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DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 71

[Docket No. FAA–2025–1183; Airspace Docket No. 25–ASO–12]

RIN 2120–AA66

Amendment of Class E Airspace; Miami, FL

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Final rule; correction.

SUMMARY: This action corrects a final rule published by the FAA in the **Federal Register** on February 13, 2026, amending Class D and E airspace in Miami, FL. This action corrects discrepancies between the discussion of the rule in the preamble, which contained the accurate airspace description for the Class E airspace for Miami Executive, and the legal description, which failed to implement the changes.

DATES: The effective date of the final rule published in the **Federal Register** on February 13, 2026, remains 0901 UTC, July 9, 2026. The Director of the Federal Register approves this incorporation by reference action under 1 CFR part 51, subject to the annual revision of FAA Order JO 7400.11 and publication of conforming amendments.

FOR FURTHER INFORMATION CONTACT: Rachel Cruz, Operations Support Group, Eastern Service Center, Federal Aviation Administration, 1701 Columbia Ave., College Park, GA 30337; Telephone (404) 305–5571.

SUPPLEMENTARY INFORMATION:

History

The FAA published a final rule for Docket No. FAA–2025–1183 (91 FR 6751; February 13, 2026), amending Class D and E airspace at Miami, FL. After publication, the FAA discovered that, although the preamble accurately discussed the changes to the Class E airspace, the airspace description did not correctly implement those changes. This action corrects that error. Additionally, the FAA failed to explain the basis for an administrative change that was implemented via the final rule published on February 13, 2026. Specifically, in the final rule, the FAA updated the affected airspace legal description titles to remove the airport name. This was done to comply with the naming conventions in FAA Order JO 7400.2R. No correction is needed because this change was correctly implemented despite the FAA's failure to provide an explanation.

Correction to Final Rule

Accordingly, pursuant to the authority delegated to me, the final rule for Docket No. FAA–2025–1183, as published in the **Federal Register** on February 13, 2026 (91 FR 6751; FR Doc. 2026–02919), is corrected as follows:

■ 1. On page 6752, in the second column, delete the text of the legal description titled, ''ASO FL E2 Miami, FL [Amended],'' and replace it with:

ASO FL E2 Miami, FL [Amended]

Miami Executive Airport, FL
(Lat. 25°38′51″ N, long. 80°26′00″ W)

That airspace extending upward from the surface to and including 2,500 feet MSL within a 4.3-mile radius of the Miami Executive Airport, and within 1.2 miles each side of the 267 bearing from the airport reference point extending from the 4.3-mile radius to 5.9 miles west of the airport reference point, excluding that airspace within the Miami, FL, Class B surface area. This Class E airspace is effective during the specific dates and times established in advance by a Notice to Airmen. The effective date and time will thereafter be continuously published in the Chart Supplement.

Issued in College Park, Georgia, on April 28, 2026.

Patrick Young,

Manager, Airspace & Procedures Team North, Eastern Service Center, Air Traffic Organization.

[FR Doc. 2026–08464 Filed 4–29–26; 8:45 am]

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DEPARTMENT OF HEALTH AND HUMAN SERVICES

Food and Drug Administration

21 CFR Part 870

[Docket No. FDA–2026–N–3946]

Medical Devices; Cardiovascular Devices; Classification of the Laser-Powered Inferior Vena Cava Filter Retrieval Catheter

AGENCY: Food and Drug Administration, HHS.

ACTION: Final amendment; final order.

SUMMARY: The Food and Drug Administration (FDA) is classifying the laser-powered inferior vena cava filter retrieval catheter 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 laser-powered inferior vena cava filter retrieval catheter. 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 30, 2026. The classification was applicable on December 21, 2021.

FOR FURTHER INFORMATION CONTACT: Brian Pullin, Center for Devices and Radiological Health, Food and Drug Administration, 10903 New Hampshire Ave., Bldg. 66, Rm. 2112, Silver Spring, MD 20993–0002, 301–796–6455, *Brian.Pullin@fda.hhs.gov.*

SUPPLEMENTARY INFORMATION:

I. Background

Upon request, FDA (the Agency or we) has classified the laser-powered inferior vena cava filter retrieval catheter into class II (special controls), which we have determined will provide a reasonable assurance of safety and effectiveness of the device. 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 into, 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 classification 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 June 25, 2021, FDA received Spectranetics, Inc.'s request for De Novo classification of the CavaClear Laser Sheath. 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 of the device, 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 December 21, 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 870.5125.[1] We have named the generic type of device ''laser-powered inferior vena cava (IVC) filter retrieval catheter,'' and it is identified as percutaneous catheter that uses a laser to ablate tissue and is intended to facilitate in the detachment and removal of indwelling IVC filters.

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

TABLE 1—RISKS TO HEALTH AND MITIGATION MEASURES FOR LASER-POWERED INFERIOR VENA CAVA FILTER RETRIEVAL CATHETER RISKS AND MITIGATION MEASURES

Identified Risks to Health	Mitigation Measures
Infection	Sterilization validation; Shelf life testing; Pyrogenicity testing; and Labeling.
Adverse tissue reaction	Biocompatibility evaluation.
Device damage during use resulting in clinical sequelae such as embolic concern or prolonged procedure.	Non-clinical performance testing; and Clinical performance testing.
Soft tissue damage from laser, such as IVC injury, extravasation, and perforation.	Laser generator compatibility testing; *In-vivo* safety testing; Clinical performance testing; Labeling; and Training.
IVC filter damage, including fracture and embolization, due to laser interaction.	Non-clinical performance testing; Clinical testing; Labeling; and Training.

[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.

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 of the device. 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) 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 laser-powered inferior vena cava filter retrieval catheters. 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 normally 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 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 870

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 870 is amended as follows:

PART 870—CARDIOVASCULAR DEVICES

■ 1. The authority citation for part 870 continues to read as follows:

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

■ 2. Add § 870.5125 to subpart F to read as follows:

§ 870.5125 Laser-powered inferior vena cava filter retrieval catheter.

(a) *Identification.* A laser-powered inferior vena cava (IVC) filter retrieval catheter is a percutaneous catheter that uses a laser to ablate tissue and is intended to facilitate in the detachment and removal of indwelling IVC filters.

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

(1) Clinical performance testing must demonstrate that the device performs as intended under anticipated conditions of use. Testing must include:

(i) Evaluation of major and minor complications associated with IVC filter removal; and

(ii) Evaluation of success rates of IVC filter removal.

(2) Non-clinical performance testing must demonstrate that the device performs as intended under anticipated conditions of use. The following performance characteristics must be evaluated:

(i) Dimensional testing must demonstrate that the device is compatible with the intended anatomy and compatible with all labeled accessories.

(ii) Mechanical testing on all joints must demonstrate that the device can withstand tensile and torsional forces encountered under challenging clinical use conditions.

(iii) Simulated use testing must demonstrate that the device can be inserted, tracked, activated, and removed without device damage and that the device is able to function as intended (*e.g.,* remove IVC filter without damage) under challenging clinical use conditions.

(iv) Performance testing must demonstrate that the product is visible under fluoroscopic techniques.

(v) Performance testing must demonstrate that the device does not kink when subjected to clinically relevant tortuosity.

(3) Compatibility testing with laser generators must include:

(i) Electrical safety, electromagnetic compatibility testing, and electromagnetic interference testing must be conducted for all devices that contain electrical components.

(ii) Software verification, validation, and hazard analysis must be conducted for all devices that contain software.

(iii) Laser output characterization and performance testing, including verification of calibration reliability, energy output, and repetition rate, and laser lifetime testing, must be conducted.

(4) All patient-contacting components must be demonstrated to be biocompatible.

(5) Performance data must demonstrate the sterility and non-pyrogenicity of patient contacting components of the device that are provided sterile.

(6) Performance data must support the shelf life of the device by demonstrating continued sterility, package integrity, and system functionality over the established shelf life.

(7) In vivo safety testing must demonstrate that the device does not cause soft tissue damage or device damage under worst case clinical use conditions.

(8) Labeling must include the following:

(i) A detailed summary of the device technical parameters and materials of the device;

(ii) A summary of the clinical performance testing conducted with the device; and

(iii) A shelf life.

(9) A training program must be provided to ensure that users can safely and reliably use the device per its instructions for use.

Grace R. Graham,

Deputy Commissioner for Policy, Legislation, and International Affairs.

[FR Doc. 2026–08426 Filed 4–29–26; 8:45 am]

BILLING CODE 4164–01–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Food and Drug Administration

21 CFR Part 882

[Docket No. FDA–2026–N–4269]

Medical Devices; Neurological Devices; Classification of the Brain Temperature Measurement System

AGENCY: Food and Drug Administration, HHS.

ACTION: Final amendment; final order.

SUMMARY: The Food and Drug Administration (FDA) is classifying the brain temperature measurement system 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 brain temperature measurement system. 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 30, 2026. The classification was applicable on March 29, 2022.

FOR FURTHER INFORMATION CONTACT: Jay Gupta, Center for Devices and Radiological Health, Food and Drug Administration, 10903 New Hampshire Ave., Bldg. 66, Rm. 4234, Silver Spring, MD 20993–0002, 301–796–2795, *Jay.Gupta@fda.hhs.gov*.

SUPPLEMENTARY INFORMATION:

I. Background

Upon request, FDA (the Agency or we) has classified the brain temperature measurement system into class II (special controls), which we have determined will provide a reasonable assurance of safety and effectiveness of the device. 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 into, 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 classification 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 June 26, 2020, FDA received BrainTemp, Inc.'s request for De Novo classification of the BrainTemp Neonate (BTNeo) System. 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 of the device, 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 29, 2022, 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 882.1565.[1] We have named the generic type of device ''brain temperature measurement system,'' and it is identified as an externally placed, prescription device intended to measure brain temperature.

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

[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.

TABLE 1—RISKS TO HEALTH AND MITIGATION MEASURES FOR BRAIN TEMPERATURE MEASUREMENT SYSTEM

Identified risks to health	Mitigation measures
Inaccurate measurement made by the device, resulting in misuse or misinterpretation of device output.	In vivo performance testing; Non-clinical performance testing; Software verification, validation, and hazard analysis; Usability evaluation; and Labeling.
Equipment malfunction leading to injury to user/patient (*e.g.,* shock, burn, interference).	Electrical, mechanical, and thermal safety testing; Electromagnetic compatibility testing; and Labeling.
Adverse tissue reaction, including thermal or pressure injuries	Biocompatibility evaluation; Usability evaluation; and 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 of the device. 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.

At the time of classification, brain temperature measurement systems are for prescription use only. 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 21 CFR 801.109 are met.

Under the FD&C Act, submission of a premarket notification under section 510(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 brain temperature measurement systems. 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 normally 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 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 882

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 882 is amended as follows:

PART 882—NEUROLOGICAL DEVICES

■ 1. The authority citation for part 882 continues to read as follows:

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

■ 2. Add § 882.1565 to subpart B to read as follows:

§ 882.1565 Brain temperature measurement system.

(a) *Identification.* A brain temperature measurement system is an externally placed, prescription device intended to measure brain temperature.

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

(1) In vivo performance testing must demonstrate that the device performs as intended for its anticipated conditions of use and can accurately and reliably measure brain temperature compared to a ground truth measurement.

(2) Non-clinical performance testing must demonstrate that the device can accurately measure changes in brain temperature under simulated conditions of use. Testing must assess repeatability within pre- specified, clinically relevant parameters. The technical specifications of the device's hardware and software must be fully characterized.

(3) Electrical safety, thermal safety, mechanical safety, and electromagnetic compatibility testing must be performed.

(4) Software documentation must include a detailed technical description of the algorithm(s) used to generate the device output(s), and be accompanied by verification and validation testing to ensure device and algorithm functionality as informed by the software requirements and hazard analysis.

(5) The tissue contacting device components must be demonstrated to be biocompatible.

(6) Usability evaluation must demonstrate that the intended user(s) can safely and correctly use the device, based solely on reading the directions for use.

(7) Labeling must include:

(i) Instructions for use, including a detailed description of the device and explanation of all device outputs.

(ii) The following warnings:

(A) A statement that the device is not intended to measure core body temperature, and to use an independent thermometer to measure core body temperature.

(B) Conditions of use that may impact the accuracy and reliability of the device measurement.

(C) Conditions of use that may affect skin integrity or cause skin injury, such as extended wear duration or placement of the device on damaged or compromised skin, skin lesions, or open wounds.

(D) Limitations of device use to inform diagnosis or therapy.

(E) Summaries of in vivo testing conducted to demonstrate how the device functions as intended.

(F) The summary must include the following:

(G) A description of each device output.

(H) A description of the study population and the use environment.

(I) The methods used to collect temperature data.

(J) Any observed adverse events and complications.

Grace R. Graham,

Deputy Commissioner for Policy, Legislation, and International Affairs.

[FR Doc. 2026–08425 Filed 4–29–26; 8:45 am]

BILLING CODE 4164–01–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Food and Drug Administration

21 CFR Part 892

[Docket No. FDA–2026–N–4270]

Medical Devices; Radiology Devices; Classification of the Radiation Therapy Marking Device

AGENCY: Food and Drug Administration, HHS.

ACTION: Final amendment; final order.

SUMMARY: The Food and Drug Administration (FDA) is classifying the radiation therapy marking device 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 radiation therapy marking device. 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 30, 2026. The classification was applicable on December 10, 2021.

FOR FURTHER INFORMATION CONTACT: Lynne Fairobent, Center for Devices and Radiological Health, Food and Drug Administration, 10903 New Hampshire Ave., Bldg. 66, Rm. 3663, Silver Spring, MD 20993–0002, 301–796–4817, *Lynne.Fairobent@fda.hhs.gov.*

SUPPLEMENTARY INFORMATION:

I. Background

Upon request, FDA (the Agency or we) has classified the radiation therapy marking device into class II (special controls), which we have determined will provide a reasonable assurance of safety and effectiveness of the device. 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 into, 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 classification 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 June 22, 2020, FDA received Medical Precision B.V.'s request for De Novo classification of the Comfort Marker 2.0. 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 of the device, 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 December 10, 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 892.5785.[1] We have named the

[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

generic type of device ''radiation therapy marking device,'' and it is identified as a powered device that transdermally delivers a permanent or temporary colorant to the skin for the purpose of placing marks to guide radiation therapy. This classification does not include devices with reusable or reprocessed needles or devices intended for diagnostic, therapeutic, or aesthetic use or to deliver other products for these uses.

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

TABLE 1—RISKS TO HEALTH AND MITIGATION MEASURES FOR THE RADIATION THERAPY MARKING DEVICE

Identified risks to health	Mitigation measures
Adverse tissue reaction	Biocompatibility evaluation.
Cross contamination and infection	Reprocessing validation; Sterilization validation; Non-clinical performance testing; Shelf-life testing; and Labeling.
Needle stick injury to provider	Non-clinical performance testing; and Labeling.
Device and/or software failure leading to ineffective marking	Clinical performance testing; Non-clinical performance testing; Software validation, verification, and hazard analysis; and Labeling.
Electrical shock or electromagnetic interference with other devices.	Electromagnetic compatibility testing; Electrical safety testing; and 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 of the device. 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) 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 radiation therapy marking devices. 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 normally 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 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 892

Medical devices, Radiation protection, X-rays.

Therefore, under the Federal Food, Drug, and Cosmetic Act and under authority delegated to the Commissioner of Food and Drugs, 21 CFR part 892 is amended as follows:

PART 892—RADIOLOGY DEVICES

■ 1. The authority citation for part 892 continues to read as follows:

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

■ 2. Add § 892.5785 to subpart F to read as follows:

§ 892.5785 Radiation therapy marking device.

(a) *Identification.* A radiation therapy marking device is a powered device that transdermally delivers a permanent or temporary colorant to the skin for the purpose of placing marks to guide radiation therapy. This classification does not include devices with reusable or reprocessed needles or devices intended for diagnostic, therapeutic, or aesthetic use or to deliver other products for these uses.

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

(1) Design verification and validation must include:

(i) Documentation of performance data from studies that demonstrate:

(A) The indicated colorant is compatible with the device and its method of delivery;

(B) The device can reproducibly deliver the indicated colorant with the specifications described; and

(C) The length of time that compatible colorants remain visible on the skin following device application.

(ii) Documentation of performance data from studies that demonstrate:

(A) Accuracy and reproducibility of needle penetration depth;

(B) Device protection from cross-contamination, including fluid ingress protection;

(C) Adequacy of the cleaning and disinfection instructions to ensure that the reusable components of the device can be cleaned and disinfected; and

(D) The sterility of all patient-contacting components (*e.g.,* safety needle).

(iii) Documentation of performance data from studies that demonstrate electrical safety and electromagnetic compatibility of all electrical components of the device.

(iv) Documentation of performance data from studies that demonstrate continued sterility, package integrity,

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.

and device functionality over the intended shelf life.

(v) Documentation of software verification, validation, and hazard analysis.

(2) The labeling required under § 801.109(c) of this chapter must include:

(i) An explanation of the device and the mechanism of operation;

(ii) Validated methods and instructions for reprocessing of any reusable components;

(iii) Disposal instructions; and

(iv) A shelf life for all sterile components.

Grace R. Graham,

Deputy Commissioner for Policy, Legislation, and International Affairs.

[FR Doc. 2026–08424 Filed 4–29–26; 8:45 am]

BILLING CODE 4164–01–P

DEPARTMENT OF JUSTICE

28 CFR Part 68

[Docket No. 19–0312; Dir. Order No. 05–2026]

RIN 1125–AB06

Office of the Chief Administrative Hearing Officer, Chief Administrative Law Judge

AGENCY: Executive Office for Immigration Review, Department of Justice.

ACTION: Final rule.

SUMMARY: On October 7, 2020, the Department of Justice (''Department'') published an interim final rule (''IFR'') amending the regulations governing the Office of the Chief Administrative Hearing Officer (''OCAHO''). The amendments reflected changes related to the creation of the position of the Chief Administrative Law Judge (''CALJ'') and made additional related technical changes. This final rule adopts the provisions of the IFR with minor technical corrections.

DATES: This rule is effective April 30, 2026.

FOR FURTHER INFORMATION CONTACT: Jamee E. Comans, Acting Assistant Director, Office of Policy, Executive Office for Immigration Review, 5107 Leesburg Pike, Suite 2500 Falls Church, VA 22041, telephone (703) 305–0289.

SUPPLEMENTARY INFORMATION:

I. Legal Authority

The Department is issuing this final rule pursuant to section 103(g) of the Immigration and Nationality Act (''INA'' or ''Act''), 8 U.S.C. 1103(g), as amended by the Homeland Security Act of 2002 (''HSA''), Public Law 107–296, 116 Stat. 2135 (as amended). Under the HSA, the Attorney General retains the authority to ''establish such regulations, . . . issue such instructions, review such administrative determinations in immigration proceedings, delegate such authority, and perform such other acts as the Attorney General determines to be necessary for carrying out'' the Attorney General's authorities under the INA. HSA 1102, 116 Stat. at 2274 (codified at 8 U.S.C. 1103(g)(2)). In Attorney General Order Number 6260–2025, pursuant to 28 U.S.C. 509 and 510, the Attorney General has delegated authority to issue regulations related to immigration matters within the jurisdiction of the Executive Office of Immigration Review (''EOIR'') to EOIR's Director.

II. Summary of the IFR

On October 7, 2020, the Department published an IFR amending the regulations governing OCAHO. Office of the Chief Administrative Hearing Officer, Chief Administrative Law Judge, 85 FR 63204 (Oct. 7, 2020).

The IFR revised §§ 68.2, 68.3, 68.8, 68.15, 68.26, 68.29, 68.30, 68.33, 68.55, and 68.57 in title 28 of the Code of Federal Regulations (''CFR'').[1]

A. Chief Administrative Law Judge

The IFR amended part 68 of chapter I of title 28 of the CFR to reflect the creation of a CALJ position within OCAHO and to delineate the responsibilities and authorities of the CALJ and the Chief Administrative Hearing Officer (''CAHO''). *See* 85 FR 63205. Specifically, the IFR provided that the CALJ will serve as an Administrative Law Judge (''ALJ'') while also serving as the direct supervisor of the other OCAHO ALJs and ALJ support staff. *Id.* The CAHO, in turn, will supervise the CALJ and the non-ALJ support staff. *Id.* In addition, in order to avoid recusal issues resulting from OCAHO's increasing size, the IFR directed that (1) if an ALJ is disqualified from adjudicating a case, the CALJ will reassign the case to another ALJ; (2) if the CALJ is disqualified from adjudicating a case, the CAHO will reassign the case to another ALJ; (3) if the CAHO is disqualified from reviewing an interlocutory order under 28 CFR 68.53 or a final order under 28 CFR 68.54, the review will be reassigned to the EOIR Director; and (4) the disqualification procedures for ALJs in 28 CFR 68.30 also apply to the CAHO conducting an administrative review under 28 CFR 68.53 or 68.54. *See* 28 CFR 68.30.

B. Technical Changes

The IFR also made a variety of related technical edits to 28 CFR part 68.

First, the IFR amended various references to the ''Chief Administrative Hearing Officer'' to read ''Chief Administrative Law Judge'' in 28 CFR part 68 to reflect the division of responsibility described above. *See, e.g.,* 28 CFR 68.26, 68.29.

Second, the IFR made technical changes at 28 CFR 68.15, 68.33, 68.55, and 68.57 that replaced outdated references to the former Immigration and Naturalization Service (''INS'') with references that reflect the current agency organization in the Department of Homeland Security (''DHS''). *See* HSA, Pub. L. 107–296, 116 Stat. 2135, as amended.

Third, the IFR italicized defined terms in 28 CFR 68.2 to improve clarity, made stylistic changes in 28 CFR 68.2, and amended a typographical error in the cross-reference at 28 CFR 68.33(c)(3)(iv).[2]

III. Public Comments on the IFR

The Department received no comments from the public on the IFR.[3]

IV. Provisions of the Final Rule

After receiving no public comments, the Department adopts the provisions of the IFR as final with minor technical corrections set forth in this section of the preamble.

First, the final rule further amends the definition of ''pleading'' in 28 CFR 68.2. The IFR defined ''pleading'' to include the following documents submitted to the ALJ or, when no judge is assigned, the CALJ: the complaint, the answer, any motions (including any supplements or amendments to the motions or amendments), and any permitted replies to any of the aforementioned documents. 28 CFR 68.2. Upon further consideration, the Department believes that the IFR's definition could be interpreted as inconsistent with other provisions of 28 CFR part 68.

Certain provisions of 28 CFR part 68 require specific pleadings to be filed with the CAHO rather than with an ALJ or CALJ, as set forth in the IFR's

[1] The preamble to the IFR incorrectly stated that it included an amendment to 28 CFR 68.23. *See* 85 FR 63205.

[2] The preamble to the IFR incorrectly stated that the section including the updated cross-reference was at 28 CFR 68.33(d)(iv). *See* 85 FR 63205.

[3] The record reflects one comment received, but this comment is a test comment submitted by the Department itself and not a comment from the public.

definition of ''pleading.'' For example, 28 CFR 68.6(a) provides that ''[a]n original and four copies of the complaint shall be filed with the [CAHO].'' Moreover, 28 CFR 68.11(a) states that ''[t]he [CAHO] is authorized to act on non-adjudicatory matters relating to a proceeding prior to the appointment of an [ALJ].'' That provision explicitly authorizes the CAHO to act upon all motions or other similar documents related to non-adjudicatory matters, such as a motion to withdraw or substitute counsel, which a party may file before the assignment of an ALJ. Thus, logically, parties should file such documents with the CAHO, not the CALJ.

Given those regulatory provisions, the final rule revises the definition of ''pleading'' to reference the CAHO. This change will account for the fact that some types of pleadings listed in 28 CFR 68.2 may be—and sometimes must be—submitted to the CAHO rather than to an ALJ or the CALJ.

Second, the IFR revised the definition of ''complainant'' in 28 CFR 68.2, but this definition was inadvertently included in duplicate upon publication in the CFR. *Compare* 85 FR 63206–207, *with* 28 CFR 68.2 (Oct. 7, 2020). Accordingly, this final rule amends 28 CFR 68.2 to remove the second, superfluous entry for the definition of ''complainant.''

Third, the IFR inadvertently replaced ''Chief Administrative Hearing Officer'' with ''Chief Administrative Law Judge'' in 28 CFR 68.29 instead of adding ''Chief Administrative Law Judge.'' Thus, this final rule amends 28 CFR 68.29 to correct this error so that, in the event of the CALJ's unavailability, the CAHO would have the authority to reassign cases to another ALJ.

V. Regulatory Review Requirements

A. Administrative Procedure Act

As in the IFR, the Department has determined that this rule is not subject to the general requirements of notice and comment and a 30-day delay in the effective date. The requirements of 5 U.S.C. 553 do not apply to the regulatory changes creating and defining the responsibilities of the CALJ position because it is a ''matter relating to agency management or personnel'' and a rule of ''agency organization, procedure, or practice.'' 5 U.S.C. 553(a)(2), (b)(A). The Department also finds good cause to issue the technical changes made in this final rule without notice and comment or a delay in effective date, as those procedures are unnecessary under 5 U.S.C. 553(b)(B), (d)(3). These changes are non-substantive; they simply reflect the current government organization as determined by Congress in 2002 and follow other similar amendments by the Department to the regulations governing EOIR. *See, e.g.,* Retrospective Regulatory Review Under E.O. 13563, 77 FR 59567, 59568–69 (Sept. 28, 2012) (describing similar updated references to DHS in chapter V of 8 CFR).

The Department nonetheless promulgated this rule as an IFR, providing the public with opportunity for post-promulgation comment. 85 FR 63204. The Department received no comments and now issues this final rule adopting the provisions of the IFR with four technical amendments. This final rule is exempt from the 30-day delay in effective date for the reasons described above that the IFR was exempt from notice and comment requirements. 5 U.S.C 553(a)(2), (b)(A)–(B), (d)(3).

B. Regulatory Flexibility Act

The Department has reviewed this rule in accordance with the Regulatory Flexibility Act (5 U.S.C. 605(b)) and has determined that this final rule will not have a significant economic impact on a substantial number of small entities as defined in 5 U.S.C. 601(6).

C. Unfunded Mandates Reform Act of 1995

This final rule will not result in the expenditure by State, local, and Tribal governments, in the aggregate, or by the private sector, of $100 million or more in any one year (adjusted annually for inflation), and it will not significantly or uniquely affect small governments. Therefore, no actions were deemed necessary under the provisions of the Unfunded Mandates Reform Act of 1995, codified at 2 U.S.C. 1501 *et seq.*

D. Congressional Review Act

Reports to Congress and the Government Accountability Office (''GAO'') specified by 5 U.S.C. 801 are not required for this rule. This final rule does not fall under the definition of a ''major rule'' or ''rule'' as defined in section 804 of the Congressional Review Act. 5 U.S.C. 804(2)–(3). As discussed in Section V.C. of this preamble, this rule will not result in an annual effect on the economy of $100 million or more and will not result in major cost or price increases or have significant adverse effects on United States-based enterprises. 5 U.S.C. 804(2). Further, this action pertains to agency management or personnel and is a rule of agency organization that does not substantially affect the rights or obligations of non-agency parties. 5 U.S.C. 804(3). Accordingly, it is not a ''major rule'' or ''rule'' as those terms are defined in 5 U.S.C. 804(2)–(3) and such reporting to Congress and the GAO is not required.

E. Executive Order 12866 (Regulatory Planning and Review) and Executive Order 13563 (Improving Regulation and Regulatory Review)

Executive Orders 12866 and 13563 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 (including potential economic, environmental, public health and safety effects, distributive impacts, and equity). Executive Order 13563 emphasizes the importance of using the best available methods to quantify costs and benefits, and of reducing costs, harmonizing rules, and promoting flexibility.

Because this final rule is limited to agency organization, management, or personnel matters, it is not subject to review by the Office of Management and Budget pursuant to section 3(d)(3) of Executive Order 12866. Further, because this rule is one of internal organization, management, or personnel, it is not subject to the requirements of Executive Order 13563.

F. Executive Order 13132 (Federalism)

This final rule will not have substantial direct effects on the States, on the relationship between the Federal Government and the States, or on the distribution of power and responsibilities among the various levels of government. Therefore, in accordance with section 6 of Executive Order 13132, it is determined that this rule does not have sufficient federalism implications to warrant the preparation of a federalism summary impact statement.

G. Executive Order 12988 (Civil Justice Reform)

This final rule meets the applicable standards set forth in sections 3(a) and 3(b)(2) of Executive Order 12988.

H. Paperwork Reduction Act of 1995

This rule does not propose a new collection or revisions to an existing ''collection of information'' as that term is defined under the Paperwork Reduction Act of 1995, Public Law 104–13, 44 U.S.C. chapter 35, and its implementing regulations, 5 CFR part 1320.

I. Executive Order 14219 (Ensuring Lawful Governance and Implementing the President's 'Department of Government Efficiency' Deregulatory Initiative)

This final rule is ''an[ ] action related to a[n] . . . immigration-related function of the United States'' and is therefore exempt from the requirements of Executive Order 14219 under section 7(a) of that Order.

J. Executive Order 14294 (Overcriminalization of Federal Regulations)

Executive Order 14294 requires agencies promulgating regulations with criminal regulatory offenses potentially subject to criminal enforcement to explicitly describe the conduct subject to criminal enforcement, the authorizing statutes, and the mens rea standard applicable to each element of those offenses. This rule does not adopt a criminal regulatory offense and is thus exempt from Executive Order 14924 requirements.

List of Subjects in 28 CFR Part 68

Administrative practice and procedure, Aliens, Citizenship and naturalization, Civil rights, Employment, Equal employment opportunity, Immigration.

Accordingly, the interim rule amending 28 CFR part 68 which was published at 85 FR 63204 on October 7, 2020, is adopted as final with the following change:

PART 68—RULES OF PRACTICE AND PROCEDURE FOR ADMINISTRATIVE HEARINGS BEFORE ADMINISTRATIVE LAW JUDGES IN CASES INVOLVING ALLEGATIONS OF UNLAWFUL EMPLOYMENT OF ALIENS, UNFAIR IMMIGRATION-RELATED EMPLOYMENT PRACTICES, AND DOCUMENT FRAUD

■ 1. The authority citation for part 68 is revised to read as follows:

Authority: 5 U.S.C. 301, 554, 557(b); 8 U.S.C. 1103, 1324a, 1324b, and 1324c; 28 U.S.C. 509, 510, and 2461 note; and Pub. L. 101–410, 104 Stat. 890, as amended by Pub. L. 104–134, 110 Stat. 1321.

■ 2. Amend § 68.2 by:
■ a. Removing the second entry for the definition of ''Complainant''; and
■ b. Revising the definition of ''Pleading''.

The revision reads as follows:

§ 68.2 Definitions.

* * * * *

Pleading means the complaint, the answer thereto, any motions, any supplements or amendments to any motions or amendments, and any reply that may be permitted to any answer, supplement, or amendment submitted to the Administrative Law Judge or, when no judge is assigned, the Chief Administrative Law Judge or the Chief Administrative Hearing Officer;

* * * * *

■ 3. Revise § 68.29 to read as follows:

§ 68.29 Unavailability of Administrative Law Judge.

In the event the Administrative Law Judge designated to conduct the hearing becomes unavailable, the Chief Administrative Law Judge or the Chief Administrative Hearing Officer may designate another Administrative Law Judge for the purpose of further hearing or other appropriate action.

Daren K. Margolin,

Director, Executive Office for Immigration Review, Department of Justice.

[FR Doc. 2026–08484 Filed 4–29–26; 8:45 am]

BILLING CODE 4410–30–P

DEPARTMENT OF THE INTERIOR

Bureau of Land Management

43 CFR Part 3700

[Docket No. BLM–2025–0268; A2407–014–004–065516, #O2509–014–004–125222]

RIN 1004–AF51

Waste Prevention, Production Subject to Royalties, and Resource Conservation; Extension of Phase-In Requirements

AGENCY: Bureau of Land Management, Interior.

ACTION: Final rule; response to comments.

SUMMARY: Due to the receipt of significant adverse comments on the December 15, 2025, direct final rule (DFR) extending certain phase-in deadlines of the Bureau of Land Management's (BLM) Waste Prevention and Resource Conservation regulations, the Department of the Interior, through the BLM, is issuing a new final rule that responds to those comments.

DATES: The effective date of February 13, 2026, for the direct final rule that published on December 15, 2025, (90 FR 57921) is confirmed. This final rule is effective on June 1, 2026.

FOR FURTHER INFORMATION CONTACT: Amanda Fox, Petroleum Engineer, Division of Fluid Minerals, phone 907–538–2300, email: *afox@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: On December 15, 2025, the BLM published a DFR extending the phase-in deadlines for the Leak Detection and Repair (LDAR) and gas measurement requirements of 43 CFR subpart 3179. Those requirements were added in 2024, when the Department, through the BLM, promulgated a rule entitled, Waste Prevention, Production Subject to Royalties, and Resource Conservation, 89 FR 25378 (April 10, 2024) (the ''2024 WPR''). The BLM stated in the DFR that if significant adverse comments were received by January 14, 2026, the BLM would withdraw the DFR or issue a new final rule that responds to the comments. The BLM received nine public comments. Eight of these comments were unique and responsive to the request and one was not germane. Of the eight, seven provided substantive comments, four opposed to the rule and three were in favor. After considering those comments, the BLM is electing to issue this final rule without change and is responding to the significant adverse comments by explaining why those comments do not warrant withdrawal of or amendment to the extension of the compliance deadlines provided for in the DFR.

One group of commenters contended that the DFR amends the 2024 WPR in violation of the Administrative Procedure Act (APA) and the Mineral Leasing Act. Another group makes essentially the same APA claim, contending that an agency may only forego formal notice and comment where such procedures ''are impracticable, unnecessary, or contrary to the public interest.'' That group of commenters also described the regulatory requirements that are being postponed as ''critical pollution control regulations.'' We disagree with these contentions and characterizations for the reasons explained below.

Regarding the assertion that the DFR did not comply with the APA, the DFR itself provided an opportunity for the public to submit comments about the BLM's decision to postpone two compliance deadlines by 1 year each. The commenters availed themselves of that opportunity. The BLM has now considered the comments and is responding to the comments in this final

rule. This rulemaking process thus complies with the APA.

Regarding the contention that the regulatory requirements are critical pollution-control regulations and the DFR should be withdrawn, the DFR only postpones implementation of a requirement in 43 CFR 3179.71 that operators install certain gas measuring devices so that flared gas volumes may be measured (rather than using estimations based on pressure and duration, as is the current practice on many well sites). The use of a measuring device is not a pollution-control requirement. The presence of a meter does not change the volume of gas that is flared. The volume flared is dictated by other operational circumstances, such as pipeline capacity. While meters may affect the precision with which flared volumes are determined, they do not serve as pollution-control devices. The requirement is being postponed for 1 year because the BLM expects to propose revisions to the relevant regulation, 43 CFR 3179.71, in a new proposed rule. It is administratively expedient for the BLM to hold off on enforcing non-statutory requirements in a provision that may change soon. This one-year extension will reduce administrative costs for the BLM, as well as operational costs for operators, while the BLM reconsiders and potentially revises this provision.

Second, the DFR postpones implementation of a requirement that operators develop LDAR programs, 43 CFR 3179.100, which is something that commenters also characterize as critical pollution-control measures. However, very little gas is lost through leaks (by the BLM's 2024 estimations, just 0.5 percent of all lost gas on Federal and Indian leases is attributable to leaks, as further discussed below). This small amount of potential gas loss does not justify imposing the costly LDAR program requirements in § 3179.100 at this time, when the BLM expects to propose revising this requirement in a new proposed rule. Importantly, operators are already incentivized to repair leaks for worker safety, profitability, and compliance with State law in many instances.

In the Regulatory Impact Analysis for the 2024 WPR (the ''RIA''), the BLM explained that the rule was expected to generate additional royalty income of $51.26 million because there would be royalty paid on certain vented and flared gas that would otherwise be lost. 89 FR at 25422. These increased royalties were to be derived from two sources: (i) the 2024 WPR's limits on royalty-free flaring (*see* 43 CFR 3179.70); and (ii) LDAR (*see* 43 CFR 3179.100 through 102). As reflected in the RIA, the vast majority of the benefits of this conserved natural gas, specifically, 99.6 percent, was attributable to the first source—limits on royalty-free flaring, rather than from the LDAR program requirements. *See* RIA at 10 (Table 1.7). Only 0.4 percent of the estimated increased royalties were attributable to the LDAR requirements, *id.,* yet the annual cost to operators of maintaining LDAR programs was estimated in the RIA to be $9.2 million annually.

The BLM estimated in the RIA that the LDAR requirement would allow for the annual capture of about 0.45 Bcf of gas, with an annual royalty value of $220,000. *See* RIA at 62. Under the 2024 Rule, this small increase in royalty revenue would be achieved at an expense of $9.2 million. *Id.* at 48. It would also come with an administrative cost to BLM resources, including annual review and approval of LDAR plans. Further, the volume of gas that the LDAR requirements were estimated to capture (0.45 Bcf) represents a very small fraction of the ''lost gas'' problem. Total annual gas losses (from venting, flaring, and leaks) were estimated at 86 Bcf from Federal and Indian mineral estates. *Id.* at 6. The 2024 LDAR requirements were forecast to eliminate a mere 0.5 percent of these estimated losses. *Id.* at 6, 9 (Section 1.4.1 (reflecting total lost gas of 86 Bcf), Table 1.5 (reflecting lost gas of 0.45 Bcf attributable to leaks)). Given this *de minimis* impact, the fact that no statute requires LDAR, the excessive cost to operators and the BLM, and the fact that the BLM will soon propose to revise the LDAR requirement in a forthcoming rule, a 1-year extension is reasonable and justified and need not be withdrawn.

Another commenter faulted the BLM for offering ''no analysis of foregone royalties or lost benefits from delaying compliance, even though those benefits were quantified in the 2024 [WPR].'' We note that the DFR discussed and cited the 2024 WPR, which relied on the published 2024 RIA, see 89 FR 25379–80, including its examination of the benefits and costs. Based on the discussion about royalty collection above, we disagree with this criticism. The BLM has examined these considerations, and they are available to the public.

In sum, the BLM's two 1-year postponements are reasonable and administratively justified and need not be withdrawn, particularly where the agency is considering changes to the requirements in question, and where the costs of compliance and enforcement so greatly outweigh the benefits. *See Reginfo.gov*, enter ''1004–AF33'' into the Search Box. While there may be some minimal lost royalty and gas leakage, the 1-year delay is still appropriate, given the cost of compliance and the administrative costs for the BLM to implement the two measures, while preparing proposed rule changes.

The BLM has determined that the comments we have described here do not necessitate a change to the rule as published. Consequently, the BLM is not withdrawing the December DFR.

Lanny E. Erdos,

Director, Office of Surface Mining, Reclamation and Enforcement Exercising Authority of the Assistant Secretary—Land and Minerals Management.

[FR Doc. 2026–08386 Filed 4–29–26; 8:45 am]

BILLING CODE 4331–29–P

FEDERAL COMMUNICATIONS COMMISSION

47 CFR Part 27

[WT Docket No.24–99; FCC 26–9; FR ID 343533]

Review of the Commission's Rules Governing the 896–901/935–940 MHz Band; Correction

AGENCY: Federal Communications Commission.

ACTION: Final rule; correction.

SUMMARY: The Federal Communications Commission (Commission or FCC) is correcting a final rule that appeared in the **Federal Register** on March 31, 2026. The document contained minor formatting errors in the Final Rules sections detailed below.

DATES: Effective April 30, 2026.

FOR FURTHER INFORMATION CONTACT: Morgan Mendenhall of the Wireless Telecommunications Bureau, at *Morgan.Mendenhall@fcc.gov* or 202–418–0154.

SUPPLEMENTARY INFORMATION: In FR Doc. 2026–06239, at 91 FR 15889 in the **Federal Register** of Tuesday, March 31, 2026, the following corrections are made:

■ 1. On page 15911, in the first column, in § 27.1503, paragraph (a)(2)(ii) is corrected to read as follows:

§ 27.1503 [Corrected]

(a) * * *

(2) * * *

(ii) As it pertains to the 897.5–900.5 MHz and 936.5–939.5 MHz bands, either:

(A) Hold a 3/3 900 MHz broadband license in the relevant county; or

(B) Meet a threshold of at least 90% of combined licensed channels by:

(*1*) Holding spectrum in the 3/3 900 MHz broadband segment; and/or

(*2*) Reaching an agreement to clear through relocation of or cancellation of the license(s) or acquisition of spectrum held by covered incumbents, including credit for spectrum included in an application filed with the Commission on or after March 14, 2019; and/or

(*3*) Demonstrating how it will provide interference protection to covered incumbents' site-channels in the county and within 70 miles of the county boundary, and geographically licensed channels where the license area completely or partially overlaps the county; and

■ 2. On page 15912, beginning in the first column, in § 27.1505, paragraphs (b) through (d) are corrected to read as follows:

§ 27.1505 [Corrected]

(b) *Coverage requirements.* A 900 MHz broadband licensee must offer broadband service and meet a population coverage requirement or, alternatively, a geographic coverage requirement, by the applicable deadlines as follows:

(1) For a 3/3 broadband license, or a 5/5 broadband license that is not issued in exchange for a 3/3 900 MHz broadband license, the licensee is subject to the following benchmarks:

(i) *Interim performance requirement.* Within six years of license grant, a 900 MHz broadband licensee shall offer broadband service and either:

(A) Provide reliable signal coverage to at least 45% of the population in its license area; or

(B) Demonstrate that it provides reliable signal coverage for at least 25% of the geographic license area.

(ii) *Final performance requirement.* Within 12 years of license grant, a 900 MHz broadband licensee shall offer broadband service and either:

(A) Provide reliable signal coverage to at least 80% of the population in its license area; or

(B) Demonstrate that it provides reliable signal coverage for at least 50% of the geographic license area.

(2) For a 5/5 900 MHz broadband license issued in exchange for a 3/3 900 MHz broadband license prior to the 3/3 broadband license interim performance deadline, the licensee is subject to the following benchmarks:

(i) *Interim performance requirement.* Within two years from the date of the applicable interim performance deadline for the 3/3 broadband license, the 5/5 broadband licensee shall offer broadband service and either:

(A) Provide reliable signal coverage to at least 45% of the population in its license area; or

(B) Demonstrate that it provides reliable signal coverage for at least 25% of the geographic license area.

(ii) *Final performance requirement.* Within two years from the date of the applicable final performance deadline for the 3/3 broadband license, a 5/5 broadband licensee shall offer broadband service and either:

(A) Provide reliable signal coverage to at least 80% of the population in its license area; or

(B) Demonstrate that it provides reliable signal coverage for at least 50% of the geographic license area.

(3) For a 5/5 900 MHz broadband license issued in exchange for a 3/3 900 MHz broadband license after the 3/3 broadband licensee has met its applicable interim performance deadline but prior to its applicable final performance deadline for the 3/3 license, the licensee will be subject to the following final performance requirement: within two years from the date of the applicable final performance deadline for the 3/3 broadband license, a 5/5 broadband licensee shall offer broadband service and either:

(i) Provide reliable signal coverage to at least 80% of the population in its license area; or

(ii) Demonstrate that it provides reliable signal coverage for at least 50% of the geographic license area. Such licensee will not be subject to an interim performance requirement for the 5/5 broadband license.

(4) For a 5/5 900 MHz broadband license issued in exchange for a 3/3 900 MHz broadband license after the 3/3 broadband licensee has met its applicable final performance requirement, the 5/5 broadband licensee will be subject to the following final performance requirement: within two years from the date of grant of the 5/5 broadband license, a 5/5 broadband licensee shall offer broadband service and either:

(i) Provide reliable signal coverage to at least 80% of the population in its license area; or

(ii) Demonstrate that it provides reliable signal coverage for at least 50% of the geographic license area. Such licensee will not be subject to an interim performance requirement for the 5/5 broadband license.

(c) *Penalties.* (1)(i) A 3/3 broadband licensee that fails to meet its interim performance benchmark will be required to meet its final performance benchmark two years sooner (*i.e.,* at 10 years into the license term), and its license term will be reduced to 13 years.

(ii) Except in cases where a licensee received its 5/5 900 MHz broadband license in exchange for a 3/3 900 MHz broadband license, a 5/5 broadband licensee that fails to meet its applicable interim performance benchmark will be required to meet its final performance benchmark two years sooner (*i.e.,* at 10 years into the license term), and its license term will be reduced to 13 years.

(iii) A 5/5 broadband licensee that received its 5/5 license in exchange for a 3/3 900 MHz broadband license and that fails to meet its applicable interim performance benchmark, as described in paragraph (b)(2)(i) or (ii) of this section, will be subject to a revised final performance deadline that is accelerated by two years, and its applicable license term will be reduced by two years.

(2) If a 900 MHz broadband licensee fails to meet the final performance benchmark, its authorization for that license area will terminate automatically without Commission action.

(d) *Continuity of operations.* After satisfying its final performance benchmark, a licensee is required to continue to provide coverage and offer broadband service at or above that same level for the remaining period of the license term and thereafter. See 47 CFR 1.949.

Federal Communications Commission

Marlene Dortch,

Secretary.

[FR Doc. 2026–08433 Filed 4–29–26; 8:45 am]

BILLING CODE 6712–01–P

FEDERAL COMMUNICATIONS COMMISSION

47 CFR Part 73

[MB Docket No. 25–243; RM–12006, RM–12019; DA 26–395; FR ID 343182]

Radio Broadcasting Services; Enterprise, Orderville, and Page, Utah

AGENCY: Federal Communications Commission.

ACTION: Final rule.

SUMMARY: This document amends the Table of FM Allotments, of the Federal Communications Commission's (Commission) rules, by allotting alternate Channel 265C3 at Enterprise, Utah, as the community's second local service. Channel 265C3 can be allotted to Enterprise, Utah consistent with the Commission's minimum distance separation requirements with a site restriction of 15 kilometers (9.3 miles) west of the community. The reference coordinates are 37–35–27 NL and 113–54–02 WL. The window period for filing

applications for Channel 265C3 at Enterprise, Utah will not be opened at this time. Instead, the issue of opening this allotment for filing will be addressed by the Commission in subsequent order. *See* **SUPPLEMENTARY INFORMATION**.

DATES: Effective June 8, 2026.

FOR FURTHER INFORMATION CONTACT: Rolanda F. Smith, Media Bureau, (202) 418–2054, *Rolanda-Faye.Smith@fcc.gov.*

SUPPLEMENTARY INFORMATION: This is a synopsis of the Commission's *Report and Order,* adopted April 22, 2026, and released April 23, 2026. The full text of this document is available online at *https://docs.fcc.gov/public/attachments/DA-26-395A1.pdf.* The full text of this document can also be downloaded in Word or Portable Document Format (PDF) at *https://www.fcc.gov/edocs.* This document does not contain information collection requirements subject to the Paperwork Reduction Act of 1995, Public Law 104–13.

The Commission also grants the Counterproposal (RM–12019) filed jointly by Southwest Broadcasting LLC, licensee of KXUT(FM), Page, Arizona and Estrella Broadcasting, LLC, licensee of KXQX(FM), Tusayan, Arizona, involving two contingent FM minor modifications applications, File Nos. 0000280777 and 0000280780, by modifying the FM station KXUT license and authorization from Channel 226C2, Page, Arizona, to specify operation on Channel 226C1, Orderville, Utah, as the community's first local service, and by modifying the FM station KXQX license from Channel 223A, Tusayan, Arizona, to specify operation on Channel 223C2, Big Water, Utah, as the community's first local service.

A staff engineering analysis determines that Channel 226C1 can be allotted to Orderville, Utah consistent with the minimum distance separation requirements of 47 CFR 73.207 with a site restriction of 17 kilometers (10.6 miles) west at reference coordinates 37–17–42.8 NL and 112–50–45.1 WL. A staff engineering analysis determines also that Channel 223C2 can be allotted to Big Water, Utah consistent with the minimum distance separation requirements of 47 CFR 73.207 with a site restriction of 7 kilometers (4.4 miles) south at reference coordinates 37°00′36.8″ NL and 111°40′51.1″ WL.

The Commission will send a copy of this *Report and Order* in a report to Congress and the Government Accountability Office pursuant to the Congressional Review Act, see 5 U.S.C. 801(a)(1)(A).

List of Subjects in 47 CFR Part 73

Radio, Radio broadcasting, Television.

Federal Communications Commission.

Nazifa Sawez,

Assistant Chief, Audio Division, Media Bureau.

Final Rules

For the reasons discussed in the preamble, the Federal Communications Commission amends 47 CFR part 73 as follows:

PART 73—RADIO BROADCAST SERVICES

■ 1. The authority citation for part 73 continues to read as follows:

Authority: 47 U.S.C. 154, 155, 301, 303, 307, 309, 310, 334, 336, 339.

■ 2. In § 73.202(b), amend table 1 under Utah, by adding the entry of ''Enterprise'' in alphabetical order to read as follows:

§ 73.202 Table of Allotments.

* * * * *

(b) *Table of FM Allotments.*

TABLE 1 TO PARAGRAPH (b)

[U.S. States]

	Channel No.
* * * * *	
Utah	
Enterprise	265C3
* * * * *	

[FR Doc. 2026–08423 Filed 4–29–26; 8:45 am]

BILLING CODE 6712–01–P

DEPARTMENT OF TRANSPORTATION

Federal Motor Carrier Safety Administration

49 CFR Part 390

[Docket No. FMCSA–2025–0112]

RIN 2126–AC86

Removal of Obsolete References to ''Water Carriers''; Correction

AGENCY: Federal Motor Carrier Safety Administration (FMCSA), Department of Transportation (DOT).

ACTION: Correcting amendments.

SUMMARY: In a final rule published in the **Federal Register** on February 19, 2026, FMCSA amended its regulations to remove obsolete references to ''water carriers'' in the FMCSA regulations (FMCSRs). The final rule contained an error in the amendatory instructions. The Agency corrects this error.

DATES: This correction is effective April 30, 2026.

FOR FURTHER INFORMATION CONTACT: Mr. Jeffrey L. Secrist, Chief, Registration Division, DOT, FMCSA, 1200 New Jersey Avenue SE, Washington, DC 20590; (202) 385–2367; *jeff.secrist@dot.gov.* If you have questions on viewing or submitting material to the docket, call Dockets Operations at (202) 366–9826.

SUPPLEMENTARY INFORMATION: On February 19, 2026, FMCSA published a final rule (91 FR 7856) that removed obsolete references to ''water carriers'' in the FMCSRs. FMCSA removed the words ''water carrier'' or ''water carriers'' from 49 Code of Federal Regulations (CFR) 365.107T,[1] 370.1, 379.1, Appendix B to part 386, and Appendix A to part 390. The terms are remnants carried over from FMCSA's predecessor Agencies and are obsolete, as FMCSA does not have regulatory jurisdiction over water carriers.

Through amendatory instruction number 10 in the final rule, the Agency sought to revise a subsection of Appendix A to part 390 but did not clearly identify which section of regulatory text was to be revised. The Agency corrects this error by providing the full text of the Hotel Related Passenger Transportation subsection and removing the term ''water carrier'' from that subsection.

The Administrative Procedure Act specifically provides exceptions to its notice and comment rulemaking procedures when an agency finds there is good cause to dispense with them, and incorporates the finding, and a brief statement of reasons therefore, in the rules issued (5 U.S.C. 553(b)(B)). Good cause exists when an agency determines that notice and public comment procedures are impractical, unnecessary, or contrary to the public interest. The amendment made in this notice corrects an error in amendatory language in the final rule. The correction does not impose any new material requirements or increase compliance obligations. For these

[1] On January 17, 2017, FMCSA suspended certain regulations relating to the electronic Unified Registration System and delayed their effective date indefinitely (82 FR 5292). The suspended regulations were replaced by temporary provisions that contain the requirements in place on January 13, 2017. Section 365.107 was one of the sections suspended and § 365.107T, which is currently in effect, was one of the replacement sections added (82 FR 5299). There is no reference to water carrier or water carriers in the current existing § 365.107 (non-temporary) provision.

reasons, FMCSA finds good cause that notice and public comment for this correction notice are unnecessary.

List of Subjects in 49 CFR Part 390

Highway safety, Intermodal transportation, Motor carriers, Motor vehicle safety, Reporting and recordkeeping requirements.

In consideration of the foregoing, FMCSA corrects 49 CFR part 390 by making the following correcting amendments:

PART 390—FEDERAL MOTOR CARRIER SAFETY REGULATIONS; GENERAL

■ 1. The authority citation for part 390 continues to read as follows:

Authority: 49 U.S.C. 113, 504, 508, 31132, 31133, 31134, 31136, 31137, 31144, 31149, 31151, 31502; sec. 114, Pub. L. 103–311, 108 Stat. 1673, 1677; secs. 212 and 217, Pub. L. 106–159, 113 Stat. 1748, 1766, 1767; sec. 229, Pub. L. 106–159 (as added and transferred by sec. 4115 and amended by secs. 4130–4132, Pub. L. 109–59, 119 Stat. 1144, 1726, 1743, 1744), 113 Stat. 1748, 1773; sec. 4136, Pub. L. 109–59, 119 Stat. 1144, 1745; secs. 32101(d) and 32934, Pub. L. 112–141, 126 Stat. 405, 778, 830; sec. 2, Pub. L. 113–125, 128 Stat. 1388; secs. 5403, 5518, and 5524, Pub. L. 114–94, 129 Stat. 1312, 1548, 1558, 1560; sec. 2, Pub. L. 115–105, 131 Stat. 2263; and 49 CFR 1.81, 1.81a, 1.87.

■ 2. In appendix A to part 390, under section III. Specific Example Scenarios, revise ''Hotel Related Passenger Transportation'' to read as follows:

Appendix A to Part 390—Applicability of the Registration, Financial Responsibility, and Safety Regulations to Motor Carriers of Passengers

* * * * *

III. Specific Example Scenarios

* * * * *

Hotel Related Passenger Transportation

Scenario 1: A hotel in Cincinnati, OH offers a courtesy van to take its guests to and from the Cincinnati/Northern Kentucky International Airport in KY. The van is designed to transport 15 passengers, including the driver, and has a GVW and GVWR of less than 10,000 pounds. All passenger transportation occurs within a zone encompassed by a 25-mile radius of the boundary of the airport.

Guidance: This scenario describes for-hire transportation by a CMV as a part of continuous interstate movement, though some exemptions apply. Though the safety regulations apply to transportation in a CMV within a single State if the transportation is a continuation of interstate transportation, the hotel's van operation is eligible for the limited exception to safety regulation applicability in §§ 390.3T(f)(6) and 390.3(f)(6) based on the size of the vehicle and how compensation is received. The hotel's van is designed and used to transport 9 to 15 passengers (including the driver), and payment for transportation is not received directly. If the hotel complies with the applicable provisions listed in §§ 390.3T(f)(6) and 390.3(f)(6), then this passenger transportation is compliant with the safety regulations contained in 49 CFR parts 350 through 399. Because the vehicle is a CMV under § 390.5 and the limited exception does not exempt the hotel from USDOT registration requirements, the hotel must register by following the procedures in 49 CFR part 390 subpart E. The hotel's 15-passenger van is not a CMV under § 383.5, therefore drivers of these vehicles are not required to have CDLs and are not subject to the drug and alcohol testing regulations in 49 CFR part 382.

Operating authority registration under 49 CFR part 365, subpart A, however, is not required. The hotel is providing service subject to the exemption in 49 U.S.C. 13506(a)(8)(A) and § 372.117(a) of this chapter. The hotel's shuttle transportation of passengers is (1) incidental to transportation by aircraft, (2) limited to the transportation of passengers who have had an immediately prior or will have an immediately subsequent movement by air, and (3) confined to a zone encompassed by a 25-mile radius of the boundary of the airport at which the passengers arrive or depart. The hotel does not meet the exemption requirements of 49 U.S.C. 13506(a)(3) for a motor vehicle owned or operated by or for a hotel and only transporting hotel patrons between the hotel and the ''local station of a carrier.'' The definition of carrier within this exemption includes motor carrier and freight forwarder, but does not include air carrier. 49 U.S.C. 13102(3). However, the hotel only needs to meet the requirements of one exemption to not be subject to operating authority registration.

The hotel is providing indirectly compensated, for-hire transportation of passengers in interstate commerce in a vehicle with a seating capacity of 15 and is required under §§ 387.33T and 387.33 of this chapter to maintain $1.5 million of financial responsibility.

Scenario 2: A hotel in Winchester, VA, located 12 miles outside of the zone encompassed by a 25-mile radius of the boundary of Washington Dulles International Airport, offers a courtesy van to take its guests to and from the airport in Dulles, VA. The van is designed to transport 15 passengers, including the driver, and has a GVW and GVWR of less than 10,000 pounds.

Guidance: This scenario describes for-hire transportation by a CMV as a part of continuous interstate movement, though some exemptions apply. Though the hotel is providing interstate transportation in a CMV, a 9 to 15 passenger vehicle operated for compensation, the hotel's van operation is eligible for the limited exception to regulatory applicability in §§ 390.3T(f)(6) and 390.3(f)(6).

This exemption does not relieve the hotel of the requirements in 49 CFR part 365 for operating authority registration. The hotel is providing interstate for-hire transportation (the costs for operating the shuttle van are included in the cost of the room, as an amenity) outside the zone that would qualify it for the incidental to air travel exemption within 49 U.S.C. 13506(a)(8)(A) and § 372.117(a) of this chapter. Also, the hotel's transportation does not meet the exemption requirements of 49 U.S.C. 13506(a)(3) for a motor vehicle owned or operated by or for a hotel and only transporting hotel patrons between the hotel and the local station of a carrier. The definition of carrier applicable to this exemption, at 49 U.S.C. 13102(3), does not include air carrier. The hotel must register by following the procedures in 49 CFR part 365 subpart A and part 390 subpart E. The hotel is also required under §§ 387.33T and 387.33 of this chapter to obtain, file, and maintain $1.5 million of financial responsibility.

The hotel's 15-passenger van is not a CMV under § 383.5 of this chapter. Therefore, drivers of these vehicles are not required to have CDLs and are not subject to the drug and alcohol testing regulations in 49 CFR part 382.

* * * * *

Issued under authority delegated in 49 CFR 1.87.

Derek Barrs,

Administrator.

[FR Doc. 2026–08438 Filed 4–29–26; 8:45 am]

BILLING CODE 4910–EX–P

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

50 CFR Part 635

[Docket No. 260427–0112; RTID 0648–XF407]

Atlantic Highly Migratory Species; 2026 Atlantic Shark Commercial Fishing Year

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

ACTION: Temporary final rule.

SUMMARY: In this action, NMFS adjusts the base annual commercial quotas for the 2026 Atlantic shark commercial fishing year as allowable based on underharvests from the 2025 fishing year. The 2026 Atlantic shark commercial fishing year opened on January 1, 2026, under the base annual commercial quotas and default commercial retention limits. This action is necessary to provide additional fishing opportunities for commercial shark fishermen to harvest optimum yield from the Atlantic shark fisheries.

DATES: This temporary final rule is effective April 30, 2026 through December 31, 2026.

ADDRESSES: Electronic copies of this temporary final rule and supporting documents (including the annual Atlantic Highly Migratory Species (HMS) Stock Assessment and Fishery Evaluation Report) are available from the HMS Management Division website at: *https://www.fisheries.noaa.gov/topic/atlantic-highly-migratory-species* or by contacting Guy DuBeck at *guy.dubeck@noaa.gov* or 301–427–8503.

FOR FURTHER INFORMATION CONTACT: Guy DuBeck (*guy.dubeck@noaa.gov*) or Karyl Brewster-Geisz (*karyl.brewster-geisz@noaa.gov*) at 301–427–8503.

SUPPLEMENTARY INFORMATION:

Background

Federal Atlantic HMS fisheries (*i.e.,* tunas, billfish, swordfish, and sharks) are managed under the 2006 Consolidated HMS Fishery Management Plan (HMS FMP) and its amendments, pursuant to the Magnuson-Stevens Fishery Conservation and Management Act (Magnuson-Stevens Act) (16 U.S.C. 1801 *et seq.*) and consistent with the Atlantic Tunas Convention Act (ATCA) (16 U.S.C. 971 *et seq.*). HMS are defined at 16 U.S.C. 1802) and the provisions for their management are at 16 U.S.C. 1854). ATCA is the implementing statute for binding recommendations of the International Commission for the Conservation of Atlantic Tunas. HMS implementing regulations are at 50 CFR part 635.

For the Atlantic shark commercial fisheries, the HMS FMP and its amendments established commercial quotas for shark species and management groups (§ 635.27(b)) and adjustment procedures for underharvests and overharvests (§ 635.27(b)(2)). The Atlantic shark commercial fishing year automatically opens on January 1 of each year under base quotas (§ 635.27(b)(2)).

Since 2024, the commercial shark fisheries automatically open on January 1 of each year under the base quotas and default retention limits (88 FR 77039, November 8, 2023), and NMFS makes inseason adjustments to the base quotas, as required or allowable per existing regulations on underharvest/overharvest carryover at § 635.27(b)(2), based on complete data from the previous fishing year. Any changes to the base quotas and/or changes to the formula used to calculate any annual quota adjustments would be proposed and finalized through rulemaking, as was done in Amendment 9 to the HMS FMP (80 FR 73128, November 24, 2015). The Atlantic shark fishery inseason quota adjustment process is consistent with the inseason quota adjustment processes for other HMS fisheries with set opening dates, including those for Atlantic bluefin tuna, North Atlantic albacore tuna, and South Atlantic swordfish (see, *e.g.,* 89 FR 77029, September 20, 2024, and 88 FR 64831, September 20, 2023).

The 2026 Atlantic shark commercial fishing year opened on January 1, 2026, under the base annual commercial quotas. In this action, NMFS adjusts those base annual commercial quotas based on commercial landings estimates from 2025.

Statutory Authority

The Magnuson-Stevens Act provides NMFS the authority to take this regulatory action, as 16 U.S.C. 1855(d) provides for the promulgation of such regulations as may be necessary to implement a fishery management plan and its amendments such as the HMS FMP. The Magnuson-Stevens Act among other things, requires FMP and FMP implementing measures necessary for the conservation and management of the fishery to be consistent with the ten National Standards set forth in 16 U.S.C. 1851(a). Though all of the National Standards are relevant, specific to the objectives of this action, the National Standards state that measures must: prevent overfishing while achieving optimum yield from the fishery (National Standard 1); be based on the best scientific information available (National Standard 2); and take into account and allow for variations among fisheries, fishery resources, and catches (National Standard 6). Furthermore, the Magnuson-Stevens Act allows NMFS to implement annual specifications at a level such that overfishing does not occur in the fishery, including measures to ensure accountability (16 U.S.C. 1853(a)(15)). The Magnuson-Stevens Act also allows management actions to establish specified limitations which are necessary and appropriate for the conservation and management of the fishery on the catch of fish (based on area, species, size, number, weight, sex, bycatch, total biomass, or other factors) (16 U.S.C. 1853(b)(3)(A)). This action is necessary to implement HMS FMP measures responsive to these Magnuson-Stevens Act requirements and provisions in relation to commercial shark quota adjustments.

2026 Commercial Atlantic Shark Quotas

In this action, NMFS adjusts the quotas for the various shark stocks and management groups for the 2026 Atlantic shark commercial fishing year (*i.e.,* January 1 through December 31, 2026) based on underharvests that occurred during the 2025 fishing year, consistent with existing regulations at § 635.27(b). NMFS generally accounts for over- and underharvests in the same region, sub-region, or fishery in which they occurred the following year. NMFS may only carryover unharvested quota to the next fishing year for shark species and management groups comprised of stocks that NMFS has determined are not overfished and not experiencing overfishing (§ 635.27(b)(2)(ii)). NMFS may not carry more than 50 percent of a base annual quota over from a previous fishing year. NMFS may further adjust these adjusted quotas in a future action by transferring quotas between regions or sub-regions throughout the year after considering certain criteria (§ 635.27(b)(2)(iii)).

Based on 2025 harvests (January 1, 2025, through December 31, 2025), and after considering catch rates and landings from previous years, NMFS adjusts the 2026 quotas for certain management groups as shown in Table 1.

As described above, NMFS can carry over 2025 underharvests to the 2026 fishing year for the following management groups because the stocks or management groups are not overfished and overfishing is not occurring: Gulf of America blacktip sharks, Atlantic smoothhound sharks, and Gulf of America smoothhound sharks. There were no overharvests to account for in these management groups in 2025. Thus, available underharvest (up to 50 percent of the base quota) from the 2025 fishing year for these management groups may be added to their respective 2026 base quotas. NMFS accounts for any underharvest of Gulf of America blacktip sharks by dividing underharvest between the eastern and western Gulf of America sub-regional quotas based on the sub-regional quota split percentage (§ 635.27(b)(1)(ii)(C)).

NMFS cannot carry over 2025 underharvests to the 2026 fishing year for the following management groups because the stocks or management groups are overfished, are experiencing overfishing, or have an unknown status:

- Aggregated large coastal sharks (LCS), given the unknown status of some species in the aggregated LCS complex;
- Hammerhead sharks, given the overfished status of the scalloped hammerhead shark;
- Non-blacknose small coastal sharks (SCS), given the unknown status of bonnethead sharks within Atlantic and Gulf of America non-blacknose SCS management groups;
- Blacknose shark, given the overfished status of the blacknose shark;

- Blue, porbeagle, and pelagic sharks (other than porbeagle or blue sharks), given that all of these pelagic species are overfished, have overfishing occurring, or have an unknown status; and
- Sandbar shark and research LCS, given sandbar sharks and scalloped hammerhead sharks are either overfished or overfishing is occurring.

While there was an overharvest of the eastern Gulf of America Aggregated LCS and hammerhead sharks sub-regional quotas in 2025, the full Gulf of America regional quotas for these management groups were not filled. Thus, consistent with § 635.27(b)(2)(i)(B), NMFS is not reducing the 2026 regional base quota for those management groups. Rather, the 2026 commercial regional and sub-regional quotas for those management groups reflect the codified base quotas and allocations at § 635.27(b)(1)(ii)(A) and (B).

See table 1 for the 2025 commercial quotas, landings, and quota utilization by species and management group and the 2026 base and adjusted commercial quotas by species and management group. All quotas and landings are in dressed weight (dw) metric tons (mt) and pounds (lb). Table 1 includes landings data from January 1, 2025, through December 31, 2025.

TABLE 1—2026 QUOTAS FOR THE ATLANTIC SHARK MANAGEMENT GROUPS

[NMFS can only apply underharvest adjustments to stocks or management groups that are declared not overfished and have no overfishing occurring. The underharvest adjustments cannot exceed 50 percent of the base quota. NMFS calculated the adjusted quotas (Column F) by adding the underharvest amount, up to the carryover limit (Column E), to the base annual commercial quota (Column D)]

Region or sub-region	Management group	2025			2026		
		Adjusted quota	Landings	Quota utilization (%)	Base annual quota	Adjustments	Adjusted quota
		(A)	(B)	(C)	(D)	(E)	(F)
Western Gulf of America.	Blacktip Sharks	347.2 mt (765,392 lb)	77.9 mt (171,648 lb)	22	231.5 mt (510,261 lb)	115.7 mt (225,131 lb)	347.2 mt (765,392 lb)
	Aggregate Large Coastal Sharks	72.0 mt (158,724 lb)	40.3 mt (88,769 lb)	56	72.0 mt (158,724 lb)		72.0 mt (158,724 lb)
	Hammerhead Sharks	11.9 mt (26,301 lb)	0 mt (0 lb)	0	11.9 mt (26,301 lb)		11.9 mt (26,301 lb)
Eastern Gulf of America.	Blacktip Sharks	37.7 mt (83,158 lb)	18.4 mt (40,531 lb)	49	25.1 mt (55,439 lb)	12.6 mt (27,719 lb)	37.7 mt (83,158 lb)
	Aggregate Large Coastal Sharks [1]	85.5 mt (188,593 lb)	105.2 mt (231,917 lb)	123	85.5 mt (188,593 lb)		85.5 mt (188,593 lb)
	Hammerhead Sharks [1]	13.4 mt (29,421 lb)	18.5 mt (40,771 lb)	139	13.4 mt (29,421 lb)		13.4 mt (29,421 lb)
Gulf of America.	Non-Blacknose Small Coastal Sharks	112.6 mt (248,215 lb)	57.8 mt (127,320 lb)	51	112.6 mt (248,215 lb)		112.6 mt (248,215 lb)
	Smoothhound Sharks	504.6 mt (1,112,441 lb)	0 mt (0 lb)	0	336.4 mt (741,627 lb)	168.2 mt (370,814 lb)	504.6 mt (1,112,441 lb)
Atlantic	Aggregate Large Coastal Sharks	168.9 mt (372,552 lb)	61.8 mt (136,208 lb)	37	168.9 mt (372,552 lb)		168.9 mt (372,552 lb)
	Hammerhead Sharks	27.1 mt (59,736 lb)	20.5 mt (45,162 lb)	76	27.1 mt (59,736 lb)		27.1 mt (59,736 lb)
	Non-Blacknose Small Coastal Sharks	264.1 mt (582,333 lb)	39.1 mt (70,352 lb)	12	264.1 mt (582,333 lb)		264.1 mt (582,333 lb)
	Blacknose Sharks (South of 34° N lat. Only).	17.2 mt (37,921 lb)	2.9 mt (6,471 lb)	17	17.2 mt (37,921 lb)		17.2 mt (37,921 lb)
	Smoothhound Sharks	1,802.6 mt (3,973,902 lb)	252.4 mt (556,196 lb)	14	1,201.7 mt (2,649,268 lb)	600.9 mt (1,324,634 lb)	1,802.6 mt (3,973,902 lb)
No Regional Quotas.	Non-Sandbar LCS Research	50.0 mt (110,230 lb)	<13 mt (<28,550 lb)	<26	50.0 mt (110,230 lb)		50.0 mt (110,230 lb)
	Sandbar Shark Research	90.7 mt (199,943 lb)	<56 mt (<123,458 lb)	<62	90.7 mt (199,943 lb)		90.7 mt (199,943 lb)
	Blue Sharks	273.0 mt (601,856 lb)	0 mt (0 lb)	0	273.0 mt (601,856 lb)		273.0 mt (601,856 lb)
	Porbeagle Sharks	1.7 mt (3,748 lb)	<1 mt (<2,205 lb)	<59	1.7 mt (3,748 lb)		1.7 mt (3,748 lb)
	Pelagic Sharks Other Than Porbeagle or Blue.	488.0 mt (1,075,856 lb)	18.1 mt (39,887 lb)	4	488.0 mt (1,075,856 lb)		488.0 mt (1,075,856 lb)

[1] While there was an overharvest of the eastern Gulf of America Aggregated LCS and hammerhead sharks sub-regional quotas in 2025, the full Gulf of America regional quotas for these management groups were not filled. Thus, NMFS is not reducing the 2026 regional base quota for those management groups.

Classification

NMFS is issuing this rule pursuant to section 305(d) of the Magnuson-Stevens Act. The reason for using this regulatory authority is: in a previous action taken pursuant to section 304(c), NMFS designed the HMS FMP to authorize the Department of Commerce to take this action pursuant to the Magnuson-Stevens Act section 305(d). See 50 CFR 635.27(b). The NMFS Assistant Administrator has determined that this temporary final rule is consistent with the HMS FMP, its amendments, and other applicable law.

Pursuant to 5 U.S.C. 553(b)(B), there is good cause to waive prior notice and an opportunity for public comment on this action, as notice and comment would be unnecessary and contrary to the public interest. The rulemaking processes for Amendment 2 to the HMS FMP (73 FR 35778, June 24, 2008; corrected 73 FR 40658, July 15, 2008), Amendment 5a to the HMS FMP (78 FR 40318, July 3, 2013), Amendment 6 to the HMS FMP (80 FR 50074, August 18, 2015), Amendment 9 to the HMS FMP (80 FR 73128, November 24, 2015), and the 2024 Atlantic shark commercial fishing year rule (88 FR 77039, November 8, 2023) specifically provided prior notice of, and accepted public comment on, the base quotas that are being adjusted and the formulaic quota adjustment processes to carry over overharvests and underharvests for the commercial Atlantic shark fisheries. These processes have not changed, and the application of these formulas to the relevant quotas in this temporary final rule is a routine action that does not have discretionary aspects requiring additional consideration. There are no new base annual quotas for the relevant species for 2026. Additionally, similar actions to adjust the quotas based on the previous year's underharvest occur annually. NMFS has carried over underharvested quota from the previous fishing year to the maximum extent allowed since 2020. Thus, it is unnecessary to provide prior notice and an additional opportunity for public comment on this rule.

Providing for public comment is also contrary to the public interest. The 2026 Atlantic shark commercial fisheries opened on January 1, 2026. NMFS monitors Atlantic shark annual catch and uses the previous year's catch data to calculate the legally allowable quotas for the current year. However, these adjustments to the 2026 quotas could not occur earlier in the year because the final 2025 landings data were not available until early 2026. Given that these fisheries are currently open and permit holders are actively fishing, delaying this rule's quota adjustments to provide for an additional public comment period could in turn lead to premature closure of one or more affected fisheries if the unadjusted quota limit is reached. Such an event would negatively affect the regulated fisheries' reasonable opportunity to catch the available quotas, contrary to Magnuson-Stevens Act requirements and the overall purpose of sound conservation and management of fisheries—including Atlantic sharks—in a manner that achieves optimum yield.

For the same reasons, there is good cause under 5 U.S.C. 553(d)(3) to waive the 30-day delay in effective date. This rule is an annual, routine action that the regulated community does not need time to prepare for. In addition, given that these fisheries are currently open and permit holders are actively fishing, delaying the effective date of this rule's quota adjustments could lead to premature closure of one or more affected fisheries if the unadjusted quota limit is reached within the next 30 days, which, again, would negatively affect the regulated fisheries' reasonable opportunity to catch the available quotas.

This temporary final rule is exempt from review under Executive Order (E.O.) 12866. This temporary final rule is not subject to E.O. 14192.

NMFS has determined that this action would 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; therefore, consultation with Tribal officials under E.O. 13175 is not required, and the requirements of section (5)(b) and (c) of E.O. 13175 also do not apply. A Tribal summary impact statement under section (5)(b)(2)(B) and (c)(2) of E.O. 13175 is not required and has not been prepared.

Because prior notice and opportunity for public comment are not required for this rule by 5 U.S.C. 553, or any other law, the analytical requirements of the Regulatory Flexibility Act, 5 U.S.C. 601 *et seq.,* are inapplicable.

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

Dated: April 27, 2026.

Samuel D. Rauch, III,

Deputy Assistant Administrator for Regulatory Programs, National Marine Fisheries Service.

[FR Doc. 2026–08416 Filed 4–29–26; 8:45 am]

BILLING CODE 3510–22–P

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

50 CFR Part 648

[Docket No. 260427–0113]

RIN 0648–BO39

Fisheries of the Northeastern United States; 2026 and 2027 Summer Flounder, Scup, and Black Sea Bass Recreational Management Measures

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

ACTION: Interim final rule.

SUMMARY: NMFS approves and implements Federal management measures for the 2026 and 2027 summer flounder, scup, and black sea bass recreational fisheries. This action implements management measures intended to allow these recreational fisheries to achieve, but not exceed, the recreational harvest target and thereby prevent overfishing.

DATES: Effective April 30, 2026. Comments must be received by May 15, 2026.

ADDRESSES: A plain language summary of this interim final Rule is available at: *https://www.regulations.gov/docket/NOAA-NMFS-2026-0331.* You may submit comments on this document, identified by NOAA–NMFS–2026–0331, by the following method:

Electronic Submission: Submit all electronic public comments via the Federal e-Rulemaking Portal. Go to *https://www.regulations.gov* and type NOAA–NMFS–2026–0331 in the Search box (note: copying and pasting the FDMS Docket Number directly from this document may not yield search results). Click on the ''Comment'' icon, complete the required fields, and enter or attach your comments.

Instructions: Comments sent by any other method, to any other address or individual, or received after the end of the comment period, may not be considered by NMFS. All comments received are a part of the public record and will generally be posted for public viewing on *https://www.regulations.gov*

without change. All personal identifying information (*e.g.,* name, address), 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: Savannah Lewis, Fishery Management Specialist, (978) 281–9348, or *Savannah.Lewis@noaa.gov.*

SUPPLEMENTARY INFORMATION:

Background

NMFS is implementing 2026 and 2027 summer flounder, scup, and black sea bass recreational management measures under the Summer Flounder, Scup, and Black Sea Bass Fishery Management Plan (FMP). The Mid-Atlantic Fishery Management Council (Council), in cooperation with the Atlantic States Marine Fisheries Commission (Commission), recommends management measures for the summer flounder, scup, and black sea bass recreational fisheries in the Greater Atlantic Region. The Council, pursuant to the Magnuson-Stevens Fishery Conservation and Management Act (Magnuson-Stevens Act), develops recommendations regarding fisheries in Federal waters seaward of New York, New Jersey, Delaware, Pennsylvania, Maryland, Virginia, and North Carolina. The Commission, pursuant to the Atlantic Coastal Fisheries Cooperative Management Act, addresses fisheries in state waters from Florida to Maine.

These bodies work together in the development of complementary FMPs for summer flounder, scup, and black sea bass because they are harvested in both Federal and state waters. Each year these bodies work together to develop recreational management recommendations for these fisheries. The Council provides its recommendations to NMFS. Under the provisions of the Magnuson-Stevens Act, on behalf of the Secretary of Commerce, the Greater Atlantic Regional Fisheries Office's Regional Administrator reviews proposed measures for consistency with the FMP, plan amendments, the Magnuson-Stevens Act and other applicable law. Measures are generally set for 2 years to balance a need for consistency and responsiveness to changes in information. In interim years, measures are reviewed and will remain unchanged unless new information suggests a major change in the expected impacts of those measures on the stock or the fishery. Measures are set so that recreational harvest achieves, but does not exceed, the recreational harvest targets determined through the application of the Recreational Management Measures Setting Framework, established via Framework Adjustment 19 to the Summer Flounder, Scup, and Black Sea Bass FMP and Framework Adjustment 7 to the Bluefish FMP, also known as the Recreational Measures Setting (RMS) Process Framework (91 FR 22766; April 28, 2026).

Summary of Approved Measures

Pursuant to the regulations at 50 CFR 648.102(d) and 648.142(d), NMFS must implement coastwide measures or approve conservation-equivalent measures for summer flounder and black sea bass as soon as possible following the Council and Board's recommendation. This rule implements the following recreational management measures as recommended by the Council and Board, pursuant to Magnuson-Stevens Act sections 303(c) and 304(b):

- Conservation equivalency (*i.e.,* waiving Federal recreational management measures) in 2026 and 2027 for summer flounder, with status quo coastwide measures;
- Conservation equivalency in 2026 and 2027 for black sea bass, with 20-percent liberalization in coastwide measures; and
- Status quo measures for scup with no adjustments to the Federal recreational management measures.

This interim final rule would also implement administrative revisions and corrections to existing summer flounder, black sea bass, and bluefish regulations that, while not recommended by the Council or Commission as part of the recreational management measures setting process, were reviewed by them and would be implemented pursuant to section 305(d) of the Magnuson-Stevens Act.

Recreational Management Measures Process

The RMS Process uses a Percent Change Approach for determining when and by what magnitude recreational management measures (*i.e.,* possession limits, size limits, and season) may be changed. The RMS Process uses two factors to determine if management measures should remain status quo, could be liberalized, or must be restricted. First, the average recreational harvest limit (RHL) for the upcoming 2 years is compared to a confidence interval around an estimate of expected future harvest under the current measures (*i.e.,* status quo measures). Expected future harvest is determined by the Recreational Demand Model (RDM), which is a bio-economic model that has been used for setting recreational summer flounder, scup, and black sea bass measures since 2023. Second, biomass is compared to the target biomass level, as defined by the most recent stock assessment. Together, these two factors determine the appropriate magnitude of change, defined as a percentage change in expected harvest. The percentage change is then applied to the preexisting recreational harvest target (RHT), expressed as weight, to produce the following year's RHT. The RHT can be less than, equal to, or greater than the RHL depending upon the expected future harvest and the biomass of the stock.

The Monitoring Committee, which consists of representatives from the Commission, the Council, state marine fishery agencies from Massachusetts to North Carolina, and NMFS, evaluates changes to recreational management measures to achieve the required percent change and RHT. The FMP allows for only three types of recreational management measures: (1) minimum and/or maximum fish size, (2) per-angler possession limit, and (3) fishing season. While the RMS Process was followed in a straightforward manner for summer flounder and scup, as explained below, the outcome for black sea bass was adjusted to account for unanticipated results from the process stemming from the use of a new assessment model.

The Council and the Commission then consider the Monitoring Committee's recommendations and any public comments in making their recommendations. The Council forwards its recommendations to NMFS for review. The Commission similarly adopts recommendations for the states. NMFS reviews the Council's recommendations to ensure that they are consistent with the FMP and all applicable laws and Executive Orders before approving and implementing measures for Federal waters. Commission measures are final at the time they are adopted. Although this interim final rule is effective upon publication, NMFS will consider public comments received during the comment period provided above and make any necessary revisions in a later rule, if warranted.

Scup Recreational Management Measures

After applying the RMS Process for scup, the Council recommended, and the Commission adopted, status quo

measures and RHT at a joint meeting in December 2025. The RDM estimated the expected 2026–2027 harvest under status quo (*i.e.,* 2025) measures, with an associated 80-percent confidence interval (table 1). The median coastwide projected harvest is 15.77 million pounds (lb; 7,153 metric ton (mt)), with an 80-percent confidence interval of 14.08–17.67 million lb (6,387–8,015 mt). The average 2026 and 2027 scup RHL of 12.38 million lb (5,615 mt) is below the lower bound of the confidence interval around projected harvest; this means that scup harvest is estimated to exceed the RHL under status quo measures.

According to the 2025 management track assessment (using data through 2024), scup is not overfished, and overfishing is not occurring. Scup biomass is 323 percent of the biomass target, which puts scup in the ''very high'' biomass category (*i.e.,* biomass is greater than 150 percent of the target level).

The projected harvest compared to the RHL, and the biomass compared to the biomass target, places scup in a ''no liberalization or reduction'' category under the RMS Process. The intent of the RMS Process is to gradually bring harvest to the RHL, while preventing large swings in the management measures, in light of the status of the stock. Therefore, we are not implementing any changes in Federal measures, consistent with the recommendation of the Council and approved by the Board. The scup measures are a 10-inch (25.4-cm) minimum fish size, a 40-fish per person possession limit, and an open season from January 1 through December 31.

TABLE 1—ESTIMATED SCUP HARVEST, ASSOCIATED CONFIDENCE INTERVAL, 2026–2027 AVERAGE RHL, STOCK SIZE CATEGORY, AND RESULTING PERCENT CHANGE RECOMMENDED

Estimated harvest under status quo measure	80-percent confidence interval	Average 2026–2028 RHL	Stock size category	Recommended percent change
15.77 million lb (7,153 mt)	14.08–17.67 million lb (6,387–8,015 mt).	12.38 million lb (5,615 mt)	Very High	None.

Summer Flounder and Black Sea Bass Conservation Equivalency Measures

The regulations at §§ 648.102(d)(2) and 648.142(d)(2) allow for conservation equivalency for summer flounder and black sea bass, under which Federal recreational measures are waived. Conservation equivalency means that the combination of state or regional measures provides the equivalent conservation as the coastwide measures. Federally permitted party/charter vessels and all recreational vessels fishing in Federal waters are subject to the recreational fishing measures implemented by the state in which they land. This approach allows for more customized measures at a state or regional level that are likely to meet the needs of anglers in each area, compared to coastwide measures that may be advantageous to anglers in some areas and unnecessarily restrictive in others. The combination of state or regional measures must achieve equivalent conservation as the coastwide measures recommended by the Council and the Commission.

The Council and the Commission meet annually or biennially to recommend either state- or region-specific recreational measures (*i.e.,* conservation equivalency) or coastwide management measures. Even if the Council and Commission recommend conservation equivalency, the Council must specify a set of non-preferred coastwide measures that would apply if conservation equivalency is not approved for use in Federal waters.

When conservation equivalency is recommended, the Commission certifies that the state or regional measures developed through its technical and policy review processes achieve conservation equivalency. NMFS then waives for the appropriate years the permit condition found at § 648.4(b) that requires Federal permit holders to comply with the more restrictive management measures when state and Federal measures differ. In such a situation, federally permitted summer flounder and black sea bass charter/party permit holders and individuals fishing for summer flounder and black sea bass in Federal waters are subject to the recreational fishing measures implemented by the state in which they land, rather than the coastwide measures.

In addition, the Council and Commission must recommend precautionary default measures when recommending conservation equivalency. The Commission would require adoption of the precautionary default measures by any state that either does not submit a management proposal to the Commission's Technical Committee or that submits measures that are not conservationally equivalent to the coastwide measures.

The Commission and the individual states collaborate on the development of conservationally equivalent measures. The selection of appropriate data and analytical techniques for technical review of potential state conservation-equivalent measures and the process by which the Commission evaluates and recommends proposed conservation-equivalent measures are determined by the Commission and its individual member states.

Once the states and regions select their final summer flounder and black sea bass management measures through their respective development, analytical, and review processes and submit them to the Commission, the Commission conducts further review and evaluation of the submitted proposals and then notifies NMFS as to which proposals have been approved or disapproved. NMFS has no authority over the development of state or Commission management measures but is an equal participant, along with the member states, in the review process. NMFS neither approves nor implements individual states' measures but retains final authority to approve or disapprove the use of conservation equivalency.

On April 13, 2026, the Commission notified NMFS that it had certified that the 2026 and 2027 recreational fishing measures to be implemented in state waters for summer flounder and black sea bass are, collectively, the conservation equivalent of the fish sizes, seasons, and possession limits recommended by the Council and prescribed in §§ 648.104(b), 648.105, and 648.106(a), respectively, for summer flounder and in §§ 648.145(a), 648.146, and 648.147(b), respectively, for black sea bass. According to §§ 648.102(d)(2) and 648.142(d)(2), if conservation equivalency is adopted, vessels subject to the recreational fishing measures are not subject to Federal measures and instead are subject to the recreational fishing measures implemented by the state in which they land. Pursuant to the Commission's certification, §§ 648.107 and 648.151 are amended through this

interim final rule to recognize state-implemented measures as the conservation equivalent of the Federal coastwide recreational management measures for 2026 and 2027.

2026 and 2027 Summer Flounder Recreational Management Measures

After applying the RMS Process for summer flounder, the Council and Board recommended status quo measures and RHT and conservation equivalency at a joint meeting in December 2025. The non-preferred coastwide measures will remain status quo and are waived for 2026 and 2027 by conservation equivalency via this interim final action. However, the coastwide measures become the default management measures the year after conservation equivalency expires (in this case, 2028) until either coastwide or new conservationally equivalent measures are established.

The non-preferred coastwide measures recommended by the Council and Commission are an 18.5-inch (46.99-cm) minimum fish size, a three-fish per person possession limit, and an open season from May 8 through September 30. The 2026 and 2027 precautionary default measures are identical to those in place for 2024 and 2025—a 20.0-inch (50.8-cm) minimum fish size, a two-fish per person possession limit, and an open season of July 1–August 31. Precautionary default measures are required only if a state or region does not submit a conservationally equivalent proposal or submits a proposal for management measures that do not meet the required level of conservation.

The application of the RMS Process for summer flounder resulted in the status quo recommendation. The RDM was used to generate estimated 2026–2027 harvest under status quo (*i.e.,* 2025) measures, with an associated 80-percent confidence interval (table 2). The median coastwide projected harvest is 6.06 million lb (2,749 mt), with an 80-percent confidence interval of 5.18–6.89 million lb (2,350–3,125 mt). The average 2026 and 2027 summer flounder RHL of 8.19 million lb (3,715 mt) is above the upper bound of the confidence interval (6.89 million lb (3,125 mt)) (*i.e.,* the estimated harvest of summer flounder is expected to be under the RHL).

According to the 2025 management track assessment (using data through 2024), summer flounder is not overfished, and overfishing is not occurring. However, because summer flounder biomass is 83 percent of the biomass target, this puts summer flounder in the ''low'' biomass category (*i.e.,* biomass is less than 90 percent of the target level).

The expected harvest compared to the RHL and the biomass compared to the biomass target place summer flounder in a ''no liberalization or reduction'' category within the RMS Process. Therefore, NMFS is not implementing any changes in Federal coastwide measures and is approving conservation equivalency. In its April 13, 2026 letter, the Commission certified that all states' 2026 and 2027 summer flounder recreational management measures are collectively conservationally equivalent to the non-preferred coastwide measures and that no states are required to implement the precautionary default measures.

TABLE 2—ESTIMATED SUMMER FLOUNDER HARVEST, ASSOCIATED CONFIDENCE INTERVAL, 2026–2027 AVERAGE RHL, STOCK SIZE CATEGORY, AND RESULTING PERCENT CHANGE RECOMMENDED

Estimated harvest under status quo measure	80-percent confidence interval	Average 2026–2027 RHL	Stock size category	Recommended percent change
6.06 million lb (2,749 mt)	5.18–6.89 million lb (2,350–3,125 mt).	8.19 million lb (3,715 mt)	Low	None.

2026–2027 Black Sea Bass Recreational Management Measures

At a joint meeting in December 2025, the Council and Commission recommended an RHT, conservation equivalency, and revised, liberalized non-preferred coastwide measures to reflect the recommended RHT. The Council and Board recommended non-preferred coastwide measures of a 14-inch (35.56 cm) minimum size, a five-fish possession limit, and a May 15–September 30 open season. These coastwide measures are waived for 2026 and 2027 through conservation equivalency within this action. However, the coastwide measures become the default management measures the year after conservation equivalency expires (in this case, 2028) until new coastwide or conservationally equivalent measures are established. The precautionary default measures are only implemented in any state or region that failed to develop adequate measures to constrain landings as required by the conservation equivalency guidelines. The precautionary default measures remain the same as those in 2025–a 16-inch (40.64-cm) minimum size, a two-fish possession limit, and a June 1–August 31 open season.

Similar to the process for summer flounder and scup, the Council and Board discussed the application of the RMS Process for setting 2026 and 2027 recreational measures for black sea bass, including consideration of the appropriate confidence interval as described in the RMS Process Framework (91 FR 22766; April 28, 2026). In 2025, for the first time, the black sea bass inputs to the RDM were based on a stock assessment prepared using the Woods Hole Assessment Model (WHAM). The transition to WHAM results in a different way to characterize assessment uncertainty from the prior model; this prior model is still used for summer flounder and scup, resulting in different uncertainty parameters for the three species. The effect of this difference is that the standard 80-percent confidence intervals around the median catch estimate are much wider for black sea bass this year than in prior years and wider than those for summer flounder and scup. For example, the 80-percent confidence interval for the black sea bass catch estimate ranges from 28 percent below to 45 percent above the median estimate of 5.86 million lb (2,658 mt). In contrast, the 80-percent confidence interval for summer flounder ranged from only 11 percent below to just 12 percent above the median estimate of 6.06 million lb (2,749 mt). Without accounting for this change in the treatment of uncertainty, this much more expansive range of catch estimates for black sea bass would result in maintaining the current status quo measures under almost all RHL levels, including for 2026 and 2027, preventing any liberalization of the measures, despite the healthy and abundant black sea bass stock. Had the process contemplated using a narrower range of confidence intervals (*e.g.,* 70 or 75 percent), the RMS Process could have allowed a liberalization of black sea bass measures for up to 39 percent increased harvest. This substantial difference in

potential outcomes solely due to the different characterization of uncertainty in WHAM was unexpected, and the Council and Commission did not have a ready solution to address this situation.

Due in part to the 2025 lapse in appropriations and associated furlough of NMFS staff in October and November, these results were not analyzed prior to the Council and Commission joint meeting in December 2025. Recognizing that the implications on the RMS Process from the transition to WHAM had not been anticipated, and that there was no rational basis for acting solely on either the 80-percent confidence interval or choosing a different confidence interval (*e.g.,* 70 or 75 percent), the Council and Commission agreed to recommend an interim approach for 2026 and 2027 based on a 20-percent liberalization. This is within the range of potential outcomes prescribed by the RMS Process, provides for a meaningful increase in recreational harvest during this interim period, and results in an RHT below the RHL of 8.14 million lb (3,692 mt), thus minimizing the risk of overfishing. NMFS supports the approach recommended by the Council and Commission due to the need to balance conservation of the stock with the ability to achieve optimum yield in the face of the unanticipated challenges associated with the transition to a new stock assessment model for black sea bass.

At the December 2025 joint meeting, the Council and Commission tasked staff to plan a comprehensive review of confidence interval methods for all three species (summer flounder, scup, and black sea bass) to better inform future decision-making and ensure the RDM and RMS Process are working as intended. NMFS intends to support this review, as it will ensure that the RMS Process can continue to provide appropriate management recommendations.

The new recreational harvest target, calculated as a 20-percent increase from the projected harvest of 5.86 million lb (2,658 mt), is 7.03 million lb (3,189 mt). The Council and Commission determined that this approach is sufficiently precautionary because the harvest target would still be expected to be below the 2026–2027 RHL of 8.14 million lb (3,692 mt), and the most recent stock assessment indicates biomass has continued to increase and has been well above the target level for more than a decade. This liberalization is not expected to pose a risk to the black sea bass stock.

NMFS is modifying the Federal non-preferred coastwide measures to reflect this 20-percent liberalization, and NMFS approves conservation equivalency for 2026 and 2027 to waive the Federal measures. In its April 13, 2026 letter, the Commission certified that all states' 2026 and 2027 black sea bass recreational management measures are collectively conservationally equivalent, and no states are required to implement the precautionary default measures. NMFS solicits public comment on the process used to set the black sea bass recreational management measures as well as the result, including conservation equivalency.

TABLE 3—ESTIMATED BLACK SEA BASS HARVEST, ASSOCIATED CONFIDENCE INTERVAL, 2026–2027 AVERAGE RHL, STOCK SIZE CATEGORY, AND RESULTING PERCENT CHANGE

Estimated harvest under status quo measure	80-percent confidence interval	Average 2026–2027 RHL	Stock size category	Recommended percent change *
5.86 million lb (2,658 mt)	4.22–8.50 million lb (1,914–3,856 mt).	8.16 million lb (3,692 mt)	Very High	None.

* While no percent change was recommended, the Council and Board recommended a 20% increase due to unanticipated impacts from the PCA.

The RDM, as well as stock assessment models and projections, will continue to be refined and improved over time. Consistent with the RMS Process, the measures in this rule would not change in 2027 unless new information suggests a major change in the expected impacts of those measures on the stock or the fishery.

Other Regulatory Corrections

In § 648.107(a), the name of the Commission's Board is updated to reflect the current name. In § 648.146, the sentence ''Vessels landing black sea bass in a state with an approved Wave 1 recreational fishery are subject to the state regulations regarding fishing season during that Wave 1 fishery.'' was erroneously removed from the Code of Federal Regulations and is being added back in. Additionally, in § 648.147(b), the sentence ''Vessels landing black sea bass in a state with an approved Wave 1 recreational fishery are subject to the state regulations regarding size requirements during that Wave 1 fishery.'' was also removed erroneously and is being added back in. In § 648.162(c), the out-of-date submission deadline of September 1 for bluefish is removed.

Classification

Pursuant to section 304(b)(3) of the Magnuson-Stevens Act, which provides specific authority for implementing regulations prepared under section 303(c), the NMFS Assistant Administrator has determined that this interim final rule is consistent with the Summer Flounder, Scup, and Black Sea Bass Fishery Management Plan, other provisions of the Magnuson-Stevens Act, and other applicable law. Pursuant to section 305(d) of the Magnuson-Steven Act, this action is necessary to allow NMFS to implement, revise, and correct measures developed through previous management actions. The NMFS Assistant Administrator has determined that this interim final rule is consistent with the Summer Flounder, Scup, and Black Sea Bass FMP, other provisions of the Magnuson-Stevens Act, and other applicable law, subject to further consideration after public comment.

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

This interim final rule is not an Executive Order 14192 regulatory action because this rule is not significant under Executive Order 12866.

Pursuant to 5 U.S.C. 553(b)(B), there is good cause to waive prior notice and opportunity for public comment on this action because the time necessary to provide such prior notice and opportunity for public comment would be contrary to the public interest.

The 2026–2027 recreational management measures made effective through this action were developed using the methodology and process of RMS Process Framework. The RMS Process Framework (*i.e.,* Framework Adjustment 19 to the Summer Flounder, Scup, and Black Sea Bass FMP and Framework Adjustment 7 to the

Bluefish FMP) (91 FR 22766; April 28, 2026) replaced the prior methodology for setting recreational measures for summer flounder, scup, and black sea bass; this prior Percent Change Approach sunsetted in December 2025 and was not available for management use. The recreational management measures implemented within this action could not be promulgated until the RMS Process Framework was effective. NMFS approved the RMS Process Framework via a recently-published interim final rule.

Until the recreational management measures are effective, measures for 2026 remain the 2025 Federal coastwide measures. Delaying the implementation of this rule while accepting public comment is contrary to the public interest because it would result in significant economic impacts on fishing communities and for-hire business owners, as well as limitations on the fishing experience, without providing concomitant conservation benefits. By default, Federal for-hire permit holders must comply with more restrictive coastwide measures (§ 648.4(b)). Routinely, the recreational management measures rulemaking applicable to a given year or years waives Federal coastwide measures for summer flounder and black sea bass in favor of state regulations through conservation equivalency, which, as described earlier in this rule, allows states to set measures tailored to their fishing communities' needs while resulting in the same conservation benefit as would accrue from the coastwide measures. The recreational fishing seasons for black sea bass in the southern states within the Greater Atlantic Region, such as Maryland and Delaware, open on May 1, 2026. The current coastwide measures, which cannot be waived in favor of state measures until the 2026–2027 recreational management measures rulemaking is effective, do not open the season until May 15, 2026.

Additionally, the minimum size for black sea bass in Federal waters would be 2.5 inches (6.35 cm) longer with a bag limit of 10 fewer fish than what would be in place for state waters. Undertaking notice and comment on this rulemaking would prevent Federal for-hire permit holders from undertaking fishing trips they have already booked for the first 15 days in May and impose more restrictive size and bag limits on all anglers for no conservation purpose.

Moreover, because of differences in how and when black sea bass become available to anglers along the coast, the application of the default coastwide measures that would be required to allow for notice and comment would impact the various states differently, resulting in inequity largely between northern and southern anglers. For example, the opening date for black sea bass in Massachusetts is anticipated to be May 17, 2026, compared to May 1, 2026, for Maryland, where black sea bass are available earlier than in waters further north. Leaving in place the coastwide measures, which open the fishing season on May 15, 2026, would have less of an impact on states that open their fisheries later. Thus, delaying implementation of this interim final rule would have inequitable impacts along the eastern seaboard.

Immediate implementation of this rule enables NMFS to approve conservation equivalency after review of the Commission-certified conservationally equivalent state measures, as described above, for the states of Massachusetts through North Carolina. Conservation equivalency allows for consistent recreational measures in state and Federal waters, clarifying requirements for anglers, increasing compliance, and avoiding enforcement issues while allowing measures tailored to the needs of each state.

We are inviting public comment on this interim final rule, and we will consider responding to any comments received in a subsequent final rule addressing both this interim final rule and the interim final rule approving the RMS Process Framework, if warranted. This is a routine action, and stakeholder and industry groups have been involved with the development of this action and have participated in public meetings throughout its development over the past year. In the meantime, it is contrary to the public interest to provide the opportunity for public comment prior to making the recreational management measures of this action effective. For the same reasons, there is good cause to waive the 30-day delay in effective date pursuant to 5 U.S.C. 553(d)(3), as was done for the RMS Process Framework. In addition, the regulated community is anticipating the implementation of 2026–2027 recreational management measures and thus does not require 30 days to come into compliance with this rule. Approving conservation equivalency through this interim final rule also relieves restrictions on recreational fishing by waiving the generally more restrictive coastwide measures in favor of regional or state-specific measures adopted by the states; this also justifies waiving the 30-day delay in the effective date. See 5 U.S.C. 553(d)(1).

NMFS has determined that this action would 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; therefore, consultation with Tribal officials under E.O. 13175 is not required, and the requirements of sections (5)(b) and (5)(c) of E.O. 13175 also do not apply. A Tribal summary impact statement under section (5)(b)(2)(B) and section (5)(c)(2) of E.O. 13175 is not required and has not been prepared.

Because prior notice and opportunity for public comment are not required for this rule by 5 U.S.C. 553, or any other law, the analytical requirements of the Regulatory Flexibility Act, 5 U.S.C. 601 *et seq.,* are inapplicable.

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

Dated: April 27, 2026.

Samuel D. Rauch III,

Deputy Assistant Administrator for Regulatory Programs, National Marine Fisheries Service.

List of Subjects in 50 CFR Part 648

Fisheries, Fishing, Reporting and recordkeeping requirements.

For the reasons set out in the preamble, NMFS amends 50 CFR part 648 as follows:

PART 648—FISHERIES OF THE NORTHEASTERN UNITED STATES

■ 1. The authority citation for part 648 continues to read as follows:

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

■ 2. In § 648.107, revise paragraph (a) introductory text to read as follows:

§ 648.107 Conservation equivalent measures for the summer flounder fishery.

(a) The Regional Administrator has determined that the recreational fishing measures proposed to be implemented by the states of Maine through North Carolina for 2026 and 2027 are the conservation equivalent of the size limits, season, and possession limit prescribed in §§ 648.104(b), 648.105, and 648.106. This determination is based on a recommendation from the Summer Flounder, Scup, and Black Sea Bass Board of the Atlantic States Marine Fisheries Commission.

* * * * *

■ 3. Revise § 648.146 as follows:

§ 648.146 Black sea bass recreational fishing season.

Vessels that are not eligible for a black sea bass moratorium permit under § 648.4(a)(7), and fishermen subject to the possession limit specified in § 648.145(a), may possess black sea bass only from May 15 through September 30, unless otherwise specified in the conservation equivalent measures described in § 648.151 or unless this time period is adjusted pursuant to the procedures in § 648.142. However, possession of black sea bass harvested from state waters outside of this season is allowed for state-only permitted vessels when transiting Federal waters within the Block Island Sound Transit Area provided they follow the provisions at § 648.151 and abide by state regulations. Vessels landing black sea bass in a state with an approved Wave 1 recreational fishery are subject to the state regulations regarding fishing season during that Wave 1 fishery.

■ 4. In § 648.147, revise paragraph (b) to read as follows:

§ 648.147 Black sea bass size requirements.

* * * * *

(b) *Party/Charter permitted vessels and recreational fishery participants.* The minimum fish size for black sea bass is 14 inches (35.56 cm) total length for all vessels that do not qualify for a black sea bass moratorium permit, and for party boats holding a black sea bass moratorium permit, if fishing with passengers for hire or carrying more than five crew members, and for charter boats holding a black sea bass moratorium permit, if fishing with more than three crew members, unless otherwise specified in the conservation equivalent measures as described in § 648.151. However, possession of smaller black sea bass harvested from state waters is allowed for state-only permitted vessels when transiting Federal waters within the Block Island Sound Transit Area provided they follow the provisions at § 648.151 and abide by state regulations. Vessels landing black sea bass in a state with an approved Wave 1 recreational fishery are subject to the state regulations regarding size requirements during that Wave 1 fishery.

■ 5. In § 648.151, revise paragraph (a) introductory text to read as follows:

§ 648.151 Black sea bass conservation equivalency.

(a) The Regional Administrator has determined that the recreational fishing measures proposed to be implemented by the states of Maine through North Carolina for 2026 and 2027 are the conservation equivalent of the season, size limits, and possession limit prescribed in §§ 648.146, 648.147(b), and 648.145(a). This determination is based on a recommendation from the Summer Flounder, Scup, and Black Sea Bass Board of the Atlantic States Marine Fisheries Commission.

* * * * *

■ 6. In § 648.162, revise paragraph (c) to read as follows:

§ 648.162 Bluefish specifications.

* * * * *

(c) *Annual fishing measures.* The MAFMC shall review the recommendations of the Bluefish Monitoring Committee. Based on these recommendations and any public comment, the MAFMC shall recommend to the Regional Administrator measures necessary to prevent overages of the applicable specified limits or targets for each sector as prescribed in the FMP. The MAFMC's recommendations must include supporting documentation, as appropriate, concerning the environmental, economic, and social impacts of the recommendations. The Regional Administrator shall review these recommendations and any recommendations of the ASMFC. After such review, NMFS will publish a proposed rule in the **Federal Register** as soon as practicable to implement ACLs, ACTs, research quota, a coastwide commercial quota, individual State commercial quotas, a recreational harvest limit, and additional management measures for the commercial and recreational fisheries to prevent overages of the applicable specified limits or targets for each sector as prescribed in the FMP. After considering public comment, NMFS will publish a final rule in the **Federal Register**.

* * * * *

[FR Doc. 2026–08409 Filed 4–29–26; 8:45 am]

BILLING CODE 3510–22–P

Proposed Rules

Federal Register
Vol. 91, No. 83
Thursday, April 30, 2026

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

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39

[Docket No. FAA–2026–3876; Project Identifier AD–2025–01892–T]

RIN 2120–AA64

Airworthiness Directives; The Boeing Company Airplanes

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Notice of proposed rulemaking (NPRM).

SUMMARY: The FAA proposes to adopt a new airworthiness directive (AD) for all The Boeing Company Model 757 airplanes. This proposed AD was prompted by reports of crack damage at existing reinforcing repairs in the fuselage frame lower lobe areas in certain sections. This proposed AD would require doing an inspection for any existing reinforcing repairs in the fuselage frame lower lobe areas in certain sections and applicable on-condition actions. The FAA is proposing this AD to address the unsafe condition on these products.

DATES: The FAA must receive comments on this proposed AD by June 15, 2026.

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

- *Federal eRulemaking Portal:* Go to *regulations.gov*. Follow the instructions for submitting comments.
- *Fax:* 202–493–2251.
- *Mail:* U.S. Department of Transportation, Docket Operations, M–30, West Building Ground Floor, Room W12–140, 1200 New Jersey Avenue SE, Washington, DC 20590.
- *Hand Delivery:* Deliver to Mail address above between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays.

AD Docket: You may examine the AD docket at *regulations.gov* under Docket No. FAA–2026–3876; or in person at Docket Operations between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays. The AD docket contains this NPRM, any comments received, and other information. The street address for Docket Operations is listed above.

Material Incorporated by Reference:

- For Boeing material identified in this proposed AD, contact Boeing Commercial Airplanes, Attention: Contractual & Data Services (C&DS), 2600 Westminster Blvd., MC 110–SK57, Seal Beach, CA 90740–5600; telephone 562–797–1717; website *myboeingfleet.com.*
- You may view this material at the FAA, Airworthiness Products Section, Operational Safety Branch, 2200 South 216th St., Des Moines, WA. For information on the availability of this material at the FAA, call 206–231–3195. It is also available at *regulations.gov* under Docket No. FAA–2026–3876.

FOR FURTHER INFORMATION CONTACT: Wayne Ha, Aviation Safety Engineer, FAA, 2200 South 216th St., Des Moines, WA 98198; 562–627–5238; email: *wayne.ha@faa.gov.*

SUPPLEMENTARY INFORMATION:

Comments Invited

The FAA invites you to send any written relevant data, views, or arguments about this proposal. Send your comments using a method listed under the **ADDRESSES** section. Include ''Docket No. FAA–2026–3876; Project Identifier AD–2025–01892–T'' at the beginning of your comments. The most helpful comments reference a specific portion of the proposal, explain the reason for any recommended change, and include supporting data. The FAA will consider all comments received by the closing date and may amend this proposal because of those comments.

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

Confidential Business Information

CBI is commercial or financial information that is both customarily and actually treated as private by its owner. Under the Freedom of Information Act (FOIA) (5 U.S.C. 552), CBI is exempt from public disclosure. If your comments responsive to this NPRM contain commercial or financial information that is customarily treated as private, that you actually treat as private, and that is relevant or responsive to this NPRM, it is important that you clearly designate the submitted comments as CBI. Please mark each page of your submission containing CBI as ''PROPIN.'' The FAA will treat such marked submissions as confidential under the FOIA, and they will not be placed in the public docket of this NPRM. Submissions containing CBI should be sent to Wayne Ha, Aviation Safety Engineer, FAA, 2200 South 216th St., Des Moines, WA 98198; phone: 562–627–5238; email: *wayne.ha@faa.gov*. Any commentary that the FAA receives that is not specifically designated as CBI will be placed in the public docket for this rulemaking.

Background

The FAA has received reports of crack damage at existing reinforcing repairs in the fuselage frame lower lobe areas in sections 43 and 46 between stringers S–20 and S–25 from station (STA) 440 to STA 820 and between stringers S–25 and S–28 from STA 1300 to STA 1661, on the left and right sides of the airplane. Removal of one repair revealed crack damage on the first fastener row of a repair splice initiating from the repair fastener hole on the inner frame flange growing to both edges. The repair did not include any post-repair inspections. The reports indicate that existing reinforcing repairs could be lacking necessary post-repair, damage tolerant inspections, which could lead to undetected cracks at the repaired frame locations. This condition, if not addressed, could result in the inability of a principal structural element to sustain limit load, which could adversely affect the structural integrity of the airplane.

FAA's Determination

The FAA is issuing this NPRM after determining that the unsafe condition described previously is likely to exist or develop on other products of the same type design.

Material Incorporated by Reference Under 1 CFR Part 51

The FAA reviewed Boeing Alert Requirements Bulletin 757–53A0129 RB, dated December 8, 2025. This material specifies procedures for performing a general visual inspection (GVI) for any existing reinforcing repairs in the fuselage frame lower lobe areas in sections 43 and 46, between S–20 and S–25 from STA 440 to STA 820 and between S–25 and S–28 from STA 1300 to STA 1661, on the left and right sides of the airplane, and applicable on-condition actions. On-condition actions include contacting Boeing for further instructions and doing the instructions.

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

Proposed AD Requirements in This NPRM

This proposed AD would require accomplishing the actions specified in the material already described, except for any differences identified as exceptions in the regulatory text of this proposed AD. For information on the procedures and compliance times, see this material at *regulations.gov* under Docket No. FAA–2026–3876.

Costs of Compliance

The FAA estimates that this AD, if adopted as proposed, would affect 427 airplanes of U.S. registry. The FAA estimates the following costs to comply with this proposed AD:

ESTIMATED COSTS

Action	Labor cost	Parts cost	Cost per product	Cost on U.S. operators
Inspection for existing reinforcing repairs.	Up to 263 work-hours × $85 per hour = $22,355.	$0	Up to $22,355	Up to $9,545,585.

The FAA has received no definitive data on which to base the cost estimates for the on-condition actions specified in this proposed AD.

Authority for This Rulemaking

Title 49 of the United States Code specifies the FAA's authority to issue rules on aviation safety. Subtitle I, section 106, describes the authority of the FAA Administrator. Subtitle VII: Aviation Programs, describes in more detail the scope of the Agency's authority.

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

Regulatory Findings

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

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

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

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

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

List of Subjects in 14 CFR Part 39

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

The Proposed Amendment

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

PART 39—AIRWORTHINESS DIRECTIVES

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

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

§ 39.13 [Amended]

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

The Boeing Company: Docket No. FAA–2026–3876; Project Identifier AD–2025–01892–T.

(a) Comment Due Date

The FAA must receive comments on this airworthiness directive (AD) by June 15, 2026.

(b) Affected ADs

None.

(c) Applicability

This AD applies to all The Boeing Company Model 757–200, –200PF, –200CB, and –300 series airplanes, certificated in any category.

(d) Subject

Air Transport Association (ATA) of America Code 53, Fuselage.

(e) Unsafe Condition

This AD was prompted by reports of crack damage at existing reinforcing repairs in the fuselage frame lower lobe areas in sections 43 and 46. The FAA is issuing this AD to address existing reinforcing repairs in the fuselage frame lower lobe areas that could be lacking post-repair, damage tolerant inspections, which could lead to undetected cracks at repaired frame locations. The unsafe condition, if not addressed, could result in the inability of a principal structural element to sustain limit load, which could adversely affect the structural integrity of the airplane.

(f) Compliance

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

(g) Required Actions

Except as specified by paragraph (h) of this AD: At the applicable times specified in the ''Compliance'' paragraph of Boeing Alert Requirements Bulletin 757–53A0129 RB, dated December 8, 2025, do all applicable actions identified in, and in accordance with, the Accomplishment Instructions of Boeing Alert Requirements Bulletin 757–53A0129 RB, dated December 8, 2025.

Note 1 to paragraph (g): Guidance for accomplishing the actions required by this AD can be found in Boeing Alert Service Bulletin 757–53A0129 dated December 8, 2025, which is referred to in Boeing Alert Requirements Bulletin 757–53A0129 RB, dated December 8, 2025.

(h) Exceptions to Requirements Bulletin Specifications

(1) Where the Compliance Time column of the tables in the ''Compliance'' paragraph of Boeing Alert Requirements Bulletin 757–53A0129 RB, dated December 8, 2025, refers to the original issue date of Requirements

Bulletin 757–53A0129 RB, this AD requires using the effective date of this AD.

(2) Where Boeing Alert Requirements Bulletin 757–53A0129 RB, dated December 8, 2025, specifies contacting Boeing for repair instructions: This AD requires doing the repair and applicable on-condition actions before further flight using a method approved in accordance with the procedures specified in paragraph (i) of this AD.

(i) Alternative Methods of Compliance (AMOCs)

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

(2) An AMOC that provides an acceptable level of safety may be used for any repair, modification, or alteration required by this AD if it is approved by The Boeing Company Organization Designation Authorization (ODA) that has been authorized by the Manager, AIR–520, Continued Operational Safety Branch, FAA, to make those findings. To be approved, the repair method, modification deviation, or alteration deviation must meet the certification basis of the airplane, and the approval must specifically refer to this AD.

(j) Additional Information

For more information about this AD, contact Wayne Ha, Aviation Safety Engineer, FAA, 2200 South 216th St., Des Moines, WA 98198; 562–627–5238; email: *wayne.ha@faa.gov*.

(k) Material Incorporated by Reference

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

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

(i) Boeing Alert Requirements Bulletin 757–53A0129 RB, dated December 8, 2025.

(ii) [Reserved]

(3) For Boeing material identified in this AD, contact Boeing Commercial Airplanes, Attention: Contractual & Data Services (C&DS), 2600 Westminster Blvd., MC 110–SK57, Seal Beach, CA 90740–5600; telephone 562–797–1717; *website myboeingfleet.com.*

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

(5) You may view this material at the National Archives and Records Administration (NARA). For information on the availability of this material at NARA, visit *www.archives.gov/federal-register/cfr/ibr-locations* or email *fr.inspection@nara.gov.*

Issued on April 27, 2026.

Brian Knaup,

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

[FR Doc. 2026–08385 Filed 4–29–26; 8:45 am]

BILLING CODE 4910–13–P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 73

[Docket No. FAA–2025–2635; Airspace Docket No. 25–AWA–5]

RIN 2120–AA66

Establishment of Prohibited Area P–75; New York, NY

AGENCY: Federal Aviation Administration (FAA), Department of Transportation (DOT).

ACTION: Notice of proposed rulemaking (NPRM).

SUMMARY: This action proposes to establish Prohibited Area 75 (P–75) in the vicinity of the New York, NY, residence of the President of the United States. The United States Secret Service (USSS) requested FAA restrict aircraft operations in the vicinity of President Trump's New York residence. To provide adequate safeguards for the USSS to fully secure the non-Governmental property and protect USSS protectees in the interest of national security, FAA is proposing to establish a prohibited area in the immediate vicinity of the presidential residence.

DATES: Comments must be received on or before June 15, 2026.

ADDRESSES: Send comments identified by FAA Docket No. FAA–2025–2635 and Airspace Docket No. 25–AWA–5 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; U.S. Department of Transