711(d)(ii); proposed BZX Rule 14.11(e)(4)(B); proposed NYSE Arca Rule 8.201-E(b) (Generic) (stating that Commodity-Based Trust Shares are included within the definition of a "security" as such term is used in the Exchanges' rules and are subject to the Exchanges' existing rules governing the trading of equity securities).

¹¹ The market supply information can be obtained from publicly available sources such as *coingecko.com* or *coinmarketcap.com*.

issued and does not include unissued crypto assets.¹²

As a result of this filing, the proposed listing criteria would permit a Commodity Based Trust that is generically listed on the applicable primary listing market and holds multiple crypto assets to qualify for the listing of options on that ETF, provided Exchange Rule 402(i)(6)(iii), as amended in the relevant part, has also been met, as well as the listing criteria in Exchange Rule 402(a) and (b), or Exchange Rule 402(i)(6)(i)(B).

Similar to options on any ETF, an option on a Commodity-Based Trust that meets the requirements of Exchange Rule 402(i)(6) would also be subject to the Exchange's continued listing standards for options on ETFs set forth in Exchange Rule 403(g). Currently, pursuant to Exchange Rule 403(g), ETFs approved for options trading pursuant to Exchange Rule 402(i) will not be deemed to meet the requirements for continued approval, and the Exchange shall not open for trading any additional series of option contracts of the class covering that such ETFs, if the ETFs are delisted from trading pursuant to Exchange Rule 403(b)(4),¹³ are halted or suspended from trading in their primary market.¹⁴ With respect to options on Commodity-Based Trusts that are approved subject to Exchange Rule 402(i)(6), the Exchange proposes to amend Exchange Rule 403(g) to adopt a new subparagraph (3) which states, "In the case of options covering Exchange-Traded Fund Shares approved pursuant to Exchange Rule 402(i)(6), if the criteria in Exchange Rule 402(i)(6)(iii)(A) are no longer satisfied, as determined by the Exchange on a monthly basis, or if the criteria in Exchange Rule 402(i)(6)(iii)(B) are no longer satisfied."¹⁵ This proposed new criteria would require ETFs that are listed pursuant to Exchange Rule 402(i)(6) to continue to meet the requirements of Exchange Rule 402(i)(6)(iii)(A) and (B). Additionally, this proposed new

criteria, which would also be added to Exchange Rule 403(g)(1), would require ETFs that are listed pursuant to Exchange Rule 402(i)(6)(i)(A) to continue to meet the requirements of Exchange Rule 403 subparagraphs (b)(1), (2), (3) and (4) of Exchange Rule 403. The Exchange is proposing that the criteria in Exchange Rule 402(i)(6)(iii)(A) be met on a monthly basis while the criteria in Exchange Rule 402(i)(6)(iii)(B) be met on a daily basis. The Exchange believes that requiring the criteria in Exchange Rule 402(i)(6)(iii)(A) to be met on a monthly basis is reasonable given that the Exchange believes that it is unlikely that a crypto asset with an average daily market value of at least \$700 million over the previous twelve months would fail to meet that standard as a result of trading over a relatively short period of time. By way of example, if a crypto asset has a market capitalization of \$900 million and traded at that market capitalization for 15 days in a 20-day trading month, the crypto asset could lose a substantial amount of its value (up to 88%) and still meet the criteria. Similarly, a crypto asset with a market capitalization of \$500 million for 15 days in a 20-day trading month, would have to achieve a market capitalization of \$1.3 billion (a 160% increase) in the last 5 days to meet the criteria. Given the unlikelihood that there would be a huge movement over a month's period of time and considering the work that would be required to calculate the criteria on a daily basis as compared to each month, the Exchange believes that the proposed continued listing obligation for the average daily market value criteria is sufficient. Further, options on Commodity-Based Trusts that are approved subject to Exchange Rule 402(i)(6) would continue to be subject to Exchange Rule 403(g)(5), as renumbered, which states that the Exchange may consider suspending open transactions in options on an ETF if, "such other event occurs or condition exists that in the opinion of the Exchange makes further dealing in such options on the Exchange inadvisable." The Exchange may determine at any point to delist an option on a Commodity-Based Trust that may not have sufficient liquidity or market demand.

Consistent with current Exchange Rule 404, which governs the opening of options series on a specific underlying security (including ETFs), the Exchange will open at least one expiration month¹⁶ for options on Commodity-

Based Trusts that are approved subject to Exchange Rule 402(i)(6) and may also list series of options on Commodity-Based Trust Share for trading on a weekly,¹⁷ monthly,¹⁸ or quarterly¹⁹ basis. The Exchange may also list long-term equity option series ("LEAPS") that expire from 12 to 39 months from the time they are listed.²⁰

Pursuant to Exchange Rule 404, Interpretation and Policy .06, which governs strike prices of series of options on ETFs, the interval between strike prices of series of options on ETFs approved for options trading pursuant to Exchange Rule 402(i) shall be fixed at a price per share which is reasonably close to the price per share at which the underlying security is traded in the primary market at or about the same time such series of options is first open for trading on the Exchange, or at such intervals as may have been established on another options exchange prior to the initiation of trading on the Exchange. With respect to the Short Term Options Series or Weekly Program, during the month prior to expiration of an option class that is selected for the Short Term Option Series Program, the strike price intervals for the related non-Short Term Option ("Related non-Short Term Option") shall be the same as the strike price intervals for the Short Term Option.²¹ Specifically, the Exchange may open for trading Short Term Option Series at strike price intervals of (i) \$0.50 or greater where the strike price

underlying securities described within Exchange Rule 404 and its Interpretations and Policies. Monthly listings expire the third Friday of the month. The term "expiration date" (unless separately defined elsewhere in the OCC By-Laws), when used in respect of an option contract (subject to certain exceptions), means the third Friday of the expiration month of such option contract, or if such Friday is a day on which the exchange on which such option is listed is not open for business, the preceding day on which such exchange is open for business. See OCC By-Laws Article I, Section 1. Pursuant to Exchange Rule 404(c), additional series of options of the same class may be opened for trading on the Exchange when the Exchange deems it necessary to maintain an orderly market, to meet customer demand or when the market price of the underlying stock moves more than five strike prices from the initial exercise price or prices. Pursuant to Exchange Rule 404(e), new series of options on an individual stock may be added until the beginning of the month in which the options contract will expire. Due to unusual market conditions, the Exchange, in its discretion, may add a new series of options on an individual stock until the close of trading on the business day prior to expiration.

¹⁷ See Exchange Rule 404, Interpretation and Policy .02.

¹⁸ See Exchange Rule 404, Interpretation and Policy .13.

¹⁹ See Exchange Rule 404, Interpretation and Policy .03.

²⁰ See Exchange Rule 406.

²¹ See Exchange Rule 404, Interpretation and Policy .02(e).

¹² For example, if Bitcoin were the underlying crypto asset, the Exchange would consider the total supply of all Bitcoin currently issued instead of the maximum supply, which would be currently issued as well as unmined Bitcoin. As of March 10, 2026 Bitcoin's total supply was 20,000,406 (the maximum supply is 21,000,000). See <https://www.coingecko.com/en/coins/bitcoin>. The Exchange would calculate market value by utilizing the total supply number multiplied by the Bitcoin price on that day.

¹³ Exchange Rule 403(b)(4) provides the Exchange will not open for trading any additional series of options on shares of an ETF if the ETF is no longer an NMS stock as defined in Rule 600 of Reg NMS under the Act.

¹⁴ See Exchange Rule 403(g).

¹⁵ The Exchange would renumber the remaining paragraphs of Exchange Rule 403(g).

¹⁶ See Exchange Rule 404(b). The monthly expirations are subject to certain listing criteria for

is less than \$100, and \$1 or greater where the strike price is between \$100 and \$150 for all option classes that participate in the Short Term Options Series Program; (ii) \$0.50 for option classes that trade in one dollar increments and are in the Short Term Option Series Program; or (iii) \$2.50 or greater where the strike price is above \$150.²² Additionally, the Exchange may list series of options pursuant to the \$1 Strike Price Interval Program,²³ the \$0.50 Strike Program,²⁴ and the \$2.50 Strike Price Program.²⁵ Pursuant to Exchange Rule 510, where the price of a series of options on a Commodity-Based Trust is less than \$3.00, the minimum increment will be \$0.05, and where the price is \$3.00 or higher, the minimum increment will be \$0.10²⁶ consistent with the minimum increments for options on other ETFs listed on the Exchange. Any and all new series of a Commodity-Based Trust options that the Exchange lists will be consistent and comply with the expirations, strike prices, and minimum increments set forth in Rules 404 and 510, as applicable.

Further, options on Commodity-Based Trusts that are approved subject to Exchange Rule 402(i)(6) would trade in the same manner as options on other ETFs on the Exchange. The Exchange Rules that currently apply to the listing and trading of all options on ETFs on the Exchange, including, for example, Rules that govern listing criteria, expirations, exercise prices, minimum increments, position and exercise limits, margin requirements, customer accounts and trading halt procedures would apply to the listing and trading of options on Commodity-Based Trusts that are approved subject to Exchange Rule 402(i)(6) in the same manner.

Position and exercise limits for options on Commodity-Based Trusts that are approved pursuant to Exchange Rule 402(i)(6) would be determined pursuant to MIAx Rules 307 and 309, respectively, as is the case for other options on other ETFs. Position and exercise limits for options on ETF vary according to the number of outstanding shares and the trading volumes of the underlying ETF over the past six months, where the largest in capitalization and the most frequently traded ETFs have an option position and exercise limits of 250,000 contracts (with adjustments for splits, re-

capitalizations, etc.) on the same side of the market; and smaller capitalization ETFs have position and exercise limits of 200,000, 75,000, 50,000 or 25,000 contracts (with adjustments for splits, re-capitalizations, etc.) on the same side of the market. Further, Exchange Rule 1502, which governs margin requirements applicable to trading on the Exchange, including options on ETFs, will also apply to the trading of options on a Commodity-Based Trusts listed pursuant to Exchange Rule 402(i)(6).

The Exchange represents that the same surveillance procedures applicable to all other options on other ETFs currently listed and traded on the Exchange will apply to the trading of options on Commodity-Based Trusts that are approved subject to Exchange Rule 402(i)(6).²⁷ The Exchange represents that it has the necessary systems capacity to support the new option series. The Exchange believes that its existing surveillance and reporting safeguards are designed to deter and detect possible manipulative behavior which might potentially arise from listing and trading options on ETFs, including the listing of options on Commodity-Based Trusts that are approved subject to Exchange Rule 402(i)(6). Also, the Exchange may obtain information from designated contract markets that are members of the ISG related to a financial instrument that is based, in whole or in part, upon an interest in or performance of a crypto asset, as applicable. The Exchange has specified in proposed Exchange Rule 402(i)(6) that each crypto asset held by the Commodity-Based Trust must underlie a derivatives contract that trades on a market with which the Exchange has a comprehensive surveillance sharing agreement, whether directly or through common membership in ISG.²⁸ The Exchange will be required to ensure that this requirement is met prior to listing options on a Commodity-Based Trust listed pursuant to proposed Exchange Rule 402(i)(6).

Additionally, the Exchange has also analyzed its capacity and represents that it believes the Exchange and the Options Price Reporting Authority or "OPRA" have the necessary systems

capacity to handle the additional traffic associated with the listing of new series of ETFs, including options on Commodity-Based Trusts, that are approved subject to Exchange Rule 402(i)(6), up to the number of expirations currently permissible under the Exchange Rules.

Finally, today, the Exchange lists and trades options on ETFs that would qualify for listing as an option on a Commodity-Based Trust under proposed Exchange Rule 402(i)(6),²⁹ and it has not identified any issues with the listing and trading of options on those ETFs.

2. Statutory Basis

The Exchange believes the proposed rule change is consistent with the Act and the rules and regulations thereunder applicable to the Exchange and, in particular, the requirements of Section 6(b) of the Act.³⁰ Specifically, the Exchange believes the proposed rule change is consistent with the Section 6(b)(5)³¹ requirements that the rules of an exchange be designed to prevent fraudulent and manipulative acts and practices, to promote just and equitable principles of trade, to foster cooperation and coordination with persons engaged in regulating, clearing, settling, processing information with respect to, and facilitating transactions in securities, to remove impediments to and perfect the mechanism of a free and open market and a national market system, and, in general, to protect investors and the public interest. Additionally, the Exchange believes the proposed rule change is consistent with the Section 6(b)(5)³² requirement that the rules of an exchange not be designed to permit unfair discrimination between customers, issuers, brokers, or dealers.

In particular, the Exchange believes that its proposal to permit Commodity-Based Trust Shares that hold multiple crypto assets to be listed and traded without the need for additional approvals, will remove impediments to and perfect the mechanism of a free and open market and a national market system and, in general, protect investors because it would allow the Exchange to immediately list and trade qualifying

²⁹ The following ETFs currently have options listed on them on the Exchange: iShares Bitcoin Trust, the Fidelity Wise Origin Bitcoin Fund, the ARK21Shares Bitcoin ETF, the Grayscale Bitcoin Trust (BTC), the Grayscale Bitcoin Mini Trust BTC, and the Bitwise Bitcoin ETF. See Exchange Rule 402(i)(4). The Exchange filed rule proposals and received the appropriate regulatory notice or approval to list the aforementioned options on the ETFs.

³⁰ 15 U.S.C. 78f(b).

³¹ 15 U.S.C. 78f(b)(5).

³² *Id.*

²⁷ The surveillance program includes real-time patterns for price and volume movements and post-trade surveillance patterns (e.g., spoofing, marking the close, ping, phishing).

²⁸ There are a number of futures contracts on digital asset commodities that are listed and trading on the CME and Coinbase Derivatives, both of which are ISG members. See <https://www.cmegroup.com/markets/cryptocurrencies.html#products>. See also <https://www.coinbase.com/derivatives>.

²² *Id.*

²³ See Exchange Rule 404, Interpretation and Policy .01.

²⁴ See Exchange Rule 404, Interpretation and Policy .04.

²⁵ See Exchange Rule 404(f).

²⁶ See Exchange Rule 510.

options on Commodity-Based Trusts, provided the initial listing criteria has been met, without any additional approvals from the Commission.

Specifically, the Exchange's proposal to adopt Exchange Rule 402(i)(6) to allow the listing and trading of options on units that represent interests in Commodity-Based Trusts that meet the generic listing standards for Commodity-Based Trust Shares of the applicable primary listing market,³³ and hold multiple crypto assets in addition to single crypto assets, is consistent with the Act because it will permit the Exchange to offer options on Commodity-Based Trusts soon after the listing of the ETF on the primary listing market, provided that all the generic listing standards for that Commodity-Based Trust on that primary listing market have been met. Listing these options will avail market participants of the opportunity to hedge their positions in the Commodity-Based Trusts in a timely manner, thereby providing investors with the ability to hedge their exposure to the underlying Commodity-Based Trust. Options on Commodity-Based Trusts benefits investors, similar to the listing of any other option on an ETF, by providing investors with a relatively lower-cost risk management tool to manage their positions and associated risk in their portfolios more easily in connection with exposure to the price of a crypto asset. Additionally, listing options on Commodity-Based Trusts provides investors with the ability to transact in such options on a listed market as opposed to the OTC options market, which increases market transparency and enhances the process of price discovery to the benefit of all investors.

Also, this proposal would permit options on Commodity-Based Trusts to be listed on the Exchange in the same manner as all other securities that are subject to the current listing criteria in Exchange Rule 402. The Exchange notes that the majority of ETFs are able to list and trade options once the initial listing criteria have been met without the need for additional approvals. The proposed rule change would allow options on certain Commodity-Based Trusts to likewise list and trade options once the initial listing criteria on the primary listing market have been met without the need for additional approvals.

As proposed, the Exchange would list options in a Commodity-Based Trust that met the generic criteria of the applicable primary listing market, provided the Commodity-Based Trust held multiple crypto assets. Further,

each crypto asset held by the Commodity-Based Trust would also be required to satisfy the conditions in proposed Exchange Rule 402(i)(6)(iii), which requires that (A) the total global supply of each underlying crypto asset held by the Commodity-Based Trust has an average daily market value of at least \$700 million over the last 12 months; and (B) each crypto asset held by the Commodity-Based Trust underlie a derivatives contract that trades on a market with which the Exchange has a comprehensive surveillance sharing agreement, whether directly or through common membership in the ISG.

These requirements are consistent with the Act and the protection of investors as they should ensure that each crypto asset held by the underlying ETF has sufficient liquidity prior to listing options, which will serve to prevent disruption to the underlying market. The Exchange believes that market supply serves as a good measure of liquidity to permit options trading in options on Commodity-Based Trusts that holds multiple crypto assets. Requiring each underlying crypto asset to have a requisite amount of deliverable supply, in addition to all the other criteria the ETF is required to have under the applicable primary listing market rules, should ensure adequate liquidity prior to listing. Further, ensuring each crypto asset held by the Commodity-Based Trust underlies a derivatives contract that trades on a market with which the Exchange has a comprehensive surveillance sharing agreement, whether directly or through common membership in the ISG, will provide the Exchange with information to adequately surveillance options on qualifying Commodity-Based Trusts. Today, the Exchange has a comprehensive surveillance sharing agreement in place with both the CME and Coinbase Derivatives through its common membership in ISG. This facilitates the sharing of information that is available to the CME and Coinbase Derivatives through their surveillance of their respective markets, including their surveillance of their respective digital asset futures markets.

The Exchange also believes the proposed rule change will remove impediments to and perfect the mechanism of a free and open market and a national market system, because it is consistent with current Exchange Rules, previously filed with the Commission. Options on qualifying Commodity-Based Trusts must satisfy the initial listing standards and continued listing standards currently in the Exchange Rules applicable to options on all ETFs, including ETFs that

hold other crypto assets already deemed appropriate for options trading on the Exchange in addition to the proposed criteria.

Further, the proposal adopts new subparagraph (3) to Exchange Rule 403(g) which will require each crypto asset held by a Commodity-Based Trust to continue to meet the requirement of Exchange Rule 402(i)(6)(iii)(A) on a monthly basis and for the criteria in Exchange Rule 402(i)(6)(iii)(B) to be met on a continuous basis. Accordingly, each crypto asset held by a Commodity-Based Trust must continue to have a total global supply with an average daily market value of at least \$700 million over the last 12 months, and also must continue to underlie a derivatives contract that trades on a market with which the Exchange has a comprehensive surveillance sharing agreement, whether directly or through common membership in the ISG. The Exchange believes that this continued listing standard, in addition to requirements of Rule 402(i) would protect investors and the public interest by ensuring that the crypto assets held by the Commodity-Based Trust continue to remain liquid. The Exchange believes that requiring the criteria in Exchange Rule 402(i)(6)(iii)(A) on a monthly basis is consistent with the Act and the protection of investors given that the Exchange believes that it is unlikely that a crypto asset with an average daily market value of at least \$700 million over the previous twelve months would fail to meet that standard as a resulting of trading over a relatively short period of time. By way of example, if a crypto asset has a market capitalization of \$900 million and traded at that market capitalization for 15 days in a 20-day trading month, the crypto asset could lose a substantial amount of its value (up to 88%) and still meet the criteria. Similarly, a crypto asset with a market capitalization of \$500 million for 15 days in a 20-day trading month, would have to achieve a market capitalization of \$1.3 billion (a 160% increase) in the last 5 days to meet the criteria. Given the unlikelihood that there would be a huge movement over a month's period of time and considering the work that would be required to calculate the criteria on a daily basis as compared to each month, the Exchange believes that the proposed continued listing obligation for the average daily market value criteria is sufficient. Further, options on Commodity-Based Trusts that are approved subject to Exchange Rule 402(i)(6) would continue to be subject to exchange Rule 403(g)(5), as renumbered, which states that the

³³ See *supra* note 9.

Exchange may consider suspending open transactions in options on an ETF if, “such other event occurs or condition exists that in the opinion of the Exchange makes further dealing in such options on the Exchange inadvisable.” The Exchange may determine at any point to delist an option on a Commodity-Based Trust that may not have sufficient liquidity or market demand.

Options on qualifying Commodity-Based Trusts would trade in the same manner as any other ETF options—the same Exchange Rules that currently govern the listing and trading of all ETF options, including permissible expirations, strike prices and minimum increments, and applicable position and exercise limits and margin requirements, will govern the listing and trading of options on qualifying Commodity-Based Trusts.

The Exchange represents that it has the necessary systems capacity to support the listing and trading of options on qualifying Commodity-Based Trusts. The Exchange believes that its existing surveillance and reporting safeguards are designed to deter and detect possible manipulative behavior which might arise from listing and trading of these options on Commodity-Based Trust, particularly in light of the additional requirement that each crypto asset held by the Commodity-Based Trust underlies a derivatives contract that trades on a market with which the Exchange has a comprehensive surveillance sharing agreement, whether directly or through common membership in ISG.

Finally, today, the Exchange lists and trades options on ETFs that would qualify for listing as an option on a Commodity-Based Trust under proposed Exchange Rule 402(i)(6),³⁴ and it has not identified any issues with the listing and trading of options on those ETFs.

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 regard and as indicated above, the Exchange notes that the rule change is being

proposed as a competitive response to the filing submitted by ISE.³⁵

The Exchange does not believe that the proposal to amend the listing criteria at Exchange Rule 402(i)(6), with respect to ETFs, to adopt new criteria to permit the listing and trading of options on certain Commodity-Based Trusts that hold multiple crypto assets and that were listed pursuant to the generic listing standards for Commodity-Based Trust Shares of the applicable primary listing market, without the need for additional approvals, will impose any burden on intramarket competition that is not necessary or appropriate in furtherance of the purposes of the Act. Options on qualifying Commodity-Based Trusts would need to satisfy the initial listing standards set forth in the Exchange Rules in the same manner as any other ETF before the Exchange could list options on them.

Additionally, options on qualifying Commodity-Based Trusts will be equally available to all market participants who wish to trade such options. The Exchange Rules currently applicable to the listing and trading of options on ETFs on the Exchange will apply in the same manner to the listing and trading of all options on qualifying Commodity-Based Trusts.

Additionally, the Exchange notes that listing and trading options on qualifying Commodity-Based Trusts on the Exchange will subject such options to transparent exchange based rules as well as price discovery and liquidity, as opposed to alternatively trading such options in the OTC market. The Exchange believes that the proposed rule change may relieve any burden on, or otherwise promote, competition as it is designed to increase competition for order flow on the Exchange in a manner that is beneficial to investors by providing them with a lower-cost option to hedge their investment portfolios in a timely manner.

The Exchange does not believe that the proposal to adopt new listing criteria at Exchange Rule 402(i)(6) to permit the listing and trading of certain options on certain Commodity-Based Trusts that hold multiple crypto assets and that were listed pursuant to the generic listing standards for Commodity-Based Trust Shares of the applicable primary listing market, without the need for additional approvals, will impose any burden on intermarket competition that is not necessary or appropriate in furtherance of the purposes of the Act. Other options exchanges are free to amend their applicable rules to permit them to

list and trade options on Commodity-Based Trusts that hold multiple crypto assets.

C. Self-Regulatory Organization's Statement on Comments on the Proposed Rule Change Received From Members, Participants, or Others

Written comments were neither solicited nor received.

III. Date of Effectiveness of the Proposed Rule Change and Timing for Commission Action

Within 45 days of the date of publication of this notice in the **Federal Register** or within such longer period up to 90 days (i) as the Commission may designate if it finds such longer period to be appropriate and publishes its reasons for so finding or (ii) as to which the Exchange consents, the Commission will:

- A. by order approve or disapprove such proposed rule change, or
- B. institute proceedings to determine whether the proposed rule change should be 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-SAPPHIRE-2026-13 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-SAPPHIRE-2026-13. 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

³⁴ The following ETFs currently have options listed on them on the Exchange: iShares Bitcoin Trust, the Fidelity Wise Origin Bitcoin Fund, the ARK21Shares Bitcoin ETF, the Grayscale Bitcoin Trust (BTC), the Grayscale Bitcoin Mini Trust BTC, and the Bitwise Bitcoin ETF. See Exchange Rule 402(i)(4). The Exchange filed rule proposals and received the appropriate regulatory notice or approval to list the aforementioned options on the ETFs.

³⁵ See *supra* note 4.

obscene or subject to copyright protection. All submissions should refer to file number SR–SAPPHIRE–2026–13 and should be submitted on or before May 7, 2026.

For the Commission, by the Division of Trading and Markets, pursuant to delegated authority.³⁶

Sherry R. Haywood,

Assistant Secretary.

[FR Doc. 2026–07353 Filed 4–15–26; 8:45 am]

BILLING CODE 8011–01–P

SECURITIES AND EXCHANGE COMMISSION

[OMB Control No. 3235–0515]

Agency Information Collection Activities; Proposed Collection; Comment Request; Extension: Schedule TO

Upon Written Request, Copies Available From: Securities and Exchange Commission, Office of FOIA Services, 100 F Street NE, Washington, DC 20549–2736

Notice is hereby given that, pursuant to the Paperwork Reduction Act of 1995 (44 U.S.C. 3501 *et seq.*), the Securities and Exchange Commission (“Commission”) is soliciting comments on the collection of information summarized below. The Commission plans to submit this existing collection of information to the Office of Management and Budget for extension and approval.

Schedule TO (17 CFR 240.14d–100) sets forth the information that certain persons conducting certain tender offers must disclose in connection with that tender offer. The purpose of Schedule TO is to ensure investors have access to information necessary to make an informed investment decisions in connection with tender offers. We estimate that Schedule TO is filed approximately 2.28 times per year by 259 respondents, for an estimated total of 591 responses annually. We estimate that Schedule TO requires approximately 22.38 burden hours per response and approximately \$8,949.93 cost burden per response, for an estimated total annual reporting burden of 13,227 hours (22.38 burden hours per response × 591 responses) and an estimated total annual cost burden of \$5,289,409 (591 responses × \$8,949.93 per response).

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.

Written comments are invited on: (a) whether this 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) the accuracy of the agency’s estimate of the burden imposed by the collection of information; (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 respondents, including through the use of automated collection techniques or other forms of information technology.

Please direct your written comments on this 60-Day Collection Notice to Austin Gerig, Director/Chief Data Officer, Securities and Exchange Commission, c/o Tanya Ruttenberg via email to PaperworkReductionAct@sec.gov by June 15, 2026. There will be a second opportunity to comment on this SEC request following the **Federal Register** publishing a 30-Day Submission Notice.

Dated: April 14, 2026.

Sherry R. Haywood,

Assistant Secretary.

[FR Doc. 2026–07433 Filed 4–15–26; 8:45 am]

BILLING CODE 8011–01–P

SECURITIES AND EXCHANGE COMMISSION

[Release No. 34–105218; File No. SR–ISE–2026–16]

Self-Regulatory Organizations; Nasdaq ISE, LLC; Notice of Filing and Immediate Effectiveness of Proposed Rule Change To Amend the Review of Professional Orders

April 13, 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 31, 2026, Nasdaq ISE, LLC (“ISE” 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.

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

The Exchange proposes to amend the quarterly review of Professional Orders.³

The text of the proposed rule change is available on the Exchange’s website at <https://listingcenter.nasdaq.com/rulebook/ise/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

The Exchange proposes to amend the quarterly review of Professional Orders. Today, orders for any Priority Customer⁴ that average more than 390 orders per day during any month of a calendar quarter must be represented as Professional orders for the next calendar quarter.⁵ In order to properly represent orders entered on the Exchange, Members⁶ are required currently to

³ The term “Professional Order” means an order that is for the account of a person or entity that is not a Priority Customer. *See* Options 1, Section 1(a)(40). The manner in which a Professional Order is calculated is specified in Options 1, Section 1(a)(40)(a).

⁴ The term “Priority Customer” means a person or entity that (i) is not a broker or dealer in securities, and (ii) does not place more than 390 orders in listed options per day on average during a calendar month for its own beneficial account(s). *See* Options 1, Section 1(a)(38).

⁵ The requirement to review Priority Customers’ activity on at least a quarterly basis to determine whether orders that are not for the account of a broker-dealer should be represented as Priority Customer Orders or Professional Orders is not in the current rule text, however it was described in the adopting proposal. *See* Securities Exchange Act Release No. 78788 (September 8, 2016), 81 FR 63252 (September 14, 2016) (SR–ISE–2016–19) (Notice of Filing and Immediate Effectiveness of Proposed Rule Change to Add Specificity to the Definition of a Professional in the Exchange’s Rules) (“SR–ISE–2016–19”). The instant proposal seeks to codify the timing for review of Priority Customers’ activity.

⁶ The term “Member” means an organization that has been approved to exercise trading rights

³⁶ 17 CFR 200.30–3(a)(12).

review their Priority Customers' activity and, on at least a quarterly basis, designate orders as Priority Customer orders or Professional orders.⁷ Specifically, Members are required to conduct a quarterly review and make any appropriate changes to the way in which they are representing orders within five days after the end of each calendar quarter.⁸ While Members are required to designate accounts on a quarterly basis, if during a quarter the Exchange identifies a customer for which orders are being represented as Priority Customer Orders but that has averaged more than 390 orders per day during a month, the Exchange must notify the Member and the Member is required to change the manner in which it is representing the customer's orders within five days.⁹

Proposal

At this time, the Exchange proposes to shorten the quarterly review and designation to a monthly review. The Exchange proposes to state at Options 1, Section 1(a)(40)(b) that orders for any customer that had an average of more than 390 orders per day during any calendar month must be represented as Professional orders for the next calendar month.

As noted, currently, each Member is required to monitor Priority Customer orders to determine if the Priority Customer has averaged more than 390 orders per day during a month. Determining whether a Priority Customer has executed more than 390 orders per day during a month requires computing a daily average. As such, Members should be performing the workflow necessary to designate orders on a daily basis. Therefore, the proposal does not amend the current workflow, rather, the proposal amends the timeframe to change the manner in which the customer's order is being represented from five days after the end of each calendar quarter to five days after the end of each calendar month.

The Exchange does not believe that this amendment is a significant departure from the current rule, nor does it impose any burden on any Member because each broker-dealer is required currently to perform the necessary calculation daily to arrive at the requisite average. Further, in addition to the calculation, broker-dealers are subject to know-your-customer and suitability requirements

under FINRA Rules 2090 (Know Your Customer) and 2111 (Suitability) and would need to consider whether a customer meets the Professional designation for purposes of determining best execution and making appropriate recommendations. The Exchange notes that the trading behavior of a Priority Customer can be distinguished from that of a Professional which is the purpose of the separate designations. Finally, some Members currently designate a Priority Customer that has averaged more than 390 orders per day during a month as a Professional on a more expedited basis, not waiting until five days after the quarter.

The Exchange believes that a calendar month is a sufficient time period to determine whether the activity of a customer meets the criteria for a Professional order. The Exchange believes that the shortened time period will ensure that the spirit of the designation of Professional order is met in that Members will make any appropriate changes to the way in which they are representing orders in a 30-day timeframe as opposed to a 90-day timeframe, thereby ensuring the designation is applied in a more expeditious manner.

The Exchange continues to believe that identifying Professional orders based upon the average number of orders entered in qualified accounts is an appropriate and objective approach to reasonably distinguish such persons and entities from retail investors or market participants.

Technical Amendment

The Exchange proposes to reserve Options 3B, Options 3C and Options 4D. Other Nasdaq affiliated exchanges have proposed rules in those corresponding sections. The reserved sections are intended to harmonize the structure of the Exchange's rules to those of other Nasdaq affiliated exchanges. The Exchange proposes that this amendment be operative 30 days from the date of filing.

Implementation

The Exchange proposes implementing this rule change on July 1, 2026, except for the technical amendments which should become operative 30 days after the date of the filing. The Exchange will issue an Options Trader Alert to provide notice to Members of the proposed change.

2. Statutory Basis

The Exchange believes that the proposed rule change is consistent with

Section 6(b) of the Act,¹⁰ in general, and furthers the objectives of Section 6(b)(5) of the Act,¹¹ in particular, in that it 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.

The Exchange's proposal to shorten the quarterly look-back to a monthly look-back is consistent with the Act because it will ensure that the spirit of the designation of Professional order continues to be met, only on a more expedited basis—removing a potential delay of two months before affecting a change in the designation. The Exchange believes that this amendment will remove impediments to and perfect the mechanism of a free and open market and a national market system by promoting the consistent application of its rules and shortening the timeframe to change the designation for all Members while continuing to provide a sufficient time period to determine whether the activity of a customer meets the criteria for a Professional order. Further, the Exchange believes that the shortened time period will continue to promote consistency in the treatment of orders as Professional orders while also preventing members with high volume from receiving benefits reserved for Priority Customer orders.

As noted, currently, each Member is required to monitor Priority Customer orders to determine if the Priority Customer has averaged more than 390 orders per day during a month. Determining whether a Priority Customer has executed more than 390 orders per day during a month requires computing a daily average. As such, Members should be performing the workflow necessary to designate orders on a daily basis. Therefore, the proposal does not amend the current workflow, rather, the proposal amends the timeframe to change the manner in which the customer's order is being represented from five days after the end of each calendar quarter to five days after the end of each calendar month.

The Exchange does not believe that this amendment is a significant departure from the current rule, nor does it impose any burden on any Member because each broker-dealer is required currently to perform the necessary calculation daily to arrive at the requisite average. Further, in addition to the calculation, broker-dealers are subject to know-your-

associated with Exchange Rights. See General 1, Section 1(a)(13).

⁷ See 81 FR 63252 at 63253.

⁸ See *id.*

⁹ See *id.*

¹⁰ 15 U.S.C. 78f(b).

¹¹ 15 U.S.C. 78f(b)(5).

customer and suitability requirements under FINRA Rules 2090 (Know Your Customer) and 2111 (Suitability) and would need to consider whether a customer meets the Professional designation for purposes of determining best execution and making appropriate recommendations. Finally, some Members currently designate a Priority Customer that has averaged more than 390 orders per day during a month as a Professional on a more expedited basis, not waiting until five days after the quarter.

The Exchange notes that the trading behavior of a Priority Customer can be distinguished from that of a Professional which is the purpose of the separate designations. The Exchange continues to believe that identifying Professional orders based upon the average number of orders entered in qualified accounts is an appropriately objective approach to reasonably distinguish such persons and entities from retail investors or market participants. Priority is one of the marketplace advantages provided to Priority Customer orders on the Exchange. Priority Customer orders are given execution priority over non-Customer orders and quotations of market makers at the same price. Another marketplace advantage afforded to Priority Customer orders on the Exchange is that members are generally not assessed transaction fees or are assessed lower fees for the execution of Priority Customer orders. The purpose of these marketplace advantages is to attract retail order flow to the Exchange by leveling the playing field for retail investors over market Professionals. This proposal will continue to provide Priority Customer accounts with marketplace advantages and distinguish those accounts non-Professional retail investors from the Professionals accounts. The Exchange notes that some non-broker-dealer individuals and entities have access to information and technology that enables them to Professionally trade listed options in the same manner as a broker or dealer in securities.

Technical Amendment

Reserving Options 3B, Options 3C and Options 4D are non-substantive amendments.

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.

Specifically, the Exchange does not believe that the proposed rule change

will impose any burden on intra-market competition because, today, each Member is required to monitor Priority Customer orders to determine if the Priority Customer has averaged more than 390 orders per day during a month. Determining whether a Priority Customer has executed more than 390 orders per day during a month requires computing a daily average. As such, Members should be performing the workflow necessary to designate orders on a daily basis. Therefore, the proposal does not amend the current workflow, rather, the proposal amends the timeframe to change the manner in which the customer's order is being represented from five days after the end of each calendar quarter to five days after the end of each calendar month.

The Exchange does not believe that this amendment is a significant departure from the current rule, nor does it impose any burden on any Member because each broker-dealer is required currently to perform the necessary calculation daily to arrive at the requisite average. Further, in addition to the calculation, broker-dealers are subject to know-your-customer and suitability requirements under FINRA Rules 2090 (Know Your Customer) and 2111 (Suitability) and would need to consider whether a customer meets the Professional designation for purposes of determining best execution and making appropriate recommendations. Finally, some Members currently designate a Priority Customer that has averaged more than 390 orders per day during a month as a Professional on a more expedited basis, not waiting until five days after the quarter.

The Exchange notes that the trading behavior of a Priority Customer can be distinguished from that of a Professional which is the purpose of the separate designations.

Further, the designation of Professional orders would not result in any different treatment of such orders for purposes of compliance with the Exchange's Rules. Priority Customers have been granted certain priority over other non-broker-dealer individuals and entities that have access to information and technology that enables them to Professionally trade listed options in the same manner as a broker or dealer in securities. Further, the Priority Customer designation allows the Exchange to attract order flow or create more competitive markets.

Also, the Exchange does not believe that the proposed rule change will impose any burden on inter-market competition because other exchanges are expected to adopt similar rules.

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

Because the foregoing proposed rule change does not: (i) significantly affect the protection of investors or the public interest; (ii) impose any significant burden on competition; and (iii) 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)(iii) of the Act¹² and subparagraph (f)(6) of Rule 19b-4 thereunder.¹³

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 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-ISE-2026-16 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-ISE-2026-16. This file

¹² 15 U.S.C. 78s(b)(3)(A)(iii).

¹³ 17 CFR 240.19b-4(f)(6). In addition, Rule 19b-4(f)(6) requires a self-regulatory organization to give the Commission written notice of its intent to file the proposed rule change at least five business days prior to the date of filing of the proposed rule change, or such shorter time as designated by the Commission. The Exchange has satisfied this requirement.

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-ISE-2026-16 and should be submitted on or before May 7, 2026.

For the Commission, by the Division of Trading and Markets, pursuant to delegated authority.¹⁴

Sherry R. Haywood,
Assistant Secretary.

[FR Doc. 2026-07349 Filed 4-15-26; 8:45 am]

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SECURITIES AND EXCHANGE COMMISSION

[Release No. 34-105221; File No. SR-PEARL-2026-15]

Self-Regulatory Organizations; MIAx PEARL, LLC; Notice of Filing of a Proposed Rule Change To Amend Exchange Rule 402, Criteria for Underlying Securities, and Exchange Rule 403, Withdrawal of Approval of Underlying Securities, To Establish Listing Criteria and Withdrawal Standards for Options on Commodity-Based Trusts Holding Multiple Crypto Assets

April 13, 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 30, 2026, MIAx PEARL, LLC ("MIAx Pearl" or the "Exchange") filed with the Securities and Exchange Commission ("Commission") a proposed rule change as described in Items I and II below, which Items have been prepared by MIAx Pearl. 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 Exchange Rule 402, Criteria for Underlying Securities, and Exchange Rule 403, Withdrawal of Approval of Underlying Securities, to establish listing criteria and withdrawal standards for options on Commodity-Based Trusts that hold multiple crypto assets.

The text of the proposed rule change is available on the Exchange's website at <https://www.miaxglobal.com/markets/us-options/pearl-options/rule-filings> and at MIAx Pearl's principal office.

II. Self-Regulatory Organization's Statement of the Purpose of, and Statutory Basis for, the Proposed Rule Change

In its filing with the Commission, MIAx Pearl 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. MIAx Pearl 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 Exchange Rule 402, Criteria for Underlying Securities, and Exchange Rule 403, Withdrawal of Approval of Underlying Securities, to establish listing criteria and withdrawal standards for options on Commodity-Based Trusts that hold multiple crypto assets.³ Specifically, the Exchange proposes to amend the criteria for listing options on Exchange-Traded Fund Shares ("ETFs") at Exchange Rule 402(i) and withdrawal criteria at Exchange Rule 403. This is a competitive filing substantively identical to the proposal submitted by Nasdaq ISE, LLC ("ISE") to the Securities and Exchange

Commission (the "Commission"), which was recently approved.⁴

On March 5, 2025,⁵ the Exchange filed SR-PEARL-2025-08, as Modified by Partial Amendments No. 1 and 2, a proposed rule change to amend its listing rules at Exchange Rule 402, Criteria for Underlying Securities, to allow the listing and trading of options on interests in a Commodity-Based Trust and on November 6, 2025, during the government shutdown, the Exchange submitted Amendment 3 to SR-PEARL-2025-08. SR-PEARL-2025-08 was deemed approved as of November 14, 2025.⁶ The Exchange also reiterated the changes proposed in SR-PEARL-2025-08 to codify the proposed rule text in the Exchange's Rulebook by filing SR-PEARL-2025-49, which was noticed for immediate effectiveness.⁷ Currently, Exchange Rule 402(i)(6) allows the Exchange to list and trade options on a Commodity-Based Trust that meets the generic listing standards for Commodity-Based Trust Shares of the applicable primary listing market, provided that the Commodity-Based Trust holds a single crypto asset.⁸

On September 17, 2025, the Commission approved proposals by The Nasdaq Stock Market LLC, Cboe BZX Exchange, Inc. and NYSE Arca, Inc., to Adopt Generic Listing Standards for

⁴ See Securities Exchange Act Release No. 105072 (March 24, 2026), (SR-ISE-2025-30) (Self-Regulatory Organizations; Nasdaq ISE, LLC; Order Approving a Proposed Rule Change, as Modified by Amendment Nos. 1 and 2, Regarding the Adoption of Listing Criteria for Options on Commodity-Based Trusts That Hold Multiple Crypto Assets).

⁵ See Securities Exchange Act Release No. 102659 (March 5, 2025), 90 FR 12876 (March 19, 2025) (SR-PEARL-2025-08) (Self-Regulatory Organizations; Notice of Filing of a Proposed Rule Change, as Modified by Partial Amendment Nos. 1 and 2, by MIAx PEARL, LLC To Amend Exchange Rule 402, Criteria for Underlying Securities, To List and Trade Options on Commodity-Based Trust Shares).

⁶ See Securities Exchange Act Release No. 104210 (November 18, 2025), 90 FR 52727 (November 21, 2025) (SR-PEARL-2025-08) (Self-Regulatory Organizations; BOX Exchange LLC, Cboe Exchange, Inc., Cboe BYX Exchange, Inc., Cboe BZX Exchange, Inc., Cboe EDGX Exchange, Inc., Miami International Securities Exchange, LLC, MIAx PEARL, LLC, MIAx Sapphire, LLC, Nasdaq ISE, LLC, New York Stock Exchange LLC, NYSE American LLC, NYSE Arca, Inc., NYSE National, Inc., and NYSE Texas, Inc.; Notice of Deemed Approval of Various Proposed Rule Changes).

⁷ See Securities Exchange Act Release No. 104458 (December 5, 2025), 90 FR 60187 (December 23, 2025) (SR-PEARL-2025-49) (Self-Regulatory Organizations; MIAx PEARL, LLC; Notice of Filing of a Proposed Rule Change To Amend Exchange Rule 402, Criteria for Underlying Securities, To List and Trade Options on Commodity-Based Trust Shares).

⁸ The term "crypto asset" means an asset that is generated, issued and/or transferred using a blockchain or similar distributive ledger technology network, including but not limited to, assets known as "tokens," "digital assets," "virtual currencies," and "coins" and that relies on cryptographic protocols. See Exchange Rule 402(i)(6)(iii).

¹⁴ 17 CFR 200.30-3(a)(12).

¹⁵ 15 U.S.C. 78s(b)(1).

² 17 CFR 240.19b-4.

³ The Exchange notes that its affiliate options exchanges, Miami International Securities Exchange, LLC ("MIAx") and MIAx Sapphire, LLC ("MIAx Sapphire"), submitted (or will submit) substantively similar proposals. The Exchange notes that the rules of Chapter IV of MIAx, including Exchange Rule 402, are incorporated by reference into the MIAx Emerald, LLC ("MIAx Emerald") rulebook.

Commodity-Based Trusts.⁹ In the approval order, the Commission noted that each of the exchanges proposed to adopt substantially identical “generic” listing standards for Commodity-Based Trusts. Those generic listing standards define the term shares of a “Commodity-Based Trust” as a security¹⁰ that:

(1) is issued by a trust, limited liability company, partnership, or other similar entity (“Trust”) that, if applicable, is operated by a registered commodity pool operator pursuant to the Commodity Exchange Act (“CEA”), and is not registered as an investment company pursuant to the Investment Company Act of 1940, or series or class thereof;

(2) is designed to reflect the performance of one or more reference assets or an index of reference assets;

(3) in order to reflect the performance, is issued by a Trust that holds (a) one or more commodities or commodity-based assets, and (b) in addition to such commodities or commodity-based assets, may hold securities, cash, and cash equivalents;

(4) is issued by such Trust in a specified aggregate minimum number in return for a deposit of (a) a specified quantity of the underlying commodities, commodity-based assets, securities, cash, and/or cash equivalents or (b) a cash amount with a value based on the next determined net asset value per Trust share; and

(5) when aggregated in the same specified minimum number, may be redeemed at a holder’s request by such Trust which will deliver to the

redeeming holder (a) the specified quantity of the underlying commodities, commodity-based assets, securities, cash, and/or cash equivalents or (b) a cash amount with a value based on the next determined net asset value per Trust share.

Further, a Commodity-Based Trust that meets the requirements of Exchange Rule 402(i)(6) must also satisfy the following requirements: (A) the total global supply of the underlying crypto asset held by the Commodity Based Trust must have an average daily market value of at least \$700 million over the last 12 months; and (B) the crypto asset held by the Commodity-Based Trust must underlie a derivatives contract that trades on a market with which the Exchange has a comprehensive surveillance sharing agreement, whether directly or through common membership in the Intermarket Surveillance Group (“ISG”).

At this time, the Exchange proposes to amend Exchange Rule 402(i)(6) to permit the listing and trading of options on a Commodity-Based Trust that holds multiple crypto assets in addition to a Commodity-Based Trust that holds a single crypto asset. As amended, Exchange Rule 402(i)(6) would state,

(6) represent interests in a Commodity-Based Trust that meet the generic listing standards for Commodity-Based Trust Shares of the applicable primary listing market, except that the Commodity-Based Trust holds a single crypto asset or multiple crypto assets as defined in subparagraph (iii) below, provided that all of the following conditions are met:

Further, the Exchange proposes to amend Exchange Rule 402(i)(6)(iii) to state,

Additionally, with respect to a Commodity-Based Trust that meets the requirements of Exchange Rule 402(i)(6), the following requirements are satisfied: (A) the total global supply of each underlying crypto asset(s) held by the Commodity-Based Trust has an average daily market value of at least \$700 million over the last 12 months; and (B) each crypto asset held by the Commodity-Based Trust underlies a derivatives contract that trades on a market with which the Exchange has a comprehensive surveillance sharing agreement, whether directly or through common membership in the Intermarket Surveillance Group. For purposes of this rule the term “crypto asset” means an asset that is generated, issued and/or transferred using a blockchain or similar distributive ledger technology network, including but not limited to, assets known as “tokens,” “digital assets,” “virtual currencies,” and “coins” and that relies on cryptographic protocols.

With the addition of multiple crypto assets, the criteria would require each

underlying crypto asset to meet the total global supply figure and to underlie a derivative contract that trades on a market with which the Exchange has a comprehensive surveillance sharing agreement. The market value for each underlying crypto asset held by a Commodity-Based Trust will be calculated by taking the total global supply of the particular crypto asset multiplied by the token price of that asset.¹¹ The total supply of a crypto asset includes all crypto assets currently issued and does not include unissued crypto assets.¹²

As a result of this filing, the proposed listing criteria would permit a Commodity Based Trust that is generically listed on the applicable primary listing market and holds multiple crypto assets to qualify for the listing of options on that ETF, provided Exchange Rule 402(i)(6)(iii), as amended in the relevant part, has also been met, as well as the listing criteria in Exchange Rule 402(a) and (b), or Exchange Rule 402(i)(6)(i)(B).

Similar to options on any ETF, an option on a Commodity-Based Trust that meets the requirements of Exchange Rule 402(i)(6) would also be subject to the Exchange’s continued listing standards for options on ETFs set forth in Exchange Rule 403(g). Currently, pursuant to Exchange Rule 403(g), ETFs approved for options trading pursuant to Exchange Rule 402(i) will not be deemed to meet the requirements for continued approval, and the Exchange shall not open for trading any additional series of option contracts of the class covering that such ETFs, if the ETFs are delisted from trading pursuant to Exchange Rule 403(b)(4),¹³ are halted or suspended from trading in their primary market.¹⁴ With respect to options on Commodity-Based Trusts that are approved subject to Exchange Rule 402(i)(6), the Exchange proposes to amend Exchange Rule 403(g) to adopt a new subparagraph (3) which states, “In

¹¹ The market supply information can be obtained from publicly available sources such as [coingecko.com](https://www.coingecko.com) or [coinmarketcap.com](https://www.coinmarketcap.com).

¹² For example, if Bitcoin were the underlying crypto asset, the Exchange would consider the total supply of all Bitcoin currently issued instead of the maximum supply, which would be currently issued as well as unmined Bitcoin. As of March 10, 2026 Bitcoin’s total supply was 20,000,406 (the maximum supply is 21,000,000). See <https://www.coingecko.com/en/coins/bitcoin>. The Exchange would calculate market value by utilizing the total supply number multiplied by the Bitcoin price on that day.

¹³ Exchange Rule 403(b)(4) provides the Exchange will not open for trading any additional series of options on shares of an ETF if the ETF is no longer an NMS stock as defined in Rule 600 of Reg NMS under the Act.

¹⁴ See Exchange Rule 403(g).

⁹ See Securities Exchange Act Release No. 103995 (Sept. 17, 2025), 90 FR 45414 (Sept. 22, 2025) (Self-Regulatory Organizations; The Nasdaq Stock Market LLC; Cboe BZX Exchange, Inc.; NYSE Arca, Inc.; Order Granting Accelerated Approval of Proposed Rule Changes, as Modified by Amendments Thereto, To Adopt Generic Listing Standards for Commodity-Based Trust Shares) (SR–NASDAQ–2025–056; SR–CboeBZX–2025–104; SR–NYSEARCA–2025–54) (“Generic Listing Standards for Commodity-Based Trust Shares Approval”). The Exchange believes that it is appropriate to rely on the generic listing standards outlined by the primary listing market due to the potential proliferation of new primary listing markets and the Commission’s acknowledgment that the definition of shares of a Commodity-Based Trust across those primary listing markets is substantially identical.

¹⁰ Shares of the applicable Commodity-Based Trust trade as equity securities. See Securities Exchange Act Release No. 50603 (Oct. 28, 2004), 69 FR 64614, 64619 (Nov. 5, 2004) (SR–NYSE–2004–22) (approving the listing and trading of streetTRACKS Gold Shares) (“Spot Gold Approval Order”) and ETP Request for Comments, *infra* note 20, at 34731. See also Nasdaq Rule 5711(d)(ii); proposed BZX Rule 14.11(e)(4)(B); proposed NYSE Arca Rule 8.201–E(b) (Generic) (stating that Commodity-Based Trust Shares are included within the definition of a “security” as such term is used in the Exchanges’ rules and are subject to the Exchanges’ existing rules governing the trading of equity securities).

the case of options covering Exchange-Traded Fund Shares approved pursuant to Exchange Rule 402(i)(6), if the criteria in Exchange Rule 402(i)(6)(iii)(A) are no longer satisfied, as determined by the Exchange on a monthly basis, or if the criteria in Exchange Rule 402(i)(6)(iii)(B) are no longer satisfied.”¹⁵ This proposed new criteria would require ETFs that are listed pursuant to Exchange Rule 402(i)(6) to continue to meet the requirements of Exchange Rule 402(i)(6)(iii)(A) and (B). Additionally, this proposed new criteria, which would also be added to Exchange Rule 403(g)(1), would require ETFs that are listed pursuant to Exchange Rule 402(i)(6)(i)(A) to continue to meet the requirements of Exchange Rule 403 subparagraphs (b)(1), (2), (3) and (4) of Exchange Rule 403. The Exchange is proposing that the criteria in Exchange Rule 402(i)(6)(iii)(A) be met on a monthly basis while the criteria in Exchange Rule 402(i)(6)(iii)(B) be met on a daily basis. The Exchange believes that requiring the criteria in Exchange Rule 402(i)(6)(iii)(A) to be met on a monthly basis is reasonable given that the Exchange believes that it is unlikely that a crypto asset with an average daily market value of at least \$700 million over the previous twelve months would fail to meet that standard as a resulting of trading over a relatively short period of time. By way of example, if a crypto asset has a market capitalization of \$900 million and traded at that market capitalization for 15 days in a 20-day trading month, the crypto asset could lose a substantial amount of its value (up to 88%) and still meet the criteria. Similarly, a crypto asset with a market capitalization of \$500 million for 15 days in a 20-day trading month, would have to achieve a market capitalization of \$1.3 billion (a 160% increase) in the last 5 days to meet the criteria. Given the unlikelihood that there would be a huge movement over a month’s period of time and considering the work that would be required to calculate the criteria on a daily basis as compared to each month, the Exchange believes that the proposed continued listing obligation for the average daily market value criteria is sufficient. Further, options on Commodity-Based Trusts that are approved subject to Exchange Rule 402(i)(6) would continue to be subject to Exchange Rule 403(g)(5), as renumbered, which states that the Exchange may consider suspending open transactions in options on an ETF if, “such other event occurs or condition

exists that in the opinion of the Exchange makes further dealing in such options on the Exchange inadvisable.” The Exchange may determine at any point to delist an option on a Commodity-Based Trust that may not have sufficient liquidity or market demand.

Consistent with current Exchange Rule 404, which governs the opening of options series on a specific underlying security (including ETFs), the Exchange will open at least one expiration month¹⁶ for options on Commodity-Based Trusts that are approved subject to Exchange Rule 402(i)(6) and may also list series of options on Commodity-Based Trust Share for trading on a weekly,¹⁷ monthly,¹⁸ or quarterly¹⁹ basis. The Exchange may also list long-term equity option series (“LEAPS”) that expire from 12 to 39 months from the time they are listed.²⁰

Pursuant to Exchange Rule 404, Interpretation and Policy .06, which governs strike prices of series of options on ETFs, the interval between strike prices of series of options on ETFs approved for options trading pursuant to Exchange Rule 402(i) shall be fixed at a price per share which is reasonably close to the price per share at which the underlying security is traded in the primary market at or about the same time such series of options is first open for trading on the Exchange, or at such intervals as may have been established on another options exchange prior to the

¹⁶ See Exchange Rule 404(b). The monthly expirations are subject to certain listing criteria for underlying securities described within Exchange Rule 404 and its Interpretations and Policies. Monthly listings expire the third Friday of the month. The term “expiration date” (unless separately defined elsewhere in the OCC By-Laws), when used in respect of an option contract (subject to certain exceptions), means the third Friday of the expiration month of such option contract, or if such Friday is a day on which the exchange on which such option is listed is not open for business, the preceding day on which such exchange is open for business. See OCC By-Laws Article I, Section 1. Pursuant to Exchange Rule 404(c), additional series of options of the same class may be opened for trading on the Exchange when the Exchange deems it necessary to maintain an orderly market, to meet customer demand or when the market price of the underlying stock moves more than five strike prices from the initial exercise price or prices. Pursuant to Exchange Rule 404(e), new series of options on an individual stock may be added until the beginning of the month in which the options contract will expire. Due to unusual market conditions, the Exchange, in its discretion, may add a new series of options on an individual stock until the close of trading on the business day prior to expiration.

¹⁷ See Exchange Rule 404, Interpretation and Policy .02.

¹⁸ See Exchange Rule 404, Interpretation and Policy .13.

¹⁹ See Exchange Rule 404, Interpretation and Policy .03.

²⁰ See Exchange Rule 406.

initiation of trading on the Exchange. With respect to the Short Term Options Series or Weekly Program, during the month prior to expiration of an option class that is selected for the Short Term Option Series Program, the strike price intervals for the related non-Short Term Option (“Related non-Short Term Option”) shall be the same as the strike price intervals for the Short Term Option.²¹ Specifically, the Exchange may open for trading Short Term Option Series at strike price intervals of (i) \$0.50 or greater where the strike price is less than \$100, and \$1 or greater where the strike price is between \$100 and \$150 for all option classes that participate in the Short Term Options Series Program; (ii) \$0.50 for option classes that trade in one dollar increments and are in the Short Term Option Series Program; or (iii) \$2.50 or greater where the strike price is above \$150.²² Additionally, the Exchange may list series of options pursuant to the \$1 Strike Price Interval Program,²³ the \$0.50 Strike Program,²⁴ and the \$2.50 Strike Price Program.²⁵ Pursuant to Exchange Rule 510, where the price of a series of options on a Commodity-Based Trust is less than \$3.00, the minimum increment will be \$0.05, and where the price is \$3.00 or higher, the minimum increment will be \$0.10²⁶ consistent with the minimum increments for options on other ETFs listed on the Exchange. Any and all new series of a Commodity-Based Trust options that the Exchange lists will be consistent and comply with the expirations, strike prices, and minimum increments set forth in Rules 404 and 510, as applicable.

Further, options on Commodity-Based Trusts that are approved subject to Exchange Rule 402(i)(6) would trade in the same manner as options on other ETFs on the Exchange. The Exchange Rules that currently apply to the listing and trading of all options on ETFs on the Exchange, including, for example, Rules that govern listing criteria, expirations, exercise prices, minimum increments, position and exercise limits, margin requirements, customer accounts and trading halt procedures would apply to the listing and trading of options on Commodity-Based Trusts that are approved subject to Exchange Rule 402(i)(6) in the same manner.

²¹ See Exchange Rule 404, Interpretation and Policy .02(e).

²² *Id.*

²³ See Exchange Rule 404, Interpretation and Policy .01.

²⁴ See Exchange Rule 404, Interpretation and Policy .04.

²⁵ See Exchange Rule 404(f).

²⁶ See Exchange Rule 510.

¹⁵ The Exchange would renumber the remaining paragraphs of Exchange Rule 403(g).

Position and exercise limits for options on Commodity-Based Trusts that are approved pursuant to Exchange Rule 402(i)(6) would be determined pursuant to MIAx Rules 307 and 309, respectively, as is the case for other options on other ETFs. Position and exercise limits for options on ETF vary according to the number of outstanding shares and the trading volumes of the underlying ETF over the past six months, where the largest in capitalization and the most frequently traded ETFs have an option position and exercise limits of 250,000 contracts (with adjustments for splits, re-capitalizations, etc.) on the same side of the market; and smaller capitalization ETFs have position and exercise limits of 200,000, 75,000, 50,000 or 25,000 contracts (with adjustments for splits, re-capitalizations, etc.) on the same side of the market. Further, Exchange Rule 1502, which governs margin requirements applicable to trading on the Exchange, including options on ETFs, will also apply to the trading of options on a Commodity-Based Trusts listed pursuant to Exchange Rule 402(i)(6).

The Exchange represents that the same surveillance procedures applicable to all other options on other ETFs currently listed and traded on the Exchange will apply to the trading of options on Commodity-Based Trusts that are approved subject to Exchange Rule 402(i)(6).²⁷ The Exchange represents that it has the necessary systems capacity to support the new option series. The Exchange believes that its existing surveillance and reporting safeguards are designed to deter and detect possible manipulative behavior which might potentially arise from listing and trading options on ETFs, including the listing of options on Commodity-Based Trusts that are approved subject to Exchange Rule 402(i)(6). Also, the Exchange may obtain information from designated contract markets that are members of the ISG related to a financial instrument that is based, in whole or in part, upon an interest in or performance of a crypto asset, as applicable. The Exchange has specified in proposed Exchange Rule 402(i)(6) that each crypto asset held by the Commodity-Based Trust must underlie a derivatives contract that trades on a market with which the Exchange has a comprehensive surveillance sharing agreement, whether directly or through common

membership in ISG.²⁸ The Exchange will be required to ensure that this requirement is met prior to listing options on a Commodity-Based Trust listed pursuant to proposed Exchange Rule 402(i)(6).

Additionally, the Exchange has also analyzed its capacity and represents that it believes the Exchange and the Options Price Reporting Authority or "OPRA" have the necessary systems capacity to handle the additional traffic associated with the listing of new series of ETFs, including options on Commodity-Based Trusts, that are approved subject to Exchange Rule 402(i)(6), up to the number of expirations currently permissible under the Exchange Rules.

Finally, today, the Exchange lists and trades options on ETFs that would qualify for listing as an option on a Commodity-Based Trust under proposed Exchange Rule 402(i)(6),²⁹ and it has not identified any issues with the listing and trading of options on those ETFs.

2. Statutory Basis

The Exchange believes the proposed rule change is consistent with the Act and the rules and regulations thereunder applicable to the Exchange and, in particular, the requirements of Section 6(b) of the Act.³⁰ Specifically, the Exchange believes the proposed rule change is consistent with the Section 6(b)(5)³¹ requirements that the rules of an exchange be designed to prevent fraudulent and manipulative acts and practices, to promote just and equitable principles of trade, to foster cooperation and coordination with persons engaged in regulating, clearing, settling, processing information with respect to, and facilitating transactions in securities, to remove impediments to and perfect the mechanism of a free and open market and a national market system, and, in general, to protect investors and the public interest. Additionally, the Exchange believes the

proposed rule change is consistent with the Section 6(b)(5)³² requirement that the rules of an exchange not be designed to permit unfair discrimination between customers, issuers, brokers, or dealers.

In particular, the Exchange believes that its proposal to permit Commodity-Based Trust Shares that hold multiple crypto assets to be listed and traded without the need for additional approvals, will remove impediments to and perfect the mechanism of a free and open market and a national market system and, in general, protect investors because it would allow the Exchange to immediately list and trade qualifying options on Commodity-Based Trusts, provided the initial listing criteria has been met, without any additional approvals from the Commission.

Specifically, the Exchange's proposal to adopt Exchange Rule 402(i)(6) to allow the listing and trading of options on units that represent interests in Commodity-Based Trusts that meet the generic listing standards for Commodity-Based Trust Shares of the applicable primary listing market,³³ and hold multiple crypto assets in addition to single crypto assets, is consistent with the Act because it will permit the Exchange to offer options on Commodity-Based Trusts soon after the listing of the ETF on the primary listing market, provided that all the generic listing standards for that Commodity-Based Trust on that primary listing market have been met. Listing these options will avail market participants of the opportunity to hedge their positions in the Commodity-Based Trusts in a timely manner, thereby providing investors with the ability to hedge their exposure to the underlying Commodity-Based Trust. Options on Commodity-Based Trusts benefits investors, similar to the listing of any other option on an ETF, by providing investors with a relatively lower-cost risk management tool to manage their positions and associated risk in their portfolios more easily in connection with exposure to the price of a crypto asset. Additionally, listing options on Commodity-Based Trusts provides investors with the ability to transact in such options on a listed market as opposed to the OTC options market, which increases market transparency and enhances the process of price discovery to the benefit of all investors.

Also, this proposal would permit options on Commodity-Based Trusts to be listed on the Exchange in the same manner as all other securities that are subject to the current listing criteria in

²⁸ There are a number of futures contracts on digital asset commodities that are listed and trading on the CME and Coinbase Derivatives, both of which are ISG members. See <https://www.cmegroup.com/markets/cryptocurrencies.html#products>. See also <https://www.coinbase.com/derivatives>.

²⁹ The following ETFs currently have options listed on them on the Exchange: iShares Bitcoin Trust, the Fidelity Wise Origin Bitcoin Fund, the ARK21Shares Bitcoin ETF, the Grayscale Bitcoin Trust (BTC), the Grayscale Bitcoin Mini Trust BTC, and the Bitwise Bitcoin ETF. See Exchange Rule 402(i)(4). The Exchange filed rule proposals and received the appropriate regulatory notice or approval to list the aforementioned options on the ETFs.

³⁰ 15 U.S.C. 78f(b).

³¹ 15 U.S.C. 78f(b)(5).

³² *Id.*

³³ See *supra* note 9.

²⁷ The surveillance program includes real-time patterns for price and volume movements and post-trade surveillance patterns (e.g., spoofing, marking the close, ping, phishing).

Exchange Rule 402. The Exchange notes that the majority of ETFs are able to list and trade options once the initial listing criteria have been met without the need for additional approvals. The proposed rule change would allow options on certain Commodity-Based Trusts to likewise list and trade options once the initial listing criteria on the primary listing market have been met without the need for additional approvals.

As proposed, the Exchange would list options in a Commodity-Based Trust that met the generic criteria of the applicable primary listing market, provided the Commodity-Based Trust held multiple crypto assets. Further, each crypto asset held by the Commodity-Based Trust would also be required to satisfy the conditions in proposed Exchange Rule 402(i)(6)(iii), which requires that (A) the total global supply of each underlying crypto asset held by the Commodity-Based Trust has an average daily market value of at least \$700 million over the last 12 months; and (B) each crypto asset held by the Commodity-Based Trust underlie a derivatives contract that trades on a market with which the Exchange has a comprehensive surveillance sharing agreement, whether directly or through common membership in the ISG.

These requirements are consistent with the Act and the protection of investors as they should ensure that each crypto asset held by the underlying ETF has sufficient liquidity prior to listing options, which will serve to prevent disruption to the underlying market. The Exchange believes that market supply serves as a good measure of liquidity to permit options trading in options on Commodity-Based Trusts that holds multiple crypto assets. Requiring each underlying crypto asset to have a requisite amount of deliverable supply, in addition to all the other criteria the ETF is required to have under the applicable primary listing market rules, should ensure adequate liquidity prior to listing. Further, ensuring each crypto asset held by the Commodity-Based Trust underlies a derivatives contract that trades on a market with which the Exchange has a comprehensive surveillance sharing agreement, whether directly or through common membership in the ISG, will provide the Exchange with information to adequately surveil options on qualifying Commodity-Based Trusts. Today, the Exchange has a comprehensive surveillance sharing agreement in place with both the CME and Coinbase Derivatives through its common membership in ISG. This facilitates the sharing of information that is available to the CME and

Coinbase Derivatives through their surveillance of their respective markets, including their surveillance of their respective digital asset futures markets.

The Exchange also believes the proposed rule change will remove impediments to and perfect the mechanism of a free and open market and a national market system, because it is consistent with current Exchange Rules, previously filed with the Commission. Options on qualifying Commodity-Based Trusts must satisfy the initial listing standards and continued listing standards currently in the Exchange Rules applicable to options on all ETFs, including ETFs that hold other crypto assets already deemed appropriate for options trading on the Exchange in addition to the proposed criteria.

Further, the proposal adopts new subparagraph (3) to Exchange Rule 403(g) which will require each crypto asset held by a Commodity-Based Trust to continue to meet the requirement of Exchange Rule 402(i)(6)(iii)(A) on a monthly basis and for the criteria in Exchange Rule 402(i)(6)(iii)(B) to be met on a continuous basis. Accordingly, each crypto asset held by a Commodity-Based Trust must continue to have a total global supply with an average daily market value of at least \$700 million over the last 12 months, and also must continue to underlie a derivatives contract that trades on a market with which the Exchange has a comprehensive surveillance sharing agreement, whether directly or through common membership in the ISG. The Exchange believes that this continued listing standard, in addition to requirements of Rule 402(i) would protect investors and the public interest by ensuring that the crypto assets held by the Commodity-Based Trust continue to remain liquid. The Exchange believes that requiring the criteria in Exchange Rule 402(i)(6)(iii)(A) on a monthly basis is consistent with the Act and the protection of investors given that the Exchange believes that it is unlikely that a crypto asset with an average daily market value of at least \$700 million over the previous twelve months would fail to meet that standard as a resulting of trading over a relatively short period of time. By way of example, if a crypto asset has a market capitalization of \$900 million and traded at that market capitalization for 15 days in a 20-day trading month, the crypto asset could lose a substantial amount of its value (up to 88%) and still meet the criteria. Similarly, a crypto asset with a market capitalization of \$500 million for 15 days in a 20-day trading month, would have to achieve a market capitalization

of \$1.3 billion (a 160% increase) in the last 5 days to meet the criteria. Given the unlikelihood that there would be a huge movement over a month's period of time and considering the work that would be required to calculate the criteria on a daily basis as compared to each month, the Exchange believes that the proposed continued listing obligation for the average daily market value criteria is sufficient. Further, options on Commodity-Based Trusts that are approved subject to Exchange Rule 402(i)(6) would continue to be subject to exchange Rule 403(g)(5), as renumbered, which states that the Exchange may consider suspending open transactions in options on an ETF if, "such other event occurs or condition exists that in the opinion of the Exchange makes further dealing in such options on the Exchange inadvisable." The Exchange may determine at any point to delist an option on a Commodity-Based Trust that may not have sufficient liquidity or market demand.

Options on qualifying Commodity-Based Trusts would trade in the same manner as any other ETF options—the same Exchange Rules that currently govern the listing and trading of all ETF options, including permissible expirations, strike prices and minimum increments, and applicable position and exercise limits and margin requirements, will govern the listing and trading of options on qualifying Commodity-Based Trusts.

The Exchange represents that it has the necessary systems capacity to support the listing and trading of options on qualifying Commodity-Based Trusts. The Exchange believes that its existing surveillance and reporting safeguards are designed to deter and detect possible manipulative behavior which might arise from listing and trading of these options on Commodity-Based Trust, particularly in light of the additional requirement that each crypto asset held by the Commodity-Based Trust underlies a derivatives contract that trades on a market with which the Exchange has a comprehensive surveillance sharing agreement, whether directly or through common membership in ISG.

Finally, today, the Exchange lists and trades options on ETFs that would qualify for listing as an option on a Commodity-Based Trust under proposed Exchange Rule 402(i)(6),³⁴ and

³⁴ The following ETFs currently have options listed on them on the Exchange: iShares Bitcoin Trust, the Fidelity Wise Origin Bitcoin Fund, the ARK21Shares Bitcoin ETF, the Grayscale Bitcoin Trust (BTC), the Grayscale Bitcoin Mini Trust BTC,

it has not identified any issues with the listing and trading of options on those ETFs.

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 regard and as indicated above, the Exchange notes that the rule change is being proposed as a competitive response to the filing submitted by ISE.³⁵

The Exchange does not believe that the proposal to amend the listing criteria at Exchange Rule 402(i)(6), with respect to ETFs, to adopt new criteria to permit the listing and trading of options on certain Commodity-Based Trusts that hold multiple crypto assets and that were listed pursuant to the generic listing standards for Commodity-Based Trust Shares of the applicable primary listing market, without the need for additional approvals, will impose any burden on intramarket competition that is not necessary or appropriate in furtherance of the purposes of the Act. Options on qualifying Commodity-Based Trusts would need to satisfy the initial listing standards set forth in the Exchange Rules in the same manner as any other ETF before the Exchange could list options on them. Additionally, options on qualifying Commodity-Based Trusts will be equally available to all market participants who wish to trade such options. The Exchange Rules currently applicable to the listing and trading of options on ETFs on the Exchange will apply in the same manner to the listing and trading of all options on qualifying Commodity-Based Trusts.

Additionally, the Exchange notes that listing and trading options on qualifying Commodity-Based Trusts on the Exchange will subject such options to transparent exchange based rules as well as price discovery and liquidity, as opposed to alternatively trading such options in the OTC market. The Exchange believes that the proposed rule change may relieve any burden on, or otherwise promote, competition as it is designed to increase competition for order flow on the Exchange in a manner that is beneficial to investors by providing them with a lower-cost option to hedge their investment portfolios in a timely manner.

and the Bitwise Bitcoin ETF. See Exchange Rule 402(i)(4). The Exchange filed rule proposals and received the appropriate regulatory notice or approval to list the aforementioned options on the ETFs.

³⁵ See *supra* note 4.

The Exchange does not believe that the proposal to adopt new listing criteria at Exchange Rule 402(i)(6) to permit the listing and trading of certain options on certain Commodity-Based Trusts that hold multiple crypto assets and that were listed pursuant to the generic listing standards for Commodity-Based Trust Shares of the applicable primary listing market, without the need for additional approvals, will impose any burden on intermarket competition that is not necessary or appropriate in furtherance of the purposes of the Act. Other options exchanges are free to amend their applicable rules to permit them to list and trade options on Commodity-Based Trusts that hold multiple crypto assets.

C. Self-Regulatory Organization's Statement on Comments on the Proposed Rule Change Received From Members, Participants, or Others

Written comments were neither solicited nor received.

III. Date of Effectiveness of the Proposed Rule Change and Timing for Commission Action

Within 45 days of the date of publication of this notice in the **Federal Register** or within such longer period up to 90 days (i) as the Commission may designate if it finds such longer period to be appropriate and publishes its reasons for so finding or (ii) as to which the Exchange consents, the Commission will:

- A. by order approve or disapprove such proposed rule change, or
- B. institute proceedings to determine whether the proposed rule change should be 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-PEARL-2026-15 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-PEARL-2026-15. 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-PEARL-2026-15 and should be submitted on or before May 7, 2026.

For the Commission, by the Division of Trading and Markets, pursuant to delegated authority.³⁶

Sherry R. Haywood,
Assistant Secretary.

[FR Doc. 2026-07352 Filed 4-15-26; 8:45 am]

BILLING CODE 8011-01-P

SECURITIES AND EXCHANGE COMMISSION

[Release No. 34-105214; File No. SR-CMESC-2026-002]

Self-Regulatory Organizations; CME Securities Clearing Inc.; Order Approving Proposed Rule Change To Modify the CME Securities Clearing Inc. Amended and Restated By-Laws, Board of Directors Charter, Risk Management Committee Charter, Nominating Committee Charter, and Audit Committee Charter

April 13, 2026.

I. Introduction

On February 26, 2026, CME Securities Clearing Inc. ("CMESC") filed with the Securities and Exchange Commission ("Commission") proposed rule change CMESC-2026-002, 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 modify the Amended and Restated By-Laws of CME Securities Clearing Inc. ("By-Laws"), the Board of Directors Charter ("Board Charter"), the Risk Management Committee Charter, the Nominating Committee Charter, the Audit Committee Charter, and the

³⁶ 17 CFR 200.30-3(a)(12).

¹ 15 U.S.C. 78s(b)(1).

² 17 CFR 240.19b-4.

Regulatory Oversight Committee Charter (collectively, the “Committee Charters”). The proposed rule change was published for comment in the **Federal Register** on March 12, 2026.³ The Commission has received no comments on the changes proposed.

For the reasons discussed below, the Commission is approving the proposed rule change.

II. Background

On December 13, 2024, CMESC filed with the Commission its application on Form CA-1 (“Application”) for registration as a clearing agency to provide central counterparty services for transactions involving U.S. Treasury securities. The Commission published notice of the Application in the **Federal Register** on January 22, 2025.⁴ The Application contained certain proposed governance documents, including CMESC’s By-Laws,⁵ Board of Directors Charter,⁶ Risk Management Committee Charter,⁷ Nominating Committee Charter,⁸ Audit Committee Charter,⁹ and Regulatory Oversight Committee Charter.¹⁰ Together, these governance documents constitute CMESC’s governance framework as a registered, operating clearing agency (“Governance Framework”). On December 1, 2025, the Commission issued an order granting CMESC’s Application for registration as a clearing agency, finding that the Application satisfied the requirements of the Act and rules and regulations thereunder.¹¹ In the order, the

Commission discussed CMESC’s governance arrangements as reflected in the foregoing governance documents and found that “CMESC is so organized and has the capacity to be able to facilitate the prompt and accurate clearance and settlement of securities transactions and to comply with the provisions of the Exchange Act and the rule[s] and regulations thereunder.”¹²

CMESC states that, as a newly registered clearing agency, it does not have any operating history and is in the early stage of engaging with prospective Members and Users that are to be represented on its Board and, therefore, the adoption of the Governance Framework requires CMESC to take certain steps in sequence.¹³ As the initial step to adopt the Governance Framework, CMESC states that the current CMESC Board or CMESC’s stockholder will adopt the By-Laws in accordance with CMESC’s current By-Laws,¹⁴ and that, upon adoption of the By-Laws, the Secretary will call a special stockholders meeting to elect Directors, consistent with the requirements of Article III, Section 1 of the By-Laws.¹⁵ After the new Board is constituted, CMESC states that it will undertake formal Board actions to adopt the Board Charter and Committee Charters and appoint members to the Nominating Committee and other Committees in accordance with the Committee Charters and, once constituted, the Nominating Committee and other Committees will assume their responsibilities under their respective Committee Charters.¹⁶ CMESC further states that the Nominating Committee will review the classification of each Director elected to the initial Board to verify the Director’s classification as an Independent Director or non-Independent Director.¹⁷

CMESC states that it is necessary for CMESC to make certain modifications to the By-Laws, Board Charter, and Committee Charters to provide the flexibility needed to facilitate composing and standing up the new Board and to smooth the implementation of the Governance Framework.¹⁸

III. Description of the Proposed Rule Change

The proposed rule change would modify the Board Charter to provide flexibility in the initial number of Directors on the Board and to reflect a transition from a staggered Board structure to a unitary Board elected annually, as well as to clarify the Board’s responsibilities and standards for conducting its meetings. Conforming clarifications would also be made to the Amended and Restated By-Laws and the Nominating Committee Charter to align those documents with the annual Board term structure and its flexible initial size and to update cross-references. In addition, the Risk Management Committee Charter would be revised to add oversight of CMESC’s Enterprise Risk Management Framework, and the Audit Committee Charter would be amended to correct a technical cross-reference. Finally, non-substantive clarifying changes would be made to each Committee Charter to clarify that a majority of its Directors must be Independent Directors, along with other non-substantive clarifying and conforming edits. The proposed changes are described in more detail below.

A. Changes to the By-Laws

The proposed rule change would make several changes to the By-Laws. First, Article III, Section 1 (“Number, Composition, and Election of Directors”) would remove the current discussion regarding the initial sizing of the Board of Directors (as initially being two and then increased to nine upon adopting of the by-laws). CMESC states that it is more appropriate to address the size of the initial Board in the Board Charter, as described in part III.B below.¹⁹ CMESC states that this flexibility to appoint fewer than nine Directors to the first Board is consistent with the existing authority under Article III Section 1 of the By-Laws to appoint between one and fifteen directors.²⁰

Second, Section 1 of Article III would clarify that the Nominating Committee process for reviewing and recommending candidates to serve on the Board will apply to the first Board to be elected after the election of the initial Board following adoption of the By-Laws.²¹

³ See Securities Exchange Act Release No. 104955 (Mar. 9, 2026), 91 FR 12224 (Mar. 12, 2026) (File No. SR-CMESC-2026-002) (“Notice of Filing”).

⁴ Securities Exchange Act Release No. 102200 (Jan. 15, 2025), 90 FR 7713 (Jan. 22, 2025). Non-confidential aspects of the Application, including any exhibits thereto cited in this order, are available on the Commission’s website at: <https://www.sec.gov/rules-regulations/other-commission-orders-notices-information/cme-form-ca-1>.

⁵ See Exhibit E-2A(2) to Form CA-1, available at <https://www.sec.gov/files/cmesc-ca-1-exhibit-e-2a-2-amended-restated-bylaws-12-13-24.pdf>.

⁶ See Exhibit E-2B to Form CA-1, available at <https://www.sec.gov/files/cmesc-ca-1-exhibit-e-2b-board-directors-charter-12-13-24.pdf>.

⁷ See Exhibit E-2C to Form CA-1, available at <https://www.sec.gov/files/cmesc-ca-1-exhibit-e-2c-risk-management-committee-charter-12-13-24.pdf>.

⁸ See Exhibit E-2D to Form CA-1, available at <https://www.sec.gov/files/cmesc-ca-1-exhibit-e-2d-nominating-committee-charter-12-13-24.pdf>.

⁹ See Exhibit E-2E to Form CA-1, available at <https://www.sec.gov/files/cmesc-ca-1-exhibit-e-2e-audit-committee-charter-12-13-24.pdf>.

¹⁰ See Exhibit E-2F to Form CA-1, available at <https://www.sec.gov/files/cmesc-ca-1-exhibit-e-2f-regulatory-oversight-committee-charter-12-13-24.pdf>.

¹¹ Securities Exchange Act Release No. 104281 (Dec. 1, 2025), 90 FR 55926 (Dec. 4, 2025), available at <https://www.federalregister.gov/documents/2025/12/04/2025-21908/cme-securities-clearing-inc-order-granting-an-application-for-registration-as-a-clearing-agency> (“CMESC Registration Approval”).

¹² *Id.* at 55932.

¹³ See Notice of Filing, *supra* note 3, at 12225.

¹⁴ See Exhibit E-2A(1) to Form CA-1, available at <https://www.sec.gov/files/cmesc-ca-1-exhibit-e-2a-1-initial-bylaws-12-13-24.pdf>. Article IX sets forth the provisions for adoption of amendments to the By-Laws.

¹⁵ See Notice of Filing, *supra* note 3, at 12225.

¹⁶ *Id.*

¹⁷ *Id.*

¹⁸ *Id.*

¹⁹ *Id.* at 12226.

²⁰ *Id.*

²¹ CMESC states that, following its appointment, the Nominating Committee will also have other responsibilities under the Nominating Committee Charter, which would include nominating candidates to fill any vacancy that may occur on the Board including a vacancy on the initial Board, and its role in verifying the classification of a Director

Third, the proposed rule change would modify the manner of filling an officer vacancy in Article IV (“Officers”), Section 2 (“Election”). Currently, Article IV, Section 2 of the By-Laws provides that officer vacancies shall be filled by the Board, which, according to CMESC, contradicts certain provisions in the other governance documents.²² The proposed rule change would modify the relevant language in Article IV, Section 2 to state that officer vacancies shall be filled as specified in the By-Laws or any Board committee charter. Similarly, the proposed rule change would remove the language in the same paragraph regarding the salaries of all officers being fixed by the Board to take into consideration that the compensation of certain officers may not be fixed by the Board under certain existing Board committee charters.

Finally, the proposed rule change would create a defined term “Annual Meeting” in Article II, Section 2 to refer to the annual meeting of Stockholders.

B. Changes to the Board Charter

The proposed changes to the Board Charter relate to composing and standing up the new CMESC Board. First, the proposed rule change would modify the second bullet under Section II (“Board Composition”) to reflect that the initial Board would include no more than nine Directors. The proposed rule change would also provide that the number of Directors on the Board shall continually be composed of a sufficient number of Directors to meet the composition requirements described in the Board Charter, which would be subject to the provisions of the By-Laws (*i.e.*, in Section I of Article III regarding the election of the initial Board following adoption of the By-Laws.²³

Second, the proposed rule change would change the staggered (classified) Board structure to a non-classified Board structure with a unitary annual term by eliminating Section IV (“Term of Office; Classes”) entirely and revising the existing Section V (“Election of Directors”) to provide that the Directors will be elected by the Stockholder at the Annual Meeting of the Stockholder and that each Director so elected will serve until the end of the annual term or until

the Director’s earlier death, resignation, or removal. CMESC states that, on further consideration, a staggered or classified Board structure, which is often utilized by Delaware corporations as an anti-takeover defense mechanism, is not an appropriate structure for CMESC.²⁴ CMESC states that, as a registered clearing agency, it does not need a staggered Board structure as a defense mechanism, and a staggered Board structure would unnecessarily complicate the process of composing the Board and administering the terms of the Directors.²⁵ As a result of removing Section IV, Section V (“Election of Directors”) would be renumbered as Section IV and “Term of Office” would be added to the heading of the new Section IV. In addition, the proposed rule change would capitalize the term “annual meeting” throughout the new Section IV to clarify that it is a defined term.

Third, the proposed rule change would add language to Section I (“Purpose”) to specify the standards and obligations of the Board of Directors in fulfilling its responsibilities. Specifically, the proposed rule change would add new language as a third bullet under Section I to require the Board, in fulfilling its responsibilities, to consider the legitimate interests of Members and Users, and prioritize the overall risk management, safety, and efficiency of CMESC, including its obligations to facilitate and promote the prompt and accurate clearance and settlement of securities transactions and to assure safeguarding securities and funds, and generally support the stability of the broader financial system in accordance with best practices in the industry. CMESC states that this language is designed to provide greater transparency to Directors of the Board and the public regarding the Board’s responsibilities.²⁶

The proposed rule change would also add language to existing Section VIII (“Meetings”)—to be re-numbered as Section VII after the proposed removal of existing Section IV—to state considerations the Board should take into account when evaluating a proposal. Specifically, when evaluating a proposal in front of the Board, the Board of Directors would be required to take into account all factors that the Board of Directors deems relevant, including, to the extent deemed relevant: (i) the potential impact of the proposal on the integrity, continuity,

and stability of the Corporation, on the ability to prevent fraudulent and manipulative acts and practices, and on investors and the public, and (ii) whether such proposal would promote the prompt and accurate clearance and settlement of securities transactions and, to the extent applicable, derivative agreements, contracts, and 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, foster cooperation and coordination with persons engaged in the clearance and settlement of securities transactions, and remove impediments to and perfect the mechanism of a national system for the prompt and accurate clearance and settlement of securities transactions, in light of the nature of CMESC and its operations as a registered clearing agency and its status as a self-regulatory organization. CMESC states that this language is consistent with the statutory requirements and the clearing agency standards promulgated by the Commission under the statute and provides greater transparency to Board Directors and the public regarding the Board’s responsibilities.²⁷

Finally, the proposed rule change would modify the Board Charter to improve clarity, maintain consistency among various governance documents, and correct certain errors, including:

- Clarifying that it is the Nominating Committee’s responsibility, with support from the Secretary, to broadly consider all relevant facts and circumstances to evaluate, determine, and document, as necessary, whether reported new relationships or changes to existing relationships may likely impair the categorization of a Director as an Independent Director and preclude a Director from being an Independent Director in the fifth bullet under Section II.

- Making non-substantive revisions to the existing fourth, fifth, and sixth sub-bullets under the fifth bullet of Section II to combine them into a new sub-bullet to create a new defined term “Interested Party” to refer to the types of third-party organization, entity, or outside auditor described in the existing sub-bullets under the existing fifth bullet of Section II. CMESC states that this new sub-bullet continues to be closely aligned with Rules 17ad–25(f)(4), (5) and (6) of the Act.²⁸ It also states that the revisions are designed to improve drafting efficiency by incorporating the new defined term “Interested Party” and

as an Independent Director or a non-Independent Director. *Id.*

²² *Id.* For example, the Regulatory Oversight Committee Charter provides that if the Chief Compliance Officer position becomes vacant, the Head of the Corporation shall appoint a successor, subject to the approval of the Regulatory Oversight Committee. See Exhibit E–2F to Form CA–1, available at <https://www.sec.gov/files/cmesc-ca-1-exhibit-e-2f-regulatory-oversight-committee-charter-12-13-24.pdf>. *Id.*

²³ *Id.*

²⁴ See Notice of Filing, *supra* note 3, at 12226.

²⁵ *Id.*

²⁶ See *id.* and Amended and Restated By-Laws, Art. III, Sec. 3(c), Art. X, Sec. 1.

²⁷ See Notice of Filing, *supra* note 3, at 12227.

²⁸ See Notice of Filing, *supra* note 3, at 12227 and 17 CFR 240.17ad–25(f)(4)–(6).

allow the subsequent sub-bullets (*i.e.*, existing seventh and eighth sub-bullets) to conveniently use the term “Interested Party” to refer to the type of third-party organization, entity or outside auditor described in Rule 17ad–25(f)(4)–(6) with respect to disclosure and monitoring of a Director’s relationships and relationships of the Director’s family members with CMESC, its affiliates, or Interested Parties that could affect the Director’s categorization as an Independent Director.²⁹

- Clarifying that the Chairman of the Board shall be selected by the Board “on an annual basis” in Section III (“Chairman of the Board”), which is consistent with the new annual term of the Board under the proposed declassified (non-staggered) Board structure.

- Removing reference to “the President” from existing Section VII (“Removal and Resignation”)—which will become Section VI after the proposed removal of Section IV—to clarify that “President” is not an officer position in CMESC.

C. Changes to the Risk Management Committee Charter

The proposed rule change would clarify the text prescribing the composition requirements for the Risk Management Committee (“CSRMC”) in the Risk Management Committee Charter. Specifically, the proposed rule change would revise the first bullet in Section II (“Membership & Organization”) to clarify that a majority of the Directors serving on the CSRMC must be Independent Directors, the same as required for the Board, rather than the existing language “in at least the same majority percentage as required for the Board,” which CMESC states does not accurately reflect the original intent.³⁰

The proposed rule change would also clarify the responsibilities of the CSRMC. Specifically, the proposed rule change would add two bullets to Section IV (“CSRMC Meetings, Tasks and Authority”) under “Responsibilities.” The first proposed bullet would require the CSRMC to provide oversight of CMESC’s Enterprise Risk Management Framework (“ERMF”), including annual review of the ERMF and review and approval of substantive changes to the ERMF, as well as a requirement to annually submit a recommendation to the Board to approve the ERMF. The second proposed bullet would require the CSRMC to review the quarterly

Enterprise Risk Profile report on CMESC’s enterprise risks. CMESC states that the proposed additions clarify the CSRMC’s responsibilities, which is critical to CMESC’s overall risk management.³¹

D. Changes to the Nominating Committee Charter

The proposed rule change would also clarify the text in the Nominating Committee Charter that prescribes the composition of the Nominating Committee. Specifically, the proposed rule change would revise the first bullet in Section II (“Membership & Organization”) to clarify that a majority of the Directors serving on the Nominating Committee (as with the Board) shall be Independent Directors, rather than the existing language “in at least the same majority percentage as required for the Board,” which CMESC states does not accurately reflect the original intent.³²

The proposed rule change would also make certain conforming changes to the Nominating Committee Charter, as follows:

- Changing the existing language regarding Board nominations to reflect the proposed change from a staggered Board structure to a declassified (non-staggered) Board structure with a unitary annual term.
- Changing a cross-reference located in Section IV (“Nominating Committee Meetings, Tasks and Authority”) under “Responsibilities” to Section V, reflecting the proposed removal of Section IV from the Board of Directors Charter.

E. Changes to the Audit Committee Charter

The proposed rule change would clarify the text prescribing the composition of the Audit Committee. Specifically, the proposed rule change would revise the first bullet in Section II (“Membership & Organization”) to clarify that a majority of the Directors serving on the Audit Committee (as with the Board) shall be Independent Directors, rather than the existing language “in at least the same majority percentage as required for the Board,” which CMESC states does not accurately reflect the original intent.³³

CMESC is also proposing to correct a cross-reference located in Section VII (“Confidentiality”) of the Audit Committee Charter by correcting a reference to Rule 1203 of the Rulebook to reference Rule 1202 instead.

³¹ *Id.*

³² *Id.*

³³ *Id.* at 12228.

F. Changes to the Regulatory Oversight Committee Charter

Finally, CMESC is proposing to make the same clarifying change to the text prescribing the composition of the Regulatory Oversight Committee in the Regulatory Oversight Committee Charter as the other Committee Charters. CMESC proposes to revise the first bullet in Section II (“Membership & Organization”) to clarify CMESC’s intention that a majority of the Directors serving on the Regulatory Oversight Committee (as with the Board) shall be Independent Directors, rather than the existing language “in at least the same majority percentage as required for the Board,” which CMESC states does not accurately reflect the original intent.³⁴

IV. Discussion and Commission Findings

Section 19(b)(2)(C) of the Act³⁵ 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 CMESC. More specifically, for the reasons given below, the Commission finds that the proposed rule change is consistent with Sections 17A(b)(3)(A) and (C) of the Act³⁶ and Rules 17ad–22(e)(2)(i) and 17ad–25 thereunder.³⁷

A. Consistency With Section 17A(b)(3)(A)

Section 17A(b)(3)(A) of the Act requires, among other things, that CMESC be so organized and have the capacity to be able to comply with the provisions of the Act and the rules and regulations thereunder.³⁸ Based on review of the record, and for the reasons discussed below,³⁹ CMESC’s proposed rule changes described in Section III above are consistent with CMESC being so organized and having the capacity to comply with the provisions of the Act and the rules and regulations thereunder. Accordingly, the proposed

³⁴ *Id.*

³⁵ 15 U.S.C. 78s(b)(2)(C).

³⁶ 15 U.S.C. 78q–1(b)(3)(A) and (C).

³⁷ 17 CFR 240.17ad–22(e)(2)(i) and 17ad–25.

³⁸ 15 U.S.C. 78q–1(b)(3)(A).

³⁹ See *infra* Sections IV. C. (Consistency with Rule 17ad–22(e)(2)(i)) and IV.D (Consistency with Rule 17ad–25).

²⁹ *Id.*

³⁰ See Notice of Filing, *supra* note 3, at 12227.

rule changes are consistent with Section 17A(b)(3)(A) of the Act.

B. Consistency With Section 17A(b)(3)(C)

Section 17A(b)(3)(C) of the Act requires, among other things, that CMESC's rules assure a fair representation of its shareholders (or members) and participants in the selection of its directors and administration of its affairs.⁴⁰ As described above in Sections III.A. and B., the proposed rule change modifies the Board Charter (and, correspondingly, the By-Laws) by changing the amount of Directors required to be on the initial Board following adoption of the By-Laws from exactly nine to no more than nine Directors, which would provide CMESC the flexibility for composing the Board shortly before the launch of CMESC's clearing services. By capping the initial Board at up to nine Directors while preserving one seat for a representative of a Member and one seat for a representative of a User, the proposed rule change should preserve meaningful participant representation within CMESC's governance structure.⁴¹ Moreover, the proposed requirement that the Board, in fulfilling its responsibilities, "consider the legitimate interests of Members and Users" should enhance participant representation by embedding consideration of participant perspectives into the Board's decision-making framework. Therefore, these changes should help to assure fair representation in the selection of its directors and administration of its affairs, consistent with Section 17A(b)(3)(C) of the Act.

C. Consistency With Rule 17ad-22(e)(2)(i)

Rule 17Ad-22(e)(2)(i) requires, among other things, that covered clearing agencies establish, implement, maintain and enforce written policies and procedures reasonably designed to provide for governance arrangements that are clear and transparent.⁴² As described above in Sections III.A. through F., the proposed rule change introduces clarifying and conforming amendments to CMESC's Amended and Restated By-Laws, Board Charter, and Committee Charters. By removing

contradictory language regarding officer appointments, clarifying Committee responsibilities, specifying the considerations the Board should take into account when evaluating a proposal, and updating cross-references, definitions, and terminology to improve clarity and internal consistency, these changes should enhance the clarity and transparency of CMESC's governance arrangements, consistent with Rule 17ad-22(e)(2)(i).

D. Consistency With Rule 17ad-25

Rule 17Ad-25 requires, among other things, that the majority of the members of the board of directors of a registered clearing agency, and any committee with authority to act on behalf of the board of directors, be independent directors.⁴³ As described above in Sections III.C. through E., the proposed rule changes to the charters of the Risk Management Committee, Nominating Committee, Audit Committee, and Regulatory Oversight Committee clarify that the majority of directors serving on the CSRMC, Nominating Committee, Audit Committee, and Regulatory Oversight Committee will be Independent Directors, consistent with the requirements of Rule 17Ad-25.⁴⁴

III. Conclusion

On the basis of the foregoing, the Commission finds that the proposed rule change is consistent with the requirements of the Exchange Act and in particular with the requirements of Section 17A of the Exchange Act⁴⁵ and the rules and regulations promulgated thereunder.

It is therefore ordered, pursuant to Section 19(b)(2) of the Exchange Act⁴⁶ that

proposed rule change SR-CMESC-2026-002 be, and hereby is, *approved*.⁴⁷

For the Commission, by the Division of Trading and Markets, pursuant to delegated authority.⁴⁸

Sherry R. Haywood,
Assistant Secretary.

[FR Doc. 2026-07345 Filed 4-15-26; 8:45 am]

BILLING CODE 8011-01-P

⁴³ 17 CFR 240.17ad-25.

⁴⁴ Similarly, the removal of CMESC's current staggered Board structure is also consistent with Rule 17ad-25, which does not require such a structure.

⁴⁵ 15 U.S.C. 78q-1.

⁴⁶ 15 U.S.C. 78s(b)(2).

⁴⁷ In approving the proposed rule change, the Commission considered the proposals' impact on efficiency, competition, and capital formation. 15 U.S.C. 78c(f).

⁴⁸ 17 CFR 200.30-3(a)(12).

SMALL BUSINESS ADMINISTRATION

[Disaster Declaration #21499 and #21500; Washington Disaster Number WA-20027]

Presidential Declaration of a Major Disaster for the State of Washington

AGENCY: U.S. Small Business Administration.

ACTION: Notice.

SUMMARY: This is notice of the Presidential declaration of a major disaster for the State of WASHINGTON (FEMA-4906-DR), dated April 7, 2026. Incident: Severe Storms, Straight-Line winds, Flooding, Landslides, and Mudslides.

DATES: Issued on April 7, 2026.

Incident Period: December 5, 2025 through December 19, 2025.

Physical Loan Application Deadline Date: June 10, 2026.

Economic Injury (EIDL) Loan Application Deadline Date: January 7, 2027.

ADDRESSES: Visit the MySBA Loan Portal at <https://lending.sba.gov> to apply for a disaster assistance loan.

FOR FURTHER INFORMATION CONTACT: Sharon Henderson, Office of Disaster Recovery and Resilience, U.S. Small Business Administration, 409 3rd Street SW, Suite 6050, Washington, DC 20416, (202) 205-6734.

SUPPLEMENTARY INFORMATION: Notice is hereby given as a result of the President's major disaster declaration on April 7, 2026, applications for disaster loans may be submitted online using the MySBA Loan Portal <https://lending.sba.gov> or in person at other locally announced locations. For further assistance please contact the SBA disaster assistance customer service center by email at disastercustomerservice@sba.gov or by phone at 1-800-659-2955. If you are deaf, hard of hearing or have a speech disability, please dial 7-1-1 to access telecommunications relay services.

The following areas have been determined to be adversely affected by the disaster:

Primary Counties (Physical Damage and Economic Injury Loans): Chelan, Grays Harbor, King, Lewis, Pacific, Pierce, Skagit, Snohomish, Thurston, Whatcom.

Tribal Areas (Physical Damage and Economic Injury Loans): The Confederated Tribes of the Chehalis Reservation, Lummi Nation, Muckleshoot Indian Tribe, Nisqually Indian Tribe, Nooksack Indian Tribe, Puyallup Tribe, Quinalt Indian Nation, Samish

⁴⁰ 15 U.S.C. 78q-1(b)(3)(C).

⁴¹ See CMESC Registration Approval, *supra* note 11, at 55935 ("As such CMESC's approach, in reserving positions on the Board of Directors for a representative of a Member and a representative of a User, is consistent with fair representation, helping to provide a voice in CMESC's governance to a range of views from among the customers of the clearing agency").

⁴² 17 CFR 240.17ad-22(e)(2)(i).

Indian Nation, Sauk-Suiattle Indian Tribe, Shoalwater Bay Indian Tribe, Snoqualmie Indian Tribe, Squaxin Island Tribe, Stillaguamish Tribe of Indians, Swinomish Indian Tribal Community, Tulalip Tribes, and the Upper Skagit Indian Tribe.

Contiguous Counties (Economic Injury Loans Only):

Washington: Cowlitz, Douglas, Island, Jefferson, Kitsap, Kittitas, Mason, Okanogan, San Juan, Skamania, Wahkiakum, Yakima.

The Interest Rates are:

	Percent
For Physical Damage:	
Homeowners with Credit Available Elsewhere	5.750
Homeowners without Credit Available Elsewhere	2.875
Businesses with Credit Available Elsewhere	8.000
Businesses without Credit Available Elsewhere	4.000
Private Non-Profit Organizations with Credit Available Elsewhere	3.625
Private Non-Profit Organizations without Credit Available Elsewhere	3.625
For Economic Injury:	
Business and Small Agricultural Cooperatives without Credit Available Elsewhere	4.000
Private Non-Profit Organizations without Credit Available Elsewhere	3.625

The number assigned to this disaster for physical damage is 214996 and for economic injury is 215000.

(Catalog of Federal Domestic Assistance Number 59008)

(Authority: 13 CFR 123.3(b).)

James Stallings,

Associate Administrator, Office of Disaster Recovery & Resilience.

[FR Doc. 2026-07430 Filed 4-15-26; 8:45 am]

BILLING CODE 8026-09-P

SMALL BUSINESS ADMINISTRATION

[Disaster Declaration #21495 and #21496; INDIANA Disaster Number IN-20019]

Administrative Declaration of a Disaster for the State of Indiana

AGENCY: U.S. Small Business Administration.

ACTION: Notice.

SUMMARY: This is notice of an Administrative declaration of a disaster for the state of Indiana dated April 9, 2026.

Incident: Severe Storms and Tornadoes.

DATES: Issued on April 9, 2026.

Incident Period: March 10, 2026 through March 11, 2026.

Physical Loan Application Deadline Date: June 8, 2026.

Economic Injury (EIDL) Loan Application Deadline Date: January 11, 2027.

ADDRESSES: Visit the MySBA Loan Portal at <https://lending.sba.gov> to apply for a disaster assistance loan.

FOR FURTHER INFORMATION CONTACT: Sharon Henderson, Office of Disaster Recovery and Resilience, U.S. Small Business Administration, 409 3rd Street SW, Suite 6050, Washington, DC 20416, (202) 205-6734.

SUPPLEMENTARY INFORMATION: Notice is hereby given as a result of the Administrator's disaster declaration, applications for disaster loans may be submitted online using the MySBA Loan Portal <https://lending.sba.gov> or in person at other locally announced locations. For further assistance please contact the SBA disaster assistance customer service center by email at disastercustomerservice@sba.gov or by phone at 1-800-659-2955. If you are deaf, hard of hearing, or have a speech disability, please dial 7-1-1 to access telecommunications relay services.

The following areas have been determined to be adversely affected by the disaster:

Primary Counties: Jasper, Newton.

Contiguous Counties:

Indiana: Benton, LaPorte, Lake, Porter, Pulaski, Starke, White.

Illinois: Iroquois, Kankakee.

The Interest Rates are:

	Percent
For Physical Damage:	
Homeowners with Credit Available Elsewhere	5.750
Homeowners without Credit Available Elsewhere	2.875
Businesses with Credit Available Elsewhere	8.000
Businesses without Credit Available Elsewhere	4.000
Private Non-Profit Organizations with Credit Available Elsewhere	3.625
Private Non-Profit Organizations without Credit Available Elsewhere	3.625
For Economic Injury:	
Business and Small Agricultural Cooperatives without Credit Available Elsewhere	4.000
Private Non-Profit Organizations without Credit Available Elsewhere	3.625

The number assigned to this disaster for physical damage is 21495C and for economic injury is 214960.

The states which received an SBA Administrative declaration are Illinois, Indiana.

(Catalog of Federal Domestic Assistance Number 59008)

(Authority: 13 CFR 123.3(b).)

James Stallings,

Associate Administrator, Office of Disaster Recovery & Resilience.

[FR Doc. 2026-07436 Filed 4-15-26; 8:45 am]

BILLING CODE 8026-09-P

SMALL BUSINESS ADMINISTRATION

[Disaster Declaration #21503 and #21504; Washington Disaster Number WA-20028]

Presidential Declaration of a Major Disaster for Public Assistance Only for the State of Washington

AGENCY: U.S. Small Business Administration.

ACTION: Notice.

SUMMARY: This is notice of the Presidential declaration of a major disaster for Public Assistance Only for the state of Washington (FEMA-4906-DR), dated April 7, 2026.

Incident: Severe Storms, Straight-line Winds, Flooding, Landslides, and Mudslides.

DATES: Issued on April 7, 2026.

Incident Period: December 5, 2025 through December 19, 2025.

Physical Loan Application Deadline Date: June 10, 2026.

Economic Injury (EIDL) Loan Application Deadline Date: January 7, 2027.

ADDRESSES: Visit the MySBA Loan Portal at <https://lending.sba.gov> to apply for a disaster assistance loan.

FOR FURTHER INFORMATION CONTACT: Jennifer Talarico, Office of Disaster Recovery and Resilience, U.S. Small Business Administration, 409 3rd Street SW, Suite 6050, Washington, DC 20416, (202) 205-6734.

SUPPLEMENTARY INFORMATION: Notice is hereby given as a result of the President's major disaster declaration on April 7, 2026, Private Non-Profit organizations providing essential services of a governmental nature may file disaster loan applications online using the MySBA Loan Portal <https://lending.sba.gov> or in person at other locally announced locations. For further assistance please contact the SBA disaster assistance customer service center by email at disastercustomerservice@sba.gov or by phone at 1-800-659-2955. If you are deaf, hard of hearing, or have a speech

disability, please dial 7–1–1 to access telecommunications relay services.

The following areas have been determined to be adversely affected by the disaster:

Primary Counties: Asotin, Chelan, Clallam, Clark, Cowlitz, Garfield, Grays Harbor, Island, Jefferson, King, Kittitas, Klickitat, Lewis, Mason, Pacific, Pend Oreille, Pierce, Skagit, Skamania, Snohomish, Wahkiakum, Whatcom, Yakima.

Tribal Areas (Physical Damage and Economic Injury Loans): The Confederated Tribes and Bands of the Yakama Nation, Confederated Tribes of the Chehalis Reservation, Cowlitz Indian Tribe, Hoh Indian Tribe, Jamestown S’Klallam Tribe, Kalispel Tribe of Indians, Lower Elwha Klallam Tribe, Lummi Nation, Makah Tribe, Muckleshoot Indian Tribe, Nooksack Indian Tribe, Puyallup Tribe, Quileute Tribe, Quinault Indian Nation, Samish Indian Nation, Sauk-Suiattle Indian Tribe, Shoalwater Bay Indian Tribe, Skokomish Indian Tribe, Snoqualmie Indian Tribe, Squaxin Island Tribe, Stillaguamish Tribe of Indians, Swinomish Indian Tribal Community, Tulalip Tribes, and the Upper Skagit Indian Tribe.

The Interest Rates are:

%	Percent
<i>For Physical Damage:</i>	
Private Non-Profit Organizations with Credit Available Elsewhere	3.625
Private Non-Profit Organizations without Credit Available Elsewhere	3.625
<i>For Economic Injury:</i>	
Private Non-Profit Organizations without Credit Available Elsewhere	3.625

The number assigned to this disaster for physical damage is 215036 and for economic injury is 215040.

(Catalog of Federal Domestic Assistance Number 59008)

(Authority:13 CFR 123.3(b).)

James Stallings,

Associate Administrator, Office of Disaster Recovery & Resilience.

[FR Doc. 2026–07469 Filed 4–15–26; 8:45 am]

BILLING CODE 8026–09–P

SMALL BUSINESS ADMINISTRATION

[Disaster Declaration #21501 and #21502; TENNESSEE Disaster Number TN–20031]

Presidential Declaration of a Major Disaster for the State of Tennessee

AGENCY: U.S. Small Business Administration.

ACTION: Notice.

SUMMARY: This is notice of the Presidential declaration of a major disaster for the State of Tennessee (FEMA–4898–DR), dated April 10, 2026. Incident: Severe Winter Storm.

DATES: Issued on April 10, 2026.

Incident Period: January 22, 2026 through January 27, 2026.

Physical Loan Application Deadline Date: June 10, 2026.

Economic Injury (EIDL) Loan Application Deadline Date: January 11, 2027.

ADDRESSES: Visit the MySBA Loan Portal at <https://lending.sba.gov> to apply for a disaster assistance loan.

FOR FURTHER INFORMATION CONTACT: Sharon Henderson, Office of Disaster Recovery and Resilience, U.S. Small Business Administration, 409 3rd Street SW, Suite 6050, Washington, DC 20416, (202) 205–6734.

SUPPLEMENTARY INFORMATION: Notice is hereby given as a result of the President’s major disaster declaration on April 10, 2026, applications for disaster loans may be submitted online using the MySBA Loan Portal <https://lending.sba.gov> or in person at other locally announced locations. For further assistance please contact the SBA disaster assistance customer service center by email at disastercustomerservice@sba.gov or by phone at 1–800–659–2955. If you are deaf, hard of hearing or have a speech disability, please dial 7–1–1 to access telecommunications relay services.

The following areas have been determined to be adversely affected by the disaster:

Primary Counties (Physical Damage and Economic Injury Loans): Benton, Carroll, Cheatham, Chester, Clay, Davidson, Decatur, Dickson, Dyer, Fayette, Hardeman, Hardin, Henderson, Hickman, Lewis, Macon, Madison, Maury, McNairy, Montgomery, Perry, Robertson, Rutherford, Shelby, Sumner, Trousdale, Wayne, Williamson, Wilson.

Contiguous Counties (Economic Injury Loans Only):

Tennessee: Bedford, Cannon, Coffee, Crockett, DeKalb, Gibson, Giles, Haywood, Henry, Houston,

Humphreys, Jackson, Lake, Lauderdale, Lawrence, Marshall, Obion, Overton, Pickett, Smith, Stewart, Tipton, Weakley.
Alabama: Lauderdale.
Arkansas: Crittenden, Mississippi.
Kentucky: Allen, Christian, Clinton, Cumberland, Logan, Monroe, Simpson, Todd.
Missouri: Pemiscot.
Mississippi: Alcorn, Benton, DeSoto, Marshall, Tippah, Tishomingo.
The Interest Rates are:

	Percent
<i>For Physical Damage:</i>	
Homeowners with Credit Available Elsewhere	5.750
Homeowners without Credit Available Elsewhere	2.875
Businesses with Credit Available Elsewhere	8.000
Businesses without Credit Available Elsewhere	4.000
Private Non-Profit Organizations with Credit Available Elsewhere	3.625
Private Non-Profit Organizations without Credit Available Elsewhere	3.625
<i>For Economic Injury:</i>	
Business and Small Agricultural Cooperatives without Credit Available Elsewhere	4.000
Private Non-Profit Organizations without Credit Available Elsewhere	3.625

The number assigned to this disaster for physical damage is 21501B and for economic injury is 215020.

(Catalog of Federal Domestic Assistance Number 59008)

(Authority: 13 CFR 123.3(b).)

James Stallings,

Associate Administrator, Office of Disaster Recovery & Resilience.

[FR Doc. 2026–07437 Filed 4–15–26; 8:45 am]

BILLING CODE 8026–09–P

DEPARTMENT OF STATE

[Public Notice 12996]

60-Day Notice of Proposed Information Collection: Annual Report—J-NONIMMIGRANT Exchange Visitor Program

ACTION: Notice of request for public comment.

SUMMARY: The U.S. Department of State (Department) is seeking Office of Management and Budget (OMB) approval for the information collection described below. In accordance with the Paperwork Reduction Act of 1995, we are requesting comments on this

collection from all interested individuals and organizations. The purpose of this notice is to allow 60 days for public comment preceding submission of the collection to OMB.

DATES: The Department will accept comments from the public up to June 15, 2026.

ADDRESSES: You may submit comments by any of the following methods:

- *Web:* Persons with access to the internet may comment on this notice by going to www.Regulations.gov. You can search for the document by entering "Docket Number: "DOS-2026-0463" in the Search field. Then click the "Comment Now" button and complete the comment form.

- *Email:* JExchanges@State.gov.

- *Regular Mail:* Send written comments to: U.S. Department of State, ECA/EC, SA-5, 2200 C Street NW, Washington, DC 20522-0505, ATTN: **Federal Register** Notice Response. You must include the DS form number (if applicable), information collection title, and the OMB control number in any correspondence.

FOR FURTHER INFORMATION CONTACT:

Direct requests for additional information regarding the collection listed in this notice, including requests for copies of the proposed collection instrument and supporting documents, to Karen Ward, Director, Office of Private Sector Exchange Designation, Office of Private Sector Exchange, ECA/EC/D, SA-5, Floor 5, Department of State, 2200 C Street NW, Washington, DC 20522-0505, who may be reached at JExchanges@state.gov.

You must include the DS form number (if applicable), information collection title, and the OMB control number in any correspondence.

SUPPLEMENTARY INFORMATION:

- *Title of Information Collection:* Annual Report—J-NONIMMIGRANT Exchange Visitor Program.
- *OMB Control Number:* 1405-0151.
- *Type of Request:* Revision of a Currently Approved Collection.
- *Originating Office:* Bureau of Educational and Cultural Affairs, Office of Private Sector Exchange, ECA/EC.
- *Form Number:* DS-3097.
- *Respondents:* Designated J-NONIMMIGRANT program sponsors.
- *Estimated Number of Respondents:* 1,425.
- *Estimated Number of Responses:* 1,425.
- *Average Time per Response:* 2 hours.
- *Total Estimated Burden Time:* 2,850 hours.
- *Frequency:* Annually.
- *Obligation to Respond:* Required to Obtain or Retain Benefits.

We are soliciting public comments to permit the Department to:

- Evaluate whether the proposed information collection is necessary for the proper functions of the Department.
- 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.
- Enhance the quality, utility, and clarity of the information to be collected.
- Minimize the reporting burden on those who are to respond, including the use of automated collection techniques or other forms of information technology.

Abstract of Proposed Collection

Annual reports from designated program sponsors assist the Department in oversight and administration of the J-NONIMMIGRANT visa program. The reports provide qualitative data on the number of exchange participants an organization sponsored annually per category of exchange. The reports also provide a summary of the activities in which exchange visitors were engaged and indicate information about program effectiveness. Program sponsors include government agencies, academic institutions, and private sector not-for-profit and for-profit entities.

Methodology

Annual reports are completed through the Student and Exchange Visitor Information System (SEVIS) and then printed and signed by a sponsor official and sent to the Department by email.

Rebecca A. Pasini,

Deputy Assistant Secretary for Private Sector Exchange Bureau of Educational and Cultural Affairs U.S. Department of State.

[FR Doc. 2026-07441 Filed 4-15-26; 8:45 am]

BILLING CODE 4710-05-P

DEPARTMENT OF STATE

[Public Notice: 12992]

Notice of Determinations; Culturally Significant Objects Being Imported for Exhibition—Determinations: "Willem de Kooning Drawing" Exhibition

SUMMARY: Notice is hereby given of the following determinations: I hereby determine that certain objects being imported from abroad pursuant to agreements with their foreign owners or custodians for temporary display in the exhibition "Willem de Kooning Drawing" at The Art Institute of Chicago, in Chicago, Illinois, and at possible additional exhibitions or

venues yet to be determined, are of cultural significance, and, further, that their temporary exhibition or display within the United States as aforementioned is in the national interest. I have ordered that Public Notice of these determinations be published in the **Federal Register**.

FOR FURTHER INFORMATION CONTACT:

Reed Liriano, Program Coordinator, Office of the Legal Adviser, U.S. Department of State (telephone: 202-632-6471; email: section2459@state.gov). The mailing address is U.S. Department of State, L/DP, 2200 C Street NW (SA-5), Suite 5H03, Washington, DC 20522-0505.

SUPPLEMENTARY INFORMATION: The foregoing determinations were made pursuant to the authority vested in me by the Act of October 19, 1965 (79 Stat. 985; 22 U.S.C. 2459), Executive Order 12047 of March 27, 1978, the Foreign Affairs Reform and Restructuring Act of 1998 (112 Stat. 2681, *et seq.*; 22 U.S.C. 6501 note, *et seq.*), Delegation of Authority No. 234 of October 1, 1999, Delegation of Authority No. 236-3 of August 28, 2000, and Delegation of Authority No. 523 of December 22, 2021.

Shannon E. Sprenger,

Deputy Assistant Secretary for Professional and Cultural Exchanges, Bureau of Educational and Cultural Affairs, Department of State.

[FR Doc. 2026-07471 Filed 4-15-26; 8:45 am]

BILLING CODE 4710-05-P

DEPARTMENT OF STATE

[Public Notice:12989]

Notice of Department of State Sanctions Action

ACTION: Notice of Department of State Sanctions Actions Pursuant to the Executive Order Blocking Property With Respect To Specified Harmful Foreign Activities of the Government of the Russian Federation.

SUMMARY: The U.S. Department of State is publishing the name of a person who has been removed from the Department of the Treasury's List of Specially Designated Nationals and Blocked Persons (SDN List), administered by the Office of Foreign Assets Control (OFAC).

DATES: This action was issued on April 3, 2026. See **SUPPLEMENTARY INFORMATION** section for applicable dates.

FOR FURTHER INFORMATION CONTACT:

Aaron P. Forsberg, Director, Office of

Economic Sanctions Policy and Implementation, Bureau of Economic and Business Affairs, Department of State, Washington, DC 20520, tel.: (202) 647 7677, email: *ForsbergAP@state.gov*.

SUPPLEMENTARY INFORMATION:

Electronic Availability

The SDN List and additional information concerning sanctions programs are available on OFAC's website, <https://ofac.treasury.gov/sanctions-programs-and-country-information/russian-harmful-foreign-activities-sanctions>.

Notice of Department of State Actions

On April 3, 2026, the Department of State determined that the property and interests in property subject to U.S. jurisdiction of the following person are unblocked, and that person has been removed from the SDN List.

ZADORNOV, Mikhail Mikhaylovich; (Cyrillic:ЗАДОРНОВ, МИХАИЛ

МИХАЙЛОВИЧ) (a.k.a ZADORNOV, Mikhail Mikhailovich), Str. Malaya

Molchanovka, 8-29, Moscow 121069, Russia; DOB 04 May 1963; POB Moscow,

Russia; nationality Russia; Gender Male; Passport 760019543 (Russia) (individual)

[RUSSIA-EO14024] (Linked To: PUBLIC JOINT STOCK COMPANY BANK

FINANCIAL CORPORATION OTKRITIE).

Hugo Y. Yon,

Principal Deputy Assistant Secretary, Bureau of Economic, Energy, and Business Affairs, Department of State.

[FR Doc. 2026-07337 Filed 4-15-26; 8:45 am]

BILLING CODE 4710-07-P

SURFACE TRANSPORTATION BOARD

[Docket No. FD 36486 (Sub-No. 10)]

Grainbelt Corporation—Trackage Rights Exemption—BNSF Railway Company

Grainbelt Corporation (GNBC), a Class III rail carrier, has filed a verified notice of exemption under 49 CFR 1180.2(d)(7) to extend the term of the previously amended, local trackage rights on trackage owned by BNSF Railway Company (BNSF) between approximately milepost 668.73 in Long, Okla., and approximately milepost 723.30 in Quanah, Tex. (the Line). The trackage rights allow GNBC to (1) use the Line to access the Plains Cotton Cooperative Association (PCCA) facility near BNSF Chickasha Subdivision milepost 688.6 at Altus, Okla., and (2) operate additional trains on the Line to accommodate the movement of trains transporting BNSF customers' railcars (loaded or empty) located along the Line, to unit train facilities on the Line (collectively, the PCCA Trackage Rights).¹ GNBC and BNSF have entered

into an amendment to extend the PCCA Trackage Rights until March 30, 2027.²

The transaction may be consummated on or after April 30, 2026, the effective date of the exemption (30 days after the verified notice was filed).

As a condition to this exemption, any employees affected by the acquisition of the trackage rights will be protected by the conditions imposed in *Norfolk & Western Railway—Trackage Rights—Burlington Northern, Inc.*, 354 I.C.C. 605 (1978), as modified in *Mendocino Coast Railway—Lease & Operate—California Western Railroad*, 360 I.C.C. 653 (1980).

If the verified notice contains false or misleading information, the exemption is void ab initio. Petitions to revoke the exemption under 49 U.S.C. 10502(d)

Quanah with BNSF and Union Pacific Railroad Company. According to GNBC, these original trackage rights were amended over the years to allow various local services to be provided. In 2021, BNSF and GNBC amended the trackage rights to include the PCCA Trackage Rights, *see Grainbelt Corp.—Trackage Rts. Exemption—BNSF Ry.*, FD 36486 (STB served Mar. 12, 2021), and those trackage rights were extended in 2022, *see Grainbelt Corp.—Trackage Rts. Exemption—BNSF Ry.*, FD 36486 (Sub-No. 2) (STB served Mar. 8, 2022), in 2023, *see Grainbelt Corp.—Trackage Rts. Exemption—BNSF Ry.*, FD 36486 (Sub-No. 4) (STB served Mar. 9, 2023), in 2024, *see Grainbelt Corp.—Trackage Rts. Exemption—BNSF Ry.*, FD 36486 (Sub-No. 6) (STB served Mar. 15, 2024), and again in 2025, *see Grainbelt Corp.—Trackage Rts. Exemption—BNSF Ry.*, FD 36486 (Sub-No. 8) (STB served Apr. 17, 2025).

² GNBC states that its verified notice is related to a petition for partial revocation, in which GNBC seeks authority to allow the trackage rights at issue here to expire automatically on March 30, 2027, the termination date set forth in the amended trackage rights agreement. GNBC's petition for partial revocation will be addressed in a separate decision in Docket No. FD 36486 (Sub-No. 11).

may be filed at any time. The filing of a petition to revoke will not automatically stay the effectiveness of the exemption. Petitions for stay must be filed no later than April 23, 2026 (at least seven days before the exemption becomes effective).

All pleadings, referring to Docket No. FD 36486 (Sub-No. 10), must be filed with the Surface Transportation Board either via e-filing on the Board's website or in writing addressed to 395 E Street SW, Washington, DC 20423-0001. In addition, a copy of each pleading must be served on GNBC's representative, Eric M. Hocky, Clark Hill PLC, Two Commerce Square, 2001 Market Street, Suite 2620, Philadelphia, PA 19103.

According to GNBC, this action is categorically excluded from environmental review under 49 CFR 1105.6(c) and from historic preservation reporting requirements under 49 CFR 1105.8(b).

Board decisions and notices are available at www.stb.gov.

By the Board, Anika S. Cooper, Chief Counsel, Office of Chief Counsel.

Decided: April 13, 2026.

Stefan Rice,

Clearance Clerk.

[FR Doc. 2026-07342 Filed 4-15-26; 8:45 am]

BILLING CODE 4915-01-P

¹ GNBC states that it originally acquired overhead trackage rights from BNSF's predecessor between Snyder Yard at milepost 664.00 and Quanah at milepost 723.30, allowing GNBC to interchange at

DEPARTMENT OF TRANSPORTATION**Federal Aviation Administration****FAA Approval of Noise Compatibility Program; John Glenn Columbus International Airport, Columbus, Ohio**

AGENCY: Federal Aviation Administration, DOT.

ACTION: Notice.

SUMMARY: The Federal Aviation Administration (FAA) announces its findings on the noise compatibility program submitted by the Columbus Regional Airport Authority for John Glenn Columbus International Airport under the provisions of 49 U.S.C. (the Aviation Safety and Noise Abatement Act, hereinafter referred to as “the Act”) and 14 CFR part 150. These findings are made in recognition of the description of Federal and nonfederal responsibilities in Senate Report No. 96–52 (1980). On October 14, 2025 the FAA determined that the noise exposure maps submitted by the Columbus Regional Airport Authority under Part 150 were in compliance with applicable requirements. On April 10, 2026, the FAA approved the John Glenn Columbus International Airport noise compatibility program. Most of the recommendations of the program were approved.

DATES: The effective date of the FAA’s approval of the John Glenn Columbus International Airport noise compatibility program is April 14, 2026.

FOR FURTHER INFORMATION CONTACT: Gordon Bowdell, Detroit Airports District Office, 11677 S Wayne Rd. Ste. 107, Romulus, Michigan 48174–1412, Tel: 734–229–2900. Documents reflecting this FAA action may be reviewed at this same location.

SUPPLEMENTARY INFORMATION: This notice announces that the FAA has given its overall approval to the noise compatibility program for John Glenn Columbus International Airport, effective April 14, 2026.

Under section 47504 of the Act, an airport operator who has previously submitted a noise exposure map may submit to the FAA a noise compatibility program which sets forth the measures taken or proposed by the airport operator for the reduction of existing non-compatible land uses and prevention of additional non-compatible land uses within the area covered by the noise exposure maps. The Act requires such programs to be developed in consultation with interested and affected parties including local communities, government agencies, airport users, and FAA personnel.

Each airport noise compatibility program developed in accordance with Federal Aviation Regulations (FAR) Part 150 is a local program, not a Federal program. The FAA does not substitute its judgment for that of the airport proprietor with respect to which measures should be recommended for action. The FAA’s approval or disapproval of FAR Part 150 program recommendations is measured according to the standards expressed in Part 150 and the Act and is limited to the following determinations:

a. The noise compatibility program was developed in accordance with the provisions and procedures of FAR Part 150;

b. Program measures are reasonably consistent with achieving the goals of reducing existing non-compatible land uses around the airport and preventing the introduction of additional non-compatible land uses;

c. Program measures would not create an undue burden on interstate or foreign commerce, unjustly discriminate against types or classes of aeronautical uses, violate the terms of airport grant agreements, or intrude into areas preempted by the Federal Government; and

d. Program measures relating to the use of flight procedures can be implemented within the period covered by the program without derogating safety, adversely affecting the efficient use and management of the navigable airspace and air traffic control systems, or adversely affecting other powers and responsibilities of the Administrator prescribed by law.

Specific limitations with respect to FAA’s approval of an airport noise compatibility program are delineated in FAR Part 150, section 150.5. Approval is not a determination concerning the acceptability of land uses under Federal, state, or local law. Approval does not by itself constitute an FAA implementing action. A request for Federal action or approval to implement specific noise compatibility measures may be required, and an FAA decision on the request may require an environmental assessment of the proposed action. Approval does not constitute a commitment by the FAA to financially assist in the implementation of the program nor a determination that all measures covered by the program are eligible for grant-in-aid funding from the FAA. Where federal funding is sought, requests for project grants must be submitted to the FAA Airports District Office in Romulus, Michigan.

The Columbus Regional Airport Authority submitted to the FAA on June 26, 2025 the noise exposure maps,

descriptions, and other documentation produced during the noise compatibility planning study conducted from 2018 through 2025. The John Glenn Columbus International Airport noise exposure maps were determined by FAA to be in compliance with applicable requirements on October 14, 2025. Notice of this determination was published in the **Federal Register** on Monday, December 15, 2025 (FR Doc. 2025–22810).

The John Glenn Columbus International Airport study contains a proposed noise compatibility program comprised of actions designed for phased implementation by airport management and adjacent jurisdictions from 2025 to 2029 and beyond. It was requested that the FAA evaluate and approve this material as a noise compatibility program as described in section 47504 of the Act. The FAA began its review of the program on October 14, 2025 and was required by a provision of the Act to approve or disapprove the program within 180 days (other than the use of new or modified flight procedures for noise control). Failure to approve or disapprove such program within the 180-day period shall be deemed to be an approval of such program.

The submitted program contained 25 proposed actions for noise mitigation (on and/or off the airport, as applicable). The FAA completed its review and determined that the procedural and substantive requirements of the Act and FAR Part 150 have been satisfied. The overall program, therefore, was approved by the FAA effective April 10, 2026.

Outright approval was granted for all the specific applicable program elements. The FAA officially approves withdrawing Measure NA–2 and Measure NA–8.

These determinations are set forth in detail in a Record of Approval signed by the Great Lakes Region, Airports Division Manager on April 10, 2026. The Record of Approval, as well as other evaluation materials and the documents comprising the submittal, are available for review at the FAA office listed above and at the administrative offices of the John Glenn Columbus International Airport. The Record of Approval also will be available on-line at <http://www.faa.gov/arp/environmental/14cfr150/index14.cfm>.

Issued in Des Plaines, IL.

Dated: April 14, 2026.

James Gregory Keefer,

Director, Airports Division, Great Lakes Region.

[FR Doc. 2026-07454 Filed 4-15-26; 8:45 am]

BILLING CODE 4910-13-P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

Notice of Opportunity for Public Comment on Surplus Property Release at the Hesler Noble Airfield Airport, Laurel, Mississippi

AGENCY: Federal Aviation Administration, DOT.

ACTION: Notice of intent to rule on land release request.

SUMMARY: The FAA is considering a request from the Laurel Airport Authority to waive the requirement that 5.46 ± acres of airport property located at the Hesler Noble Airfield in Laurel, Mississippi, be used for aeronautical purposes.

DATES: Comments must be received on or before May 18, 2026.

ADDRESSES: Comments on this notice may be mailed or delivered in triplicate to the FAA to the following address: Jackson Airports District Office Attn: Willie Davidson, Community Planner, Jackson Airports District Office, 10 Canebrake Blvd., Suite 100, Flowood, MS 39232.

FOR FURTHER INFORMATION CONTACT: Willie Davidson, Community Planner, Jackson Airports District Office, 10 Canebrake Blvd., Suite 100, Flowood, MS 39232 (769) 268.6969. The land release request may be reviewed in person at this same location.

SUPPLEMENTARY INFORMATION: The FAA is reviewing a request by the Laurel Airport Authority to release approximately 5.46± acres of airport property at Hesler Noble Airfield (LUL) under the provisions of Title 49, U.S.C. 47153(c). The FAA determined that the request to release property at Hesler Noble Airfield (LUL) submitted by the Sponsor meets the procedural requirements of the Federal Aviation Administration and the release of the property does not and will not impact future aviation needs at the airport. The FAA may approve the request, in whole or in part, no sooner than thirty days after the publication of this notice. The property will be purchased by NES Laurel, LLC, that is currently leasing the property. The property is located on the northeast quadrant of the airport property adjacent to Interstate 59. In accordance with 49 U.S.C.

47107(c)(2)(B)(i), the airport will receive fair market value for the property, and the net proceeds from the sale of this property will be used for maintenance and improvements at the Hesler Noble Airfield (LUL).

Any person may inspect the request in person at the FAA office listed above under **FOR FURTHER INFORMATION CONTACT**.

In addition, any person may, upon request, inspect the request, notice and other documents germane to the request in person at Hesler Noble Airfield (LUL). Issued in Jackson, Mississippi on April 14, 2026.

William Schuller,

Acting Manager, Jackson Airports District Office, Southern Region.

[FR Doc. 2026-07426 Filed 4-15-26; 8:45 am]

BILLING CODE 4910-13-P

DEPARTMENT OF TRANSPORTATION

Federal Highway Administration

[Docket No. FHWA-2026-0500]

Agency Information Collection Activities: Notice of Request for Reinstatement of a Previously Approved Information Collection

AGENCY: Federal Highway Administration (FHWA), DOT.

ACTION: Notice of request for reinstatement of a previously approved information collection.

SUMMARY: The FHWA has forwarded the information collection request described in this notice to the Office of Management and Budget (OMB) to reinstate a previously approved information collection. We are required to publish this notice in the **Federal Register** by the Paperwork Reduction Act of 1995.

DATES: Please submit comments by May 18, 2026.

ADDRESSES: You may submit comments identified by DOT Docket ID Number 0500 by any of the following methods:

Website: For access to the docket to read background documents or comments received go to the Federal eRulemaking Portal: Go to <http://www.regulations.gov>. Follow the online instructions for submitting comments.

Fax: 1-202-493-2251.

Mail: Docket Management Facility, U.S. Department of Transportation, West Building Ground Floor, Room W12-140, 1200 New Jersey Avenue SE, Washington, DC 20590-0001.

Hand Delivery or Courier: U.S. Department of Transportation, West Building Ground Floor, Room W12-140,

1200 New Jersey Avenue SE, Washington, DC 20590, between 9 a.m. and 5 p.m. ET, Monday through Friday, except Federal holidays.

FOR FURTHER INFORMATION CONTACT: Latoya Jones, (404) 562-3587, Office of Administration, Federal Highway Administration, Department of Transportation, 1200 New Jersey Avenue SE, Washington, DC 20590. Office hours are from 7 a.m. to 4 p.m., Monday through Friday, except Federal holidays.

SUPPLEMENTARY INFORMATION: We published a **Federal Register** Notice with a 60-day public comment period on this information collection on December 15, 2025, at 90 FR 58078. No comments were received.

Title: Dwight David Eisenhower Transportation Fellowship Program (DDETFP) Local Competition Fellowship.

OMB Control: 2125-0617.

Background: The purpose of the DDETFP is to: (1) to attract the Nation's brightest minds to the field of transportation; (2) to enhance the careers of transportation professionals by encouraging them to seek advanced degrees; and (3) to retain top talent in the transportation industry of the United States (U.S.). The DDETFP is intended to enhance the breadth and scope of knowledge of the entire transportation community in the U.S.

Respondents: Institutions of Higher Education for the Local Competition Fellowship which will result in the selection of Student Designees to receive DDETFP Fellowship Awards.

Frequency: Annually.

Estimated Average Burden per Response: The average burden per response varies from 6-8 hours.

Estimated Total Annual Burden Hours: 2,280 hours.

Public Comments Invited: You are asked to comment on any aspect of this information collection, including: (1) Whether the proposed collection is necessary for the FHWA's performance; (2) the accuracy of the estimated burdens; (3) ways for the FHWA to enhance the quality, usefulness, and clarity of the collected information; and (4) ways that the burden could be minimized, including the use of electronic technology, without reducing the quality of the collected information. The agency will summarize and/or include your comments in the request for OMB's clearance of this information collection.

Authority: The Paperwork Reduction Act of 1995; 44 U.S.C. chapter 35, as amended; and 49 CFR 1.48.

Issued on: April 14, 2026.

Jazmyne Lewis,

Information Collection Officer.

[FR Doc. 2026–07418 Filed 4–15–26; 8:45 am]

BILLING CODE 4910–22–P

DEPARTMENT OF TRANSPORTATION

Federal Highway Administration

[Docket No. FHWA–2026–0496]

Agency Information Collection Activities: Request for Comments for a New Information Collection

AGENCY: Federal Highway Administration (FHWA), DOT.

ACTION: Notice and request for comments.

SUMMARY: The FHWA invites public comments about our intention to request the Office of Management and Budget's (OMB) approval for a new information collection, which is summarized below under **SUPPLEMENTARY INFORMATION**. We are required to publish this notice in the **Federal Register** by the Paperwork Reduction Act of 1995.

DATES: Please submit comments by June 15, 2026.

ADDRESSES: You may submit comments identified by DOT Docket ID Number 0496 by any of the following methods:

Website: For access to the docket to read background documents or comments received go to the Federal eRulemaking Portal: Go to <http://www.regulations.gov>. Follow the online instructions for submitting comments.

Fax: 1–202–493–2251.

Mail: Docket Management Facility, U.S. Department of Transportation, West Building Ground Floor, Room W12–140, 1200 New Jersey Avenue SE, Washington, DC 20590–0001.

Hand Delivery or Courier: U.S. Department of Transportation, West Building Ground Floor, Room W12–140, 1200 New Jersey Avenue SE, Washington, DC 20590, between 9 a.m. and 5 p.m. ET, Monday through Friday, except Federal holidays.

FOR FURTHER INFORMATION CONTACT:

Matthew Corrigan, (202) 493–3365, Office of Infrastructure Research and Development, Federal Highway Administration, Department of Transportation, 6300 Georgetown Pike, McLean, VA 22101. Office hours are from 8 a.m. to 5 p.m., Monday through Friday, except Federal holidays.

SUPPLEMENTARY INFORMATION:

Title: Bridging the Data Gap in Pavement Management and Quality Assurance.

Background: The Federal Highway Administration (FHWA) is researching

the current state of practice for digital project delivery, specifically regarding pavement and materials testing and electronic quality assurance (QA) data within State transportation agencies.

While many industries leverage artificial intelligence, machine learning, and robust data analytics to improve decision-making, the highway construction field is seeing an increased need to link disparate data sources. This integration supports various applications, including design models, intelligent construction, e-ticketing, materials testing, digital as-builts, pavement management systems (PMS), and Building Information Modeling (BIM) for Infrastructure.

Agencies are transitioning toward BIM as the successor to standard plan sets. However, because agencies utilize tools from multiple vendors, interoperability is critical. Seamless data transfer across BIM platforms requires a standardized data schema; without it, agencies risk data loss during translation between applications.

While QA data has long been a staple of highway construction, the ability to analyze and leverage these assets throughout a project's lifecycle is less mature. Many agencies want to maximize their electronic data but face challenges in integration. Currently, while agencies are proficient in producing data via test equipment, they often lack the standardized workflows necessary to analyze and integrate that data into broader systems.

The goals of this research are to:

1. Assess the beneficial uses and limitations of electronic QA data.
2. Evaluate its implications for use in digital as-builts, Advanced Digital Construction Management Systems (ADCMS), and lifecycle asset management.

3. Identify gaps and the requirements for a standardized data schema.

FHWA will develop and distribute a survey instrument organized by the People-Process-Technology-Data framework. The survey will seek information regarding:

- The extent of collection, processing, storage, and analysis of pavement and materials QA data across design, construction, and asset management.
- The availability and integration of geospatial information.
- Currently implemented commercial-off-the-shelf (COTS) and in-house technologies and databases.
- Existing data exchange standards or processes supporting digital QA data.
- Challenges associated with data-related practices and manipulation “touch points.”

- Specific data use cases and desired practices not yet implemented.

Respondents: 3 FHWA Federal Lands Highway Divisions, 52 Transportation Agencies (including 50 U.S. States, the District of Columbia, and Puerto Rico), and American Association of State Highway and Transportation Officials (AASHTO) Committee on Materials and Pavements.

Frequency: Once.

Estimated Average Burden per Response: 30 minutes per response.

Estimated Total Annual Burden Hours: 28 hours total. The total hours = 1,680 minutes = 30 minutes × 56 responses.

Public Comments Invited: You are asked to comment on any aspect of this information collection, including: (1) Whether the proposed collection is necessary for the FHWA's performance; (2) the accuracy of the estimated burdens; (3) ways for the FHWA to enhance the quality, usefulness, and clarity of the collected information; and (4) ways that the burden could be minimized, including the use of electronic technology, without reducing the quality of the collected information. The agency will summarize and/or include your comments in the request for OMB's clearance of this information collection.

Authority: The Paperwork Reduction Act of 1995; 44 U.S.C. chapter 35, as amended; and 49 CFR 1.48.

Issued on: April 14, 2026.

Jazmyne Lewis,

Information Collection Officer.

[FR Doc. 2026–07407 Filed 4–15–26; 8:45 am]

BILLING CODE 4910–22–P

DEPARTMENT OF TRANSPORTATION

Federal Motor Carrier Safety Administration

[Docket No. FMCSA–2023–0190]

Revisions to DataQs Requirements for MCSAP Grant Funding

AGENCY: Federal Motor Carrier Safety Administration (FMCSA), U.S. Department of Transportation (U.S. DOT).

ACTION: Notice.

SUMMARY: FMCSA addresses comments received in response to the Agency's July 1, 2025 **Federal Register** notice titled, “Proposed Revisions to DataQs Requirements for MCSAP Grant Funding.” In addition, FMCSA announces revised DataQs Requirements for Motor Carrier Safety Assistance Program (MCSAP) Grant

Funding, based on input from the public, industry, and State Partners.

FOR FURTHER INFORMATION CONTACT: For information concerning this notice, contact Scott Valentine, Data Quality Program Manager, Analysis Division, Office of Research, FMCSA, 1200 New Jersey Avenue SE, Washington, DC 20590–0001, (202) 366–4869, Scott.Valentine@dot.gov. If you have questions regarding viewing or submitting material to the docket, contact Dockets Operations, (202) 366–9826.

SUPPLEMENTARY INFORMATION: This notice is organized into the following sections:

- I. Background
- II. Summary of Public Comments and Response
 - A. Question 1
 - B. Question 2
 - C. Question 3
 - D. Question 4
 - E. Question 5
- III. Revised DataQs Requirements for MCSAP Grant Funding
- IV. Next Steps

I. Background

DataQs is the online system for motor carriers, commercial motor vehicle (CMV) drivers, and other interested parties to request and track a review of Federal and State crash and inspection data submitted to and stored by FMCSA that the requestor believes is incomplete or incorrect. This system is critical to allowing users to ensure the data FMCSA maintains is accurate and complete. Users can review their own data and request corrections to erroneous or incomplete data records. Each year FMCSA publishes information on approximately 3 million inspections, 5 million violations, and over 180,000 vehicles involved in Federally-reportable crashes. In 2024, DataQs received 8,314 requests on crash data and 63,548 requests concerning inspections and violations.

On July 1, 2025, FMCSA issued a **Federal Register** notice (90 FR 28860) that addressed comments received in response to the Agency's September 14, 2023 **Federal Register** notice titled, "Appeal Process: Requests for Data Review" (88 FR 63195). In addition, the Agency's July 1, 2025 notice proposed revisions to the DataQs requirements for MCSAP Grant funding in response to the comments to the 2023 notice. The comment period closed on September 2, 2025.

II. Summary of Public Comments and Response

FMCSA received 223 docket comments in response to the July 1, 2025 **Federal Register** notice. Of these,

105 submissions contained comments that were relevant to the proposal, and 20 commenters specifically addressed the questions posed in Section V of the notice. The commenters included motor carriers, drivers, owner-operators, industry associations, safety consultants, and members of the enforcement community. The following entities submitted comments on the proposed changes: Air Support Inc., AIST Safety Consulting, Alamo Supplies LLC, American Trucking Associations (ATA), Arizona Start Trucking, LLC, AWM Associates, LLC, Barney Trucking, Bisan LLC, Brenntag North America, California Highway Patrol (CHP), Chemicals Inc, Commercial Vehicle Safety Alliance (CVSA), Commodity Transporters, Contractor Transport LLC, CORT Business Services Corporation, Dean Transportation, Inc., Dot Compliance Services, EL Trucking Inc., Elliott Safety Services LLC, Elo Max Transport, Environmental Restoration LLC, Farias Transportation, Fencing Supply Group, FTI Coach, GetGo Transportation, GoRiteway Transportation Group, Inc., Green Lines Transportation, Inc., Greyhound Lines, Inc. (Greyhound), Gypsum Express LTD, HVMC Transportation LLC, Independent Carrier Safety Association, JW Didado Electric LLC, K–3BMI, Kansas Highway Patrol (KHP), Knight-Swift Transportation, KODEA–LTS, Lawrence Transportation Company, Leaders Moving Co, Lindsey Petroleum Transport, Marck Trucking LLC, Maryland Department of Transportation/State Highway Administration, MP Environmental Services Inc, My Fleet AI, Navigator Truck Insurance Agency, Nebraska State Patrol, NFI Transportation, New Jersey Department of Transportation (NJDOT), North Carolina State Highway Patrol, NUCO2 Supply, LLC, OffSpec Solutions DBA Cool Mountain Transport, Owner-Operator Independent Drivers Association (OOIDA), Panther Creek Transportation, PI&I Motor Express Inc., Pope Consultant Services, LLC, Puget Sound Transfer & Storage, Ray Walker Trucking, Royalane Trucking LLC, Specialty Delivery & Logistics, Inc., Spur Transit, Steve Talkington Consulting, Inc., Tennessee Highway Patrol, Texas TransEastern Inc., TJ Potter Trucking, TNT Service LLC, Trans Alliance LLC, TransOil Marketing, Transport Express Inc., Truckload Carriers Association (TCA), Truline Corp, Universe Transport LLC, VASCOR Transport LTD, Tim Watson, Nadir Ali, and other individuals who did not identify their organizations.

Many stakeholders provided comments on multiple aspects of DataQs and other FMCSA programs.

There were 118 comments that were outside the scope of the proposed revisions to DataQs requirements for MCSAP grant funding and are not discussed in this notice. Of these, 43 comments related to the Drug and Alcohol Clearinghouse, 19 focused on the Crash Preventability Determination Program, 23 followed up on a specific DataQs request, 21 covered other FMCSA topics (e.g., FMCSA Portal, Safety Measurement System, adjudicated citations, Pre-Employment Screening Program, warnings, inspections), and 12 discussed the broader trucking industry.

The majority of the relevant comments were supportive of FMCSA's proposal to revise the DataQs requirements for MCSAP funding. Common themes from the comments included support for improving the timeliness of reviews, ensuring impartial and fair decision-making through multi-level reviews, improving uniformity in the review processes across States, and incorporating independent or third-party reviewers into the Request for Data Review (RDR) process.

The following sections provide a summary of the comments received related to the five questions posed in the July 1, 2025 **Federal Register** notice and the Agency's responses.

Question 1: FMCSA outlined proposed revisions to DataQs requirements for MCSAP Grant funding in Section IV in the July 1, 2025 Federal Register notice. What are the potential benefits associated with this proposal? What are the potential challenges?

Potential Benefits

Ten commenters (ATA, CHP, CVSA, Greyhound, KHP, Knight-Swift Transportation, NJDOT, OOIDA, TCA, and Tim Watson) outlined potential benefits of the proposed revisions to the DataQs requirements. ATA, CVSA, Greyhound, Knight-Swift Transportation, and OOIDA stated that the proposed revisions will offer benefits, including greater consistency, timeliness, and objectivity in the RDR process. OOIDA cited the 75-day timeline to complete the RDR process and the requirement to have RDRs that are "Closed—No Data Correction Made" reviewed by a third-party as "two transformative changes" that will build trust in the DataQs process and improve the accuracy and completeness of FMCSA data. Tim Watson echoed OOIDA stating that the "the greatest

provision is for a ‘second set of eyes’ on the request,” which will lend more credibility to the process. ATA and Greyhound emphasized the importance of FMCSA ensuring States are in compliance with the new requirements. ATA also voiced support for the requirement to make approved DataQs Implementation Plans publicly accessible and suggested that FMCSA further assist States and motor carriers in the rollout of these new DataQs requirements by publishing successes and best practices.

Potential Challenges

Seven commenters (ATA, CHP, CVSA, Greyhound, KHP, NJDOT, and TCA) outlined potential challenges associated with the proposed revisions. ATA, CHP, and NJDOT mentioned that the robust multi-level review process may increase workloads for States. NJDOT added that any new staff hired to meet the increased demand will require training on the new multi-level review process. ATA and CVSA noted another challenge: ensuring that States implement the requirements as consistently as possible while giving States the flexibility to account for their own size, structure, and unique characteristics. TCA highlighted that it may be difficult to ensure reviews are “conducted in good faith,” as bias could still exist if all reviewers are from the same agency or department. KHP voiced concern that the new process would provide the opportunity for bad actors to create and submit more fraudulent requests and supporting documentation.

FMCSA Response

FMCSA acknowledges that the new requirements will be a change for States. Every State that does not have a multi-level review process in place will need to incorporate one and every State will need to develop an implementation plan. While challenging, these steps have the potential to systematically improve RDR outcomes and create a more streamlined process in the long-term. States already implementing similar review processes to that proposed by FMCSA have shared with FMCSA that they receive fewer repeat RDR submissions.

In addition, support for these DataQs requirements will be an allowable expense under FMCSA’s MCSAP Grant Program. For example, States may use this funding to hire additional staff/ create a new role, to support the additional time needed for the multi-level review process, and to provide training/onboarding for staff. FMCSA expects to begin training and outreach on the new requirements, including the

DataQs Implementation Plans, in Spring 2026.

FMCSA recognizes the challenge of ensuring consistent implementation of the new requirements while allowing States to account for their own unique characteristics. These requirements aim to improve oversight by setting timelines and making State and FMCSA processes more transparent. The DataQs Implementation Plans will let each State customize how they meet these requirements. In addition, tying the DataQs requirements to MCSAP funding will help ensure the new standards are applied fairly and consistently.

FMCSA agrees that State compliance with the new requirements will be critical to the Agency’s efforts to set high data quality standards. Each State must submit a DataQs Implementation Plan for FMCSA review and approval. Through this review process, FMCSA will work with States to ensure they meet the requirements.

Question 2: What challenges, if any, will States face in adhering to the timelines for each stage of the RDR process? Are there any other factors FMCSA should consider related to timelines?

General Comments

Four commenters (CVSA, Greyhound, KHP, and OOIDA) did not offer challenges but took the opportunity to voice support for the proposed timelines. CVSA also recommended that FMCSA consider “the jurisdiction’s average response times, rather than applying these timelines to each individual RDR,” which will allow for anomalies that will occur, while holding jurisdictions accountable for timely responses. OOIDA added that DataQs Implementation Plans will assist States in meeting the proposed timelines. Greyhound noted that the 21-day timeframe for an Initial Review or a Reconsideration Review seems reasonable but will require States to respond in a timely and efficient manner.

Challenges

Four commenters (ATA, CHP, TCA, and Tim Watson) noted that State staffing capacity is a key challenge to meeting the proposed timelines. ATA mentioned that States with large inspection volumes and limited staff may have difficulty meeting deadlines and quicker timelines for review and response may strain resources. Tim Watson added that the quicker reviews could increase personnel hours. CHP stated that it may be difficult to coordinate and schedule the 30-day

Final Review with a panel that does not include any previous reviewers.

Other Factors for Consideration

Two commenters (ATA and CVSA) recommended FMCSA apply the same timelines to Federal responses to ensure industry is receiving timely responses from both their State and Federal partners. ATA also asked for clarification on whether the timelines are based on business days or calendar days. CVSA recommended using business days for the timelines when staff are reasonably expected to work.

Two commenters (Greyhound and TCA) provided additional input on the 21-day response period for an Initial Review or a Reconsideration Review. Greyhound asked for clarity on what will happen if a State fails to render a decision or requests more information within the 21-day period. TCA noted that many of their members believe the 21-day response period is too long given the time-sensitive nature of carrier inspection and crash data, which is updated monthly.

FMCSA Response

FMCSA acknowledges that staffing challenges may make meeting RDR timelines difficult. As noted in the response to Question 1, States can use MCSAP funding for hiring, training, extra personnel hours, or other needed resources to help address these challenges. In addition, the Agency is committed to working with States on their DataQs Implementation Plans to find State-specific solutions for the new program requirements.

Regarding the additional factors for consideration, FMCSA understands the importance of similar timeliness standards for Federal RDRs and is currently evaluating similar timeliness standards for Federal inspection-related RDRs. The timelines are based on calendar days, rather than business days. Calendar days are simple to track and uniform nationwide, unlike business days which may vary by State and Federal agency. The Agency believes that the calendar-day based timelines build in sufficient time for staff to address requests during working hours.

In response to Greyhound, FMCSA will monitor States to ensure they are meeting required deadlines. The Agency will use the annual MCSAP reviews to assess States’ compliance with the DataQs requirements, including deadlines (see Question 3 below). FMCSA recognizes TCA’s point that the timeliness of RDRs is important to motor carriers. Currently, some States complete reviews in less than 21 days,

while others take longer. The goal of these new requirements is to set a fair expectation for all States. The Agency will revisit RDR timelines after gathering data during implementation.

2A. FMCSA proposes that the time an RDR spends with the requestor when the State asks for additional information will not impact the timeline for the State's review. The clock will stop while the requestor gathers additional information and will restart if the requestor responds. Is this approach reasonable?

Six commenters (CHP, CVSA, KHP, Knight-Swift Transportation, NJDOT, and OOIDA) agreed that pausing the clock while the requestor gathers additional information is reasonable. OOIDA suggested that FMCSA clarify that the clock will “resume” rather than “restart,” meaning that the clock will continue from where it stopped rather than go back to day one of the RDR. Tim Watson suggested that DataQs include a mechanism for the requestor to indicate if they do not have any additional information, which would prevent the State from waiting for the entire 14-day period to close the RDR. ATA deferred to State law enforcement and CVSA for insights on questions 2a-c.

FMCSA Response

FMCSA concurs that stopping the clock while the requestor gathers additional information is a reasonable approach. The Agency also clarifies that the clock will resume (not restart back at day one of the review) once the requestor responds. This approach will give the requestor a fair chance to provide additional information without impacting the timeline. States should only be requesting information necessary to make the decision. To address Mr. Watson's comment, FMCSA plans to release improvements to the DataQs system later this year to support the new RDR process and promote transparency, such as adding new notification options for the requestor and reviewers.

2B. When the State requests additional information from other State/local enforcement entities, how should FMCSA account for the time when the RDR needs input from State or Federal personnel outside the MCSAP Lead Agency?

Three commenters (CHP, CVSA, and KHP) recommend that FMCSA take the “same stop the clock” approach when waiting for information from an external agency as when the State is waiting for additional information from the requestor, as the conditions are similar.

CVSA added that if a State consistently stops the clock because of delays from external agencies, FMCSA can work with that State to address the challenge. CHP and KHP also suggested that the DataQs system include indicators for local agency review to increase transparency. NJDOT noted that the clock should only stop for the lead agency, with a set time allocated for input from State or Federal personnel. OOIDA stated that while some cases may require additional time, State and local enforcement agencies should complete the request for more information within 21-day or 30-day response periods to ensure reviews are finished within the proposed timeliness thresholds.

FMCSA Response

MCSAP Lead Agencies are responsible for adjudicating RDRs through the review process in a timely manner. Therefore, the clock will keep running when the Lead Agency requests additional information from external State and local enforcement entities. However, FMCSA acknowledges that some RDRs may be complex and as a result, may require additional time. FMCSA will work with Lead Agencies to address these RDRs on an individual basis. These exceptions are not expected to greatly impact a State's overall timeliness.

2C. FMCSA acknowledges that meeting the timeline standard for every RDR may not be achievable. How should delays by either the State or the requestor in the RDR process be handled? What are some examples of extenuating circumstances that would delay the review of an RDR?

Handling Delays

Seven commenters (CHP, Greyhound, KHP, Knight-Swift Transportation, OOIDA, Nadir Ali, and Tim Watson) offered different views on how to address delays. CHP and Tim Watson supported managing delays on individual RDRs through clear, transparent status updates. KHP, Greyhound, and Tim Watson noted that if an RDR is delayed for an extended period of time, a decision should be made, and action should be taken. Greyhound proposed granting the request if the delay is on the State and denying it if it is on the requestor. OOIDA and Nadir Ali supported extending timelines for legitimate delays; OOIDA expects this to apply only to a small number of cases. Knight-Swift Transportation and Tim Watson recommended tracking and documenting RDR timeliness. CVSA

and Tim Watson urged that FMCSA work directly with agencies facing persistent delays on RDRs. CVSA added that delays outside the MCSAP lead agency should not impact RDR timelines.

Extenuating Circumstances

Commenters listed a variety of extenuating circumstances that could be considered legitimate reasons for RDR delays. Examples included health and personal issues of the reviewer or requestor (KHP, CVSA, OOIDA, and Tim Watson); response time or limited availability of outside resources (CHP, CVSA, and Nadir Ali); technical issues and system outages (CVSA, Knight-Swift Transportation, and Tim Watson); complex RDRs requiring additional research (CVSA and OOIDA); natural disasters or State emergencies (Greyhound and Tim Watson); government shutdowns (Greyhound); and legal holds (Knight-Swift Transportation).

Other Considerations

CHP and CVSA expressed concern related to the time and scheduling requirements for the Final Review. CHP indicated that convening a panel on an almost daily basis for the Final Review would be challenging and difficult to coordinate. CVSA echoed this concern, noting that the current 30-day timeframe is not sufficient given the need to align multiple reviewer schedules; they recommended a 45-day timeline for the Final Review to allow adequate time for scheduling and coordination among panel members.

CVSA also noted that RDRs related to adjudicated citations should be closed pending court decisions. Once a ruling is made, the RDR could be reopened to avoid unnecessary delays.

FMCSA Response

FMCSA agrees that RDR outcomes should not be delayed indefinitely and emphasizes the importance of open, regular communication when extenuating circumstances arise. However, automatic action based solely on delays is not consistent with the intent of DataQs and FMCSA's Data Quality program. Decisions must be based on the validity of the claim. To help States monitor their RDRs, FMCSA plans to develop State performance measures and publish timeline reports on the DataQs website once sufficient data is collected. These measures will also be published on the DataQs website.

Regarding Final Review panels, FMCSA acknowledges that convening the panels may present scheduling

challenges, but affirms their value for comprehensive, independent reviews. However, FMCSA agrees with CHP and CVSA's recommendation to extend the Final Review timeline to 45 days to account for scheduling. For adjudicated citations, FMCSA confirms that requests can be held while pending with the relevant jurisdiction for adjudication and should only proceed once resolved through a state or local court/administrative proceeding, but should not remain open indefinitely.

*Question 3: The proposal outlined in Section IV of the July 1, 2025 **Federal Register** notice revises MCSAP Grant requirements and would impact funding distributed by FMCSA. How should States be held accountable for compliance?*

Linking Compliance to MCSAP Funding

Four commenters (ATA, Greyhound, Knight-Swift Transportation, and OOIDA) supported linking the requirements to MCSAP Funding. Greyhound and OOIDA believe that FMCSA should withhold MCSAP funding if States do not comply with requirements. ATA supports linking compliance to MCSAP grant funding with thresholds that are clear and proportionate to State size and volume, and that take potential challenges into consideration. Greyhound recommends monitoring compliance through the MCSAP review process and providing a mechanism for others to file complaints against non-compliant States. Two commenters (TCA and Tim Watson) voiced concern that withholding funding could cause more delays instead of improving timeliness.

State Performance Measures

Three commenters (ATA, TCA, and Tim Watson) recommended that FMCSA publish performance measures on State compliance with the requirements to increase accountability and set expectations on RDR timelines and incentivize States to improve their timeliness. ATA recommended publishing State compliance rates, backlog data, and best practices. TCA suggested State-level results showing the percentage of RDRs completed and average review times. Tim Watson proposed that FMCSA use data analysis to identify delays and bottlenecks and address performance issues.

Technical Support

Four commenters (CVSA, KHP, Knight-Swift Transportation, and Tim Watson) suggested that FMCSA provide technical support to help States comply with the revised DataQs requirements.

Knight-Swift Transportation noted that the Agency should offer technical support or phased implementation for States with limited resources. While CVSA recommended that the Agency work directly with States to identify challenges and resolve delays, Tim Watson suggested that the Agency equip States with monitoring data so they can address their own performance issues. KHP suggested sending notifications to non-compliant States.

Measuring Timeliness

Two commenters (CHP and CVSA) believe that timeliness requirements should not be based on individual RDRs. CHP recommended FMCSA use percentage-based criteria, similar to what is used for crashes and inspections; CVSA suggested the Agency focus on average response times.

FMCSA Response

FMCSA is committed to working with States to ensure they can comply with the new DataQs requirements for MCSAP funding. FMCSA will help States develop their implementation plans, including processes designed to meet the revised requirements, and the Agency will provide technical support through the Data Quality Program. However, improving the timeliness of RDR resolutions is a primary objective of this revised process. FMCSA will monitor State adherence to these new timeliness standards and unwarranted delays will be addressed through the MCSAP evaluation and approval process to ensure accountability. To support this ongoing monitoring, FMCSA plans to implement performance measures on State performance once enough data is collected to be meaningful and results will be published for States and the public. As CHP commented above, the measures will be percentage-based using a methodology similar to the State Safety Data Quality timeliness measures used for inspection and crash data.

Ultimately, the timeliness performance measures will become a regular part of annual MCSAP reviews. MCSAP lead agencies will be required to include timeliness performance measures in their annual Commercial Vehicle Safety Plans, which will be evaluated by FMCSA.

Question 4: If the State does not receive information from the requestor when additional information is requested, or the additional information the requestor provides is inadequate, how should the RDR be handled? Should the State reserve the right to proceed with the review and come to a decision? Should the previous round of review get another chance to reconsider their previous decision when new information is provided?

Closing/Proceeding With RDR, No Requestor Response

Six commenters (ATA, CHP, CVSA, KHP, NJDOT, and Tim Watson) stated that RDRs should be closed without changes if the requestor fails to provide the requested information. CVSA recommended shorter response windows (close the RDR after 7 days instead of 14 days) and KHP recommended allowing for resubmission if the requestor is able to produce the information at a later date. CHP and KHP emphasized that the burden of proof lies with the requestor.

Nine commenters (ATA, CHP, CVSA, Greyhound, Knight-Swift Transportation, OOIDA, NJDOT, TCA, and Tim Watson) noted that States should be able to proceed with reviews and issue decisions based on existing information if the requestor is unresponsive, while allowing for reconsideration if new evidence appears.

Importance of Communication

Five commenters (ATA, CHP, OOIDA, TCA, and Tim Watson) emphasized the need for clear communication, including notifications, reminders, and one chance to correct insufficient submissions before closing the RDR; TCA asked FMCSA to define what counts as "adequate" information to help ensure consistency across States.

Reviewing New Information

Five commenters (CHP, CVSA, Greyhound, NJDOT, and Tim Watson) stated that new information should be reviewed at the initial stage rather than escalating to higher levels. CVSA stressed that later reviews must use the same information as the initial review for consistency. CHP cautioned that escalation could require more expertise and extend timelines. OOIDA and Greyhound supported letting the previous reviewer reconsider its decision if new information is provided within deadlines. NJDOT noted that States should decide if the new information is significant enough to warrant reconsideration, and it should not automatically trigger a review. Tim

Watson questioned whether sending RDRs back to the Initial Reviewer would add unnecessary steps.

FMCSA Response

FMCSA appreciates the input on requesting and reviewing additional information in the RDR process. To keep the process simple while allowing for State discretion, requestors will have 14 days to submit additional documentation if requested by the State. A State may only request additional information that is relevant and material to the disposition of the review. If the requestor does not respond, the DataQs system will close the RDR with a status of “Closed—No Requestor Response.” However, if sufficient information was provided with the initial RDR, States should complete the RDR without the requested additional information and update the RDR status in the system accordingly.

FMCSA agrees with CVSA that if a new RDR is submitted with new evidence, it may be returned to the Initial Reviewer before it is raised to another level of appeal. This will ensure greater consistency in reviews by giving all reviewers access to the same information to reach a decision.

Defining what counts as “adequate” documentation is difficult because the circumstances surrounding each RDR can vary widely. There is no one-size-fits-all definition that works across the various types of requests submitted. States are best suited to decide on a case-by-case basis if the documents received are sufficient for a given request.

Question 5: To what extent should FMCSA prescriptively define the criteria for a “valid reason” for the Reconsideration Review Process described in Section IV of the July 1, 2025 Federal Register notice versus leaving this determination to the States? If FMCSA were to define the process, what specific information should a submitter be required to provide to meet that standard?

Defining Criteria for a “Valid Reason”

Four commenters (ATA, Greyhound, Knight-Swift Transportation, and TCA) supported FMCSA setting clear criteria for what counts as a “valid reason” in the Reconsideration Review process. Greyhound supported prescriptive rules to create a “uniform standard and avoid any abuse of the general term” while ATA agreed on clear and consistent standards with State discretion on applying them. Tim Watson recommended that FMCSA leverage the Motor Carrier Safety Advisory

Committee (MCSAC) to establish criteria for a “valid reason,” noting that some criteria should be defined to avoid frivolous requests.

Three commenters (CHP, CVSA, and KHP) argued for more flexible guidelines. CHP noted that every RDR will be different and individual States should determine what counts as a “valid reason.” CVSA stated that a set list of reasons would be too restrictive, and OOIDA argued that there should not be a list and every RDR should be eligible for Reconsideration Review.

Seven commenters (ATA, CHP, Greyhound, Knight-Swift Transportation, NJDOT, TCA, and Tom Watson) suggested that the submitter be required to provide specific reasons and supporting documentation for the Reconsideration Review. NJDOT suggested that submitters complete a standardized form capturing the new information, its relevance and impact on the Initial Review decision, and documentation from previous reviews. Tim Watson added that the submitter should explain why the Initial Review’s closure explanation is incorrect. Greyhound and Knight-Swift Transportation recommended citing reasons such as failure to properly consider critical evidence, decisions not logically supported by evidence, new evidence available, and procedural errors. ATA, CHP, and TCA asked that submitters provide factual documentation (ATA), verifiable documents (e.g., Docusign) (CHP), and video footage (TCA).

FMCSA Response

FMCSA acknowledges commenters’ input on how to define valid reasons and supporting documentation for appealing requests for Reconsideration or Final Review. At the outset, it would be premature and potentially restrictive to attempt to capture all the potential reasons why requests are elevated. FMCSA sets basic parameters for requesting Reconsideration and Final Review below. In addition, FMCSA acknowledges that there must be a basis for any appeal, and will require the requestor to state the factual or legal error the requestor believes forms the basis for Reconsideration or Final Review when submitting its corresponding appeal request. FMCSA will continue to implement refinements to the DataQs program based on feedback received from commenters and other stakeholders.

III. Revised DataQs Requirements for MCSAP Grant Funding

In consideration of the feedback received through the public comments

on the July 1, 2025 **Federal Register** notice, FMCSA is announcing the following Revised DataQs Requirements for MCSAP Funding.

General Requirements

- States must establish points of contact for crash and inspection RDRs.
- States must accept and conduct a good faith review of all inspection-related RDRs that are submitted within 3 years from the date of inspection and, for all crash-related RDRs, for 5 years from the date of a crash.
- States must follow FMCSA’s policy related to Adjudicated Citations.¹
- States must participate in FMCSA program reviews of their DataQs processes and procedures, as required for current existing MCSAP programs.
- Each RDR closed, including at the various levels of appeal (Reconsideration and Final Review), with the status “Closed—No Data Correction Made” must adequately explain the facts and analysis supporting the decision. Responses must contain the following information:
 - Description of or link to the State’s approved DataQs Implementation Plan;
 - Decision-maker (name and title);
 - List of evidence reviewed;
 - Decision;
 - Specific reason(s) for decision; and
 - Next steps/directions for more information including on how to appeal the decision (RDR Reconsideration process) if prior to Final Review decision.
- Procedural closures, such as “Closed—No Requestor Response” or “Closed—Insufficient Information,” do not constitute a substantive decision on the merits and are exempt from this detailed reporting requirement. Requests that are “Closed—Insufficient Information” must contain the reason for the State’s action and directions to the requestor to submit the required information.
- States may consult with their legal advisors during the RDR adjudication process. States may consult with FMCSA during a review, but FMCSA will not resolve factual or legal disputes, and may only provide assistance with interpretation of the Federal Motor Carrier Safety Regulations, Hazardous Materials Regulations, or related policy.

Multi-Stage Review Process

States are required to incorporate a multi-stage review process for RDRs.

¹ More information on the Adjudicated Citations Policy is available at: <https://www.federalregister.gov/documents/2014/06/05/2014-13022/motor-carrier-management-information-system-mcmis-changes-to-improve-uniformity-in-the-treatment-of>.

The process for reviewing RDRs must include three stages of independent review: Initial Review, Reconsideration, and Final Review. Review of the RDR escalates from the DataQs analyst in the State MCSAP Lead Agency to a responsible decision-maker or panel of subject matter experts.

- **Stage 1: Initial Review**

- The issuing officer or inspector cannot be the sole decision-maker when the outcome of the RDR is “Closed—No Data Correction Made.”

- **Stage 2: Reconsideration**

- The RDR Reconsideration must be reviewed and decided by a person or panel with appropriate subject matter expertise within the MCSAP Lead Agency.

- The Reconsideration reviewer(s) must be separate and independent from the person(s) who decided on the Initial Review.

- The RDR Reconsideration must not be reviewed or decided by the issuing officer or inspector, nor an immediate supervisor of the issuing officer or inspector.

- The Reconsideration reviewer(s) may request additional information from the requestor, provided it is relevant and material to the appeal. If the requestor provides the specifically requested information, the RDR remains in Reconsideration. However, if the requestor introduces entirely new, unrequested, and relevant information or evidence that was not evaluated during the Initial Review, the Reconsideration reviewer will not decide the appeal based on the new evidence. Instead, the RDR will be routed back to the Initial Review process to ensure a complete evaluation of the record.

- **Stage 3: Final Review Process Requirements**

- The Final Review must be escalated for review by a responsible decision-maker identified by the State (e.g., Senior Leader in the MCSAP Office) or an alternative process that ensures an independent and unbiased review and decision. The review may be delegated to a panel or outside party that provides a recommendation to the decision-maker. However, the person(s) or panel reviewing or deciding the Final Review must not be anyone involved in the review or decision of the Initial RDR decision or RDR Reconsideration decision.

- The Final Review decision-maker or panel may request additional information relevant and material to the appeal. If the requested information is provided, the RDR remains in a Final

Review. If entirely new, unrequested, and relevant evidence is introduced by the requestor at this stage, the request must be routed back to the Initial Review process.

- The State’s decision will be considered final by FMCSA after the Final Review is completed. Any future or related requests concerning the RDR will be heard at the discretion of the State.

Timeliness of the Request Process

- States must open an RDR within seven days of submission of an Initial Review request.

- States must reach a decision on an RDR in Initial Review and communicate it to the requestor within 21 days of submission.

- States must reach a decision on any Reconsideration Review and communicate it to the requestor within 21 days of the request for Reconsideration Review.

- States must reach a decision on any Final Review and communicate it to the requestor within 45 days of the request for Final Review.

- To ensure the timely resolution of disputes, requestors must submit any request for a Reconsideration or Final Review within 30 days of the State issuing the decision in the previous stage.

- If a State returns a request at any stage for additional information, the State’s timeline to reach a decision is paused. The 14 days allotted for the requestor to respond do not count toward the State’s 21-day or 45-day review deadlines.

For all stages of review, if the State requests additional information from the requestor, the requestor has 14 days to provide the information. A State may only request additional information that is relevant and material to the disposition of the review. These 14 days do not count towards the timeline for the State’s review. If the requestor does not respond, the State will close the request with the status “Closed—No Requestor Response” unless a decision can be made with the information already on the record. If a request is reopened because the requestor provides the previously requested information, it will not be escalated; instead, it will be reviewed at the level it was closed, and the State will have the full allotted time for that specific stage (21 days for Initial or Reconsideration Reviews and 45 days for Final Reviews) to complete this review. However, if entirely new information or evidence (beyond what was requested) that is relevant to the RDR is provided to the State, the RDR

will be routed back to the Initial Review process. States’ timeliness for responding to RDRs will be assessed based on the percentage of requests at each review level that are addressed in the respective timelines.

Submission of Implementation Plans

State MCSAP Lead Agencies must submit a DataQs Implementation Plan on how the agency will meet the objectives and elements of the General Requirements, Multi-Stage Review Process, and Timeliness of Request Process sections above. In addition, the plan must outline how the agency will address any existing backlog of RDRs and what steps they will take to prevent a potential backlog moving forward.

States must submit a DataQs Implementation Plan for approval by FMCSA’s Data Quality Program.

Updates to the plan in subsequent years will be submitted as part of the annual Commercial Vehicle Safety Plan (CVSP) process. See Next Steps below for the timetable. If changes do not meet FMCSA’s requirements, FMCSA will notify the State, and the previous version of the plan will remain in effect until the State obtains FMCSA approval of any changes. Approved plans will be made available to the public through DataQs (<https://dataqs.fmcsa.dot.gov/>).

Burden of Proof Applicable to Initial RDRs, RDR Reconsideration Requests, and Final Review Requests

- The burden of proof for all requests within DataQs (Initial RDRs, Reconsideration Requests, and Final Review Requests) rests entirely with the requestor. RDRs to remove or modify information will be rejected without factual or legal justification explaining why the information is incorrect or incomplete, along with the necessary supporting documentation supporting the request when necessary.

- If an initial RDR or appeal is submitted without minimal factual or legal justification, it is considered fundamentally unsubstantiated. States have the discretion to procedurally reject these requests (e.g., “Closed—Insufficient Information”) without conducting a full substantive review. Alternatively, the State may return the RDR and ask for the missing information.

- If the State returns an RDR for relevant and material information, the requestor has 14 days to provide it. If the requestor fails to respond within the 14-day timeframe, the request will be closed with the status “Closed—No Requestor Response.” However, if the existing record contains enough information for the State to adjudicate

the claim despite the missing information, the State must issue a substantive decision on the merits (*e.g.*, “Closed—No Data Correction Made”).

- If an RDR is closed due to a lack of response, even if the State issued a substantive decision on the merits based on the existing record, the request will be reopened if the requestor subsequently provides the information that was previously requested.

- The reopened request will not be escalated to the next stage of appeal.

- It will be reviewed again at the level it was closed, and the State will be granted the full time allotted for that specific stage (21 days for Initial or Reconsideration Reviews, and 45 days for Final Reviews) to complete this renewed review.

- The appellate stages (Reconsideration and Final Review) are meant to review the previous decision based on the existing record. If a requestor introduces entirely new, unrequested, and relevant information or evidence at any point (whether trying to reopen a closed case or during an appeal) that was not evaluated during the prior stage, the RDR will be routed back to the Initial Review process to ensure a complete evaluation of the record.

- The appellate stages (Reconsideration and Final Review) are primarily meant to review the previous decision based on the existing record. However, appellate State reviewers retain the authority to request additional information from the requestor, provided it is relevant and material to the disposition of the review. If the requestor provides the specifically requested information, the review remains at the current appellate level. Conversely, if a requestor introduces entirely new, unrequested and relevant information or evidence during an appeal that was not requested by the reviewer and was not evaluated during the prior stage, the RDR will be routed back to the Initial Review process.

- For RDR Reconsideration Requests and Final Review Requests, requestors must specifically address the State’s previous factual or legal basis for the decision and explain why they believe that decision was incorrect. If an appeal is submitted that fails to provide this substantive justification (*e.g.*, merely stating disagreement without addressing the prior analysis), the State has the authority to summarily reject the request without further review.

IV. Next Steps

FMCSA thanks industry, State Partners, and the public for providing feedback to continually improve the

DataQs program. This input is essential to FMCSA’s efforts to elevate data quality standards, which strive to improve roadway safety and instill greater confidence in fair and understandable processes. FMCSA is dedicated to ensuring States have support and collaboration in developing their DataQs implementation plans. FMCSA will communicate with States on what is expected to meet the revised requirements via correspondence to MCSAP agencies and will conduct training and outreach in advance of implementation. FMCSA proposes the following implementation schedule.

- *April–May 2026:* FMCSA begins training and outreach on the new requirements for DataQs. Training will include templates and guidance for creating and submitting DataQs Implementation Plans, webinars, and office hours.

- *60 days after FRN publication:* States submit draft DataQs Implementation Plans to FMCSA for review and approval.

- *120 days after FRN publication:* States finalize their DataQs Implementation Plans, based on feedback from FMCSA. FMCSA completes the implementation plan for relevant RDRs.

- *150 days after FRN publication:* DataQs system release to support the revised requirements. State implementation plans and new DataQs MCSAP requirements go into effect.

Implementing these revised requirements is a joint effort between FMCSA, State Partners, and industry to enhance data quality and support better safety outcomes. By working together, we can improve the effectiveness of the DataQs process and contribute to a safer transportation system.

Derek Barrs,
Administrator.

[FR Doc. 2026–07429 Filed 4–15–26; 8:45 am]

BILLING CODE 4910–EX–P

DEPARTMENT OF TRANSPORTATION

Federal Railroad Administration

[Docket Number FRA–2010–0034]

Port Authority Trans-Hudson’s Request To Amend Its Positive Train Control Safety Plan and Positive Train Control System

AGENCY: Federal Railroad Administration (FRA), Department of Transportation (DOT).

ACTION: Notice of availability and request for comments.

SUMMARY: This document provides the public with notice that, on March 31, 2026, Port Authority Trans-Hudson (PATH) submitted a request for amendment (RFA) to its FRA-approved Positive Train Control Safety Plan (PTCSP). As this RFA may involve a request for FRA’s approval of proposed material modifications to an FRA-certified positive train control (PTC) system, FRA is publishing this notice and inviting public comment on the railroad’s RFA to its PTCSP.

DATES: FRA will consider comments received by May 6, 2026. FRA may consider comments received after that date to the extent practicable and without delaying implementation of valuable or necessary modifications to a PTC system.

ADDRESSES:

Comments: Comments may be submitted by going to <https://www.regulations.gov> and following the online instructions for submitting comments.

Instructions: All submissions must include the agency name and the applicable docket number. The relevant PTC docket number for this host railroad is Docket No. FRA–2010–0034. For convenience, all active PTC dockets are hyperlinked on FRA’s website at <https://railroads.dot.gov/research-development/program-areas/train-control/ptc/railroads-ptc-dockets>. All comments received will be posted without change to <https://www.regulations.gov>; this includes any personal information.

FOR FURTHER INFORMATION CONTACT: Gabe Neal, Staff Director, Signal, Train Control, and Crossings Division, telephone: 816–516–7168, email: Gabe.Neal@dot.gov.

SUPPLEMENTARY INFORMATION: In general, title 49 United States Code (U.S.C.) section 20157(h) requires FRA to certify that a host railroad’s PTC system complies with title 49 Code of Federal Regulations (CFR) part 236, subpart I, before the technology may be operated in revenue service. Before making certain changes to an FRA-certified PTC system or the associated FRA-approved PTCSP, a host railroad must submit, and obtain FRA’s approval of, an RFA to its PTCSP under 49 CFR 236.1021.

Under 49 CFR 236.1021(e), FRA will publish a notice in the **Federal Register** and invite public comment, in accordance with 49 CFR part 211, if an RFA includes a request for approval of a material modification of a signal or train control system. Accordingly, this notice informs the public that, on March 31, 2026, PATH submitted an RFA to its PTCSP for its Communication Based

Train Control PTC system, which seeks FRA's approval for a software update associated with placing a new interlocking into service. That RFA is available in Docket No. FRA-2010-0034.

Interested parties are invited to comment on PATH's RFA to its PTCSP by submitting written comments or data. During FRA's review of this railroad's RFA, FRA will consider any comments or data submitted within the timeline specified in this notice, and to the extent practicable, without delaying implementation of valuable or necessary modifications to a PTC system. *See* 49 CFR 236.1021; *see also* 49 CFR 236.1011(e). Under 49 CFR 236.1021, FRA maintains the authority to approve, approve with conditions, or deny a railroad's RFA to its PTCSP at FRA's sole discretion.

Privacy Act Notice

In accordance with 49 CFR 211.3, FRA solicits comments from the public to better inform its decisions. DOT posts these comments, without edit, including any personal information the commenter provides, to <https://www.regulations.gov>, as described in the system of records notice (DOT/ALL-14 FDMS), which can be reviewed at <https://www.transportation.gov/privacy>. *See* <https://www.regulations.gov/privacy-notice> for the privacy notice of www.regulations.gov. To facilitate comment tracking, we encourage commenters to provide their name, or the name of their organization; however, submission of names is completely optional. If you wish to provide comments containing proprietary or confidential information, please contact FRA for alternate submission instructions.

Issued in Washington, DC.

Carolyn R. Hayward-Williams,

Director, Office of Railroad Systems and Technology.

[FR Doc. 2026-07455 Filed 4-15-26; 8:45 am]

BILLING CODE 4910-06-P

DEPARTMENT OF TRANSPORTATION

Maritime Administration

[Docket No. MARAD-2026-0629]

Request Notice: Use of Foreign-built Small Passenger Vessel in United States Coastwise Trade, M/V ALEGRIA

AGENCY: Maritime Administration (MARAD), U.S. Department of Transportation (DOT).

ACTION: Notice and request for comments.

SUMMARY: The Secretary of Transportation, as represented by MARAD, is authorized to make determinations regarding the coastwise use of foreign built; certain U.S. built; and U.S. and foreign rebuilt vessels that solely carry no more than twelve passengers for hire. MARAD has received such a determination request and is publishing this notice to solicit comments to assist with determining whether the proposed use of the vessel set forth in the request would have an adverse effect on U.S. vessel builders or U.S. coastwise trade businesses that use U.S.-built vessels in those businesses. Information about the requestor's vessel, including a description of the proposed service, is in the **SUPPLEMENTARY INFORMATION** section below.

DATES: Submit comments on or before May 18, 2026.

ADDRESSES: You may submit comments identified by DOT Docket Number MARAD-2026-0629 by any one of the following methods:

- *Federal eRulemaking Portal:* Go to <https://www.regulations.gov>. Search the above DOT Docket Number and follow the instructions for submitting comments.

- *Mail or Hand Delivery:* Docket Management Facility is in the West Building, Ground Floor of the U.S. Department of Transportation. The Docket Management Facility location address is U.S. Department of Transportation, 1200 New Jersey Avenue SE, West Building, Room W12-140, Washington, DC 20590, between 9 a.m. and 5 p.m., Monday through Friday, except on Federal holidays.

Note: If you mail or hand-deliver your comments, we recommend that you include the DOT Docket Number, your name and a mailing address, an email address or a telephone number in the body of your document so that we can contact you if we have questions regarding your submission.

Instructions: All submissions received must include the agency name and specific DOT Docket Number. All comments received will be posted without change to the docket at www.regulations.gov, including any personal information provided. For detailed instructions on submitting comments, or to submit comments that are confidential in nature, see the section entitled Public Participation.

FOR FURTHER INFORMATION CONTACT: Patricia Hagerty, U.S. Department of Transportation, Maritime Administration, 1200 New Jersey Avenue SE, Mail Stop 2, MAR-620, Washington, DC 20590. Telephone:

(202) 366-5400. Email: smallvessels@dot.gov.

SUPPLEMENTARY INFORMATION: Pursuant to 46 U.S.C. 12121(b), the U.S. Coast Guard may issue a certificate of documentation with a coastwise trade endorsement for eligible, small passenger vessels authorized to carry no more than 12 passengers for hire if MARAD, after notice and an opportunity for public comment, determines the use of the small passenger vessel in the coastwise trade will not adversely affect United States vessel builders or the coastwise trade business of any person that employs vessels built in the United States in that business.¹

MARAD has received an eligibility determination request. Further details about the requester's vessel and its proposed operations may be found in the determination request posted in the DOT Docket Number listed in the **ADDRESSES** section above at <https://www.regulations.gov>. Interested parties may comment on the undue adverse effect this action may have on U.S. vessel builders or coastwise trade businesses in the U.S. that employ U.S.-built vessels in those businesses. Comments should refer to the vessel name, state the commenter's interest in the request, and demonstrate, with supporting documentation, the undue adverse effect on U.S. vessel builders and coastwise trade businesses.

Public Participation

How do I submit comments?

Please submit comments, including the attachments, following the instructions provided under the above heading entitled **ADDRESSES**. It may take a few hours or even days for comments to be reflected on the docket. Comments must be written in English. Provide concise comments and attach additional documents as necessary. There is no limit on the length of the attachments.

Where do I go to read public comments, and find supporting information?

The docket online is located at <https://www.regulations.gov>, keyword search the DOT Docket Number list in the **ADDRESSES** section above or visit the Docket Management Facility (see **ADDRESSES** for hours of operation). Please periodically check the Docket for new submissions and supporting material.

¹ The U.S. Coast Guard and MARAD have authority under 46 U.S.C. 12121(b) through the Secretary of the Department of Homeland Security and the Secretary of the Department of Transportation, respectively.

Will my comments be made available to the public?

Yes. Your entire comment, including your personal identifying information, will be made publicly available.

May I submit comments confidentially?

You may request that MARAD treat your comments as commercially confidential by submitting them to SmallVessels@dot.gov. Include in the email subject heading "Contains Confidential Commercial Information" or "Contains CCI" and state in your submission, with specificity, the basis for any such confidential treatment highlighting the CCI portions. If possible, please provide a summary of your submission that can be made available to the public.

If MARAD receives a Freedom of Information Act (FOIA) request for the information, procedures described in the Department's FOIA regulation at 49 CFR 7.29 will be followed. Only information that is ultimately determined to be confidential under those procedures will be exempt from disclosure under FOIA.

Privacy Act

Anyone can 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.). For information on DOT's compliance with the Privacy Act, please visit <https://www.transportation.gov/privacy>.

(Authority: 46 U.S.C. 12121, 49 CFR 1.93(a))

By Order of the Maritime Administrator.

T. Mitchell Hudson, Jr.,

Secretary, Maritime Administration.

[FR Doc. 2026-07341 Filed 4-15-26; 8:45 am]

BILLING CODE 4910-81-P

DEPARTMENT OF TRANSPORTATION

Maritime Administration

[Docket No. MARAD-2026-0628]

Request Notice: Use of Foreign-Built Small Passenger Vessel in United States Coastwise Trade, S/V SASA

AGENCY: Maritime Administration (MARAD), U.S. Department of Transportation (DOT).

ACTION: Notice and request for comments.

SUMMARY: The Secretary of Transportation, as represented by MARAD, is authorized to make determinations regarding the coastwise

use of foreign built; certain U.S. built; and U.S. and foreign rebuilt vessels that solely carry no more than twelve passengers for hire. MARAD has received such a determination request and is publishing this notice to solicit comments to assist with determining whether the proposed use of the vessel set forth in the request would have an adverse effect on U.S. vessel builders or U.S. coastwise trade businesses that use U.S.-built vessels in those businesses. Information about the requestor's vessel, including a description of the proposed service, is in the **SUPPLEMENTARY INFORMATION** section below.

DATES: Submit comments on or before May 18, 2026.

ADDRESSES: You may submit comments identified by DOT Docket Number MARAD-2026-0628 by any one of the following methods:

- **Federal eRulemaking Portal:** Go to <https://www.regulations.gov>. Search the above DOT Docket Number and follow the instructions for submitting comments.

- **Mail or Hand Delivery:** Docket Management Facility is in the West Building, Ground Floor of the U.S. Department of Transportation. The Docket Management Facility location address is U.S. Department of Transportation, 1200 New Jersey Avenue SE, West Building, Room W12-140, Washington, DC 20590, between 9 a.m. and 5 p.m., Monday through Friday, except on Federal holidays.

Note: If you mail or hand-deliver your comments, we recommend that you include the DOT Docket Number, your name and a mailing address, an email address or a telephone number in the body of your document so that we can contact you if we have questions regarding your submission.

Instructions: All submissions received must include the agency name and specific DOT Docket Number. All comments received will be posted without change to the docket at www.regulations.gov, including any personal information provided. For detailed instructions on submitting comments, or to submit comments that are confidential in nature, see the section entitled Public Participation.

FOR FURTHER INFORMATION CONTACT:

Patricia Hagerty, U.S. Department of Transportation, Maritime Administration, 1200 New Jersey Avenue SE, Mail Stop 2, MAR-620, Washington, DC 20590. Telephone: (202) 366-5400. Email: smallvessels@dot.gov.

SUPPLEMENTARY INFORMATION: Pursuant to 46 U.S.C. 12121(b), the U.S. Coast Guard may issue a certificate of

documentation with a coastwise trade endorsement for eligible, small passenger vessels authorized to carry no more than 12 passengers for hire if MARAD, after notice and an opportunity for public comment, determines the use of the small passenger vessel in the coastwise trade will not adversely affect United States vessel builders or the coastwise trade business of any person that employs vessels built in the United States in that business.¹

MARAD has received an eligibility determination request. Further details about the requester's vessel and its proposed operations may be found in the determination request posted in the DOT Docket Number listed in the **ADDRESSES** section above at <https://www.regulations.gov>. Interested parties may comment on the undue adverse effect this action may have on U.S. vessel builders or coastwise trade businesses in the U.S. that employ U.S.-built vessels in those businesses. Comments should refer to the vessel name, state the commenter's interest in the request, and demonstrate, with supporting documentation, the undue adverse effect on U.S. vessel builders and coastwise trade businesses.

Public Participation

How do I submit comments?

Please submit comments, including the attachments, following the instructions provided under the above heading entitled **ADDRESSES**. It may take a few hours or even days for comments to be reflected on the docket. Comments must be written in English. Provide concise comments and attach additional documents as necessary. There is no limit on the length of the attachments.

Where do I go to read public comments, and find supporting information?

The docket online is located at <https://www.regulations.gov>, keyword search the DOT Docket Number list in the **ADDRESSES** section above or visit the Docket Management Facility (see **ADDRESSES** for hours of operation). Please periodically check the Docket for new submissions and supporting material.

Will my comments be made available to the public?

Yes. Your entire comment, including your personal identifying information, will be made publicly available.

¹ The U.S. Coast Guard and MARAD have authority under 46 U.S.C. 12121(b) through the Secretary of the Department of Homeland Security and the Secretary of the Department of Transportation, respectively.

May I submit comments confidentially?

You may request that MARAD treat your comments as commercially confidential by submitting them to SmallVessels@dot.gov. Include in the email subject heading “Contains Confidential Commercial Information” or “Contains CCI” and state in your submission, with specificity, the basis for any such confidential treatment highlighting the CCI portions. If possible, please provide a summary of your submission that can be made available to the public.

If MARAD receives a Freedom of Information Act (FOIA) request for the information, procedures described in the Department’s FOIA regulation at 49 CFR 7.29 will be followed. Only information that is ultimately determined to be confidential under those procedures will be exempt from disclosure under FOIA.

Privacy Act

Anyone can 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.). For information on DOT’s compliance with the Privacy Act, please visit <https://www.transportation.gov/privacy>.

(Authority: 46 U.S.C. 12121, 49 CFR 1.93(a))

By Order of the Maritime Administrator.

T. Mitchell Hudson, Jr.,

Secretary, Maritime Administration.

[FR Doc. 2026–07340 Filed 4–15–26; 8:45 am]

BILLING CODE 4910–81–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.

DATES: This action was issued on April 14, 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 Action

On April 14, 2026, OFAC determined that one or more persons identified below meet one or more of the criteria for the imposition of sanctions set forth in section 1(a)–(c) of Executive Order 14059 of December 15, 2021, “Imposing Sanctions on Foreign Persons Involved in the Global Illicit Drug Trade,” 86 FR 71549 (E.O. 14059). OFAC has selected to impose blocking sanctions pursuant to section 2(a)(i) of E.O. 14059 on the persons identified below.

OFAC further determined that one or more persons identified below meet one or more of the criteria for sanctions pursuant to Executive Order 13224 of September 23, 2001, “Blocking Property and Prohibiting Transactions With Persons Who Commit, Threaten to Commit, or Support Terrorism,” 66 FR 49079, as amended by Executive Order 13886 of September 9, 2019, “Modernizing Sanctions To Combat Terrorism,” 84 FR 48041 (“E.O. 13224, as amended”).

As a result, 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. RAMOS VAZQUEZ, Jesus Reymundo (a.k.a. RAMOS, Raymundo), Nuevo Laredo, Tamaulipas, Mexico; DOB 15 Mar 1971; POB Tamaulipas, Mexico; nationality Mexico; Gender Male; Secondary sanctions risk: section 1(b) of Executive Order 13224, as amended by Executive Order 13886; C.U.R.P. RAVJ710315HTSMZS09 (Mexico) (individual) [SDGT] [ILLICIT-DRUGS–EO14059] (Linked To: CARTEL DEL NORESTE).

Designated pursuant to section 1(b)(iii) of E.O. 14059 for being owned, controlled, or directed by, or having acted or purported to act for or on behalf of, directly or indirectly, Cartel del Noreste (CDN), a person whose property

and interests in property are blocked pursuant to E.O. 14059.

Designated pursuant to section 1(a)(iii)(A) of E.O. 13224, as amended, for being owned, controlled, or directed by, or having acted or purported to act for or on behalf of, directly or indirectly, CDN, a person whose property and interests in property are blocked pursuant to E.O. 13224, as amended.

2. ISLAS VALDEZ, Eduardo Javier (a.k.a. “Crosty”), Nuevo Laredo, Tamaulipas, Mexico; DOB 25 Feb 1985; POB Tamaulipas, Mexico; nationality Mexico; Gender Male; Secondary sanctions risk: section 1(b) of Executive Order 13224, as amended by Executive Order 13886; C.U.R.P. IAVE850225HTSSLD02 (Mexico) (individual) [SDGT] [ILLICIT-DRUGS–EO14059] (Linked To: CARTEL DEL NORESTE).

Designated pursuant to section 1(b)(iii) of E.O. 14059 for being owned, controlled, or directed by, or having acted or purported to act for or on behalf of, directly or indirectly, CDN, a person whose property and interests in property are blocked pursuant to E.O. 14059.

Designated pursuant to section 1(a)(iii)(A) of E.O. 13224, as amended, for being owned, controlled, or directed by, or having acted or purported to act for or on behalf of, directly or indirectly, CDN, a person whose property and interests in property are blocked pursuant to E.O. 13224, as amended.

3. PENILLA RODRIGUEZ, Juan Pablo, Mexico; DOB 18 Jan 1980; POB Mexico City, Mexico; nationality Mexico; Gender Male; Secondary sanctions risk: section 1(b) of Executive Order 13224, as amended by Executive Order 13886; C.U.R.P. PERJ800118HDFNDN03 (Mexico) (individual) [SDGT] [ILLICIT-DRUGS–EO14059] (Linked To: CARTEL DEL NORESTE).

Designated pursuant to section 1(b)(iii) of E.O. 14059 for being owned, controlled, or directed by, or having acted or purported to act for or on behalf of, directly or indirectly, CDN, a person whose property and interests in property are blocked pursuant to E.O. 14059.

Designated pursuant to section 1(a)(iii)(A) of E.O. 13224, as amended, for being owned, controlled, or directed by, or having acted or purported to act for or on behalf of, directly or indirectly, CDN, a person whose property and interests in property are blocked pursuant to E.O. 13224, as amended.

Entities

1. CASINO CENTENARIO, Nuevo Laredo, Tamaulipas, Mexico; website casinocentenario1d.com; Secondary

sanctions risk: section 1(b) of Executive Order 13224, as amended by Executive Order 13886; Organization Established Date 2023; Organization Type: Gambling and betting activities [SDGT] [ILLICIT-DRUGS-EO14059] (Linked To: CARTEL DEL NORESTE).

Designated pursuant to section 1(b)(i)(B) of E.O. 14059 for having provided, or attempted to provide, financial, material, or technological support for, or goods or services in support of, CDN, a person whose property and interests in property are blocked pursuant to E.O. 14059.

Designated pursuant to section 1(a)(iii)(C) of E.O. 13224, as amended, for having materially assisted, sponsored, or provided financial, material or technological support for, or goods or services to or in support of, CDN, a person whose property and interests in property are blocked pursuant to E.O. 13224, as amended.

2. COMERCIALIZADORA Y ARRENDADORA DE MEXICO, S.A. DE C.V., Ciudad Madero, Tamaulipas, Mexico; Secondary sanctions risk: section 1(b) of Executive Order 13224, as amended by Executive Order 13886; Organization Established Date 28 May 1997; Organization Type: Gambling and betting activities; RFC CAM970528IYA (Mexico); Folio Mercantil No. N-2020067321 (Mexico) [SDGT] [ILLICIT-DRUGS-EO14059] (Linked To: CASINO CENTENARIO).

Designated pursuant to section 1(b)(i)(B) of E.O. 14059 for having provided, or attempted to provide, financial, material, or technological support for, or goods or services in support of, Casino Centenario, a person whose property and interests in property are blocked pursuant to E.O. 14059.

Designated pursuant to section 1(a)(iii)(C) of E.O. 13224, as amended, for having materially assisted, sponsored, or provided financial, material or technological support for, or goods or services to or in support of, Casino Centenario, a person whose property and interests in property are blocked pursuant to E.O. 13224, as amended.

3. DIAMANTE CASINO, Tampico, Tamaulipas, Mexico; website *diamantecasino.com.mx*; Secondary sanctions risk: section 1(b) of Executive Order 13224, as amended by Executive Order 13886; Organization Established

Date 2021; Organization Type: Gambling and betting activities [SDGT] [ILLICIT-DRUGS-EO14059] (Linked To: COMERCIALIZADORA Y ARRENDADORA DE MEXICO, S.A. DE C.V.).

Designated pursuant to section 1(b)(iii) of E.O. 14059 for being owned, controlled, or directed by, or having acted or purported to act for or on behalf of, directly or indirectly, Comercializadora y Arrendadora de Mexico, S.A. de C.V., a person whose property and interests in property are blocked pursuant to E.O. 14059.

Designated pursuant to section 1(a)(iii)(A) of E.O. 13224, as amended, for being owned, controlled, or directed by, or having acted or purported to act for or on behalf of, directly or indirectly, Comercializadora y Arrendadora de Mexico, S.A. de C.V., a person whose property and interests in property are blocked pursuant to E.O. 13224, as amended.

(Authority: E.O. 14059; E.O. 13224, as amended)

Bradley T. Smith,

Director, Office of Foreign Assets Control.

[FR Doc. 2026-07425 Filed 4-15-26; 8:45 am]

BILLING CODE 4810-AL-P

DEPARTMENT OF VETERANS AFFAIRS

[OMB Control No. 2900-0365]

Agency Information Collection Activity Under OMB Review: Request for Disinterment

AGENCY: National Cemetery Administration, Department of Veterans Affairs.

ACTION: Notice.

SUMMARY: In compliance with the Paperwork Reduction Act (PRA) of 1995, this notice announces that the National Cemetery Administration, Department of Veterans Affairs, will submit the collection of information abstracted below to the Office of Management and Budget (OMB) for review and comment. The PRA submission describes the nature of the information collection and its expected cost and burden, and it includes the actual data collection instrument.

DATES: Comments and recommendations for the proposed

information collection should be sent by May 18, 2026.

ADDRESSES: To submit comments and recommendations for the proposed information collection, please type the following link into your browser: *www.reginfo.gov/public/do/PRAMain*, select “Currently under Review—Open for Public Comments”, then search the list for the information collection by Title or “OMB Control No. 2900-0365.”

FOR FURTHER INFORMATION CONTACT: VA PRA information: Dorothy Glasgow, 202-461-1084, *VAPRA@va.gov*.

SUPPLEMENTARY INFORMATION:

Title: Request for Disinterment.

OMB Control Number: 2900-0365
https://www.reginfo.gov/public/do/PRASearch.

Type of Review: Revision of a currently approved collection.

Abstract: Claimants complete VA Form 40-4970 to request removal of remains from a national cemetery for interment at another location. Interments made in national cemeteries are permanent and final. All immediate family members of the decedent, including the person who initiated the interment, (whether or not he/she is a member of the immediate family) must provide a written consent before disinterment is granted. VA will accept an order from a court of local jurisdiction in lieu of VA Form 40-4970.

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 **Federal Register** Notice with a 60-day comment period soliciting comments on this collection of information was published at 91 FR 4791, February 02, 2026.

Affected Public: Individuals or Households.

Estimated Annual Burden: 233 hours.

Estimated Average Burden per

Respondent: 10 minutes.

Frequency of Response: On occasion.

Estimated Number of Respondents: 1,400.

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. 2026-07434 Filed 4-15-26; 8:45 am]

BILLING CODE 8320-01-P



FEDERAL REGISTER

Vol. 91

Thursday,

No. 73

April 16, 2026

Part II

The President

Proclamation 11022—Day of Celebration in Honor of the Life of Henry Clay, 2026

Presidential Documents

Title 3—

Proclamation 11022 of April 10, 2026

The President

Day of Celebration in Honor of the Life of Henry Clay, 2026

By the President of the United States of America

A Proclamation

On what would have been his 249th birthday, we honor the life and enduring legacy of Henry Clay—a true American original, whose incredible vision and lifetime of devoted service to our Republic helped forge the very Union we cherish so deeply.

Born in the midst of the Revolutionary War on April 12, 1777, Clay rose from humble beginnings in Virginia to stand among the most consequential statesmen this country has ever produced. He represented the Commonwealth of Kentucky in the United States Congress, where he became the driving force behind what became known as the American System, championing strong protective tariffs to defend and develop domestic industry, a sound national financial structure to support growth and commerce, and Federal investment in roads, canals, and other internal improvements to bind the Nation together. The American System served as a practical blueprint for national strength, national unity, and national self-reliance.

Henry Clay understood that our Nation's political independence must rest on a firm foundation of economic independence. He knew that sovereignty is never merely political. It is industrial. It is financial. It is commercial. He understood that when a Nation can no longer make what it needs, move what it makes, or defend the workers who sustain it, that Nation risks losing not only prosperity, but independence itself.

Throughout his time in public office, he never wavered in his fight for America's economic independence during the most formative years of our country. Clay would go on to wield the gavel as Speaker of the House and serve with distinction in the Senate, and in 1825, he assumed the office of Secretary of State under President John Quincy Adams. Throughout his career, he was nominated for President three times—shaping the national debate with each campaign and contributing significantly to the advancement of American greatness.

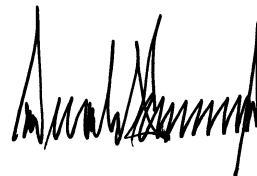
As we commemorate 250 glorious years of American independence, it is especially fitting that we honor a statesman whose legacy is one of strength, vision, patriotism, and an unshakable belief in the greatness of the American Republic. Our country is strengthened by the memory of great statesmen who, like Henry Clay, devoted their lives to public service and led our people through times of both hardship and triumph.

In honor of this American titan, and to celebrate his pivotal role in the story of our Nation, I am proud to direct the White House Office of Administration to redesignate Room 208 of the Eisenhower Executive Office Building, the historic office of the Secretary of State, as the Henry Clay Room.

As we remember the life and contributions of Henry Clay, we carry forward his unshakable belief in the promise of America and honor the timeless example of a patriot who always placed country above self. May his memory always inspire each new generation of Americans to greatness, and may the Union he worked so mightily to preserve stand tall, united, and strong for centuries to come.

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 April 12, 2026, as a day of celebration in honor of the life of Henry Clay.

IN WITNESS WHEREOF, I have hereunto set my hand this tenth day of April, 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.

A handwritten signature in black ink, appearing to be "Donald Trump", with a stylized, jagged flourish at the end.

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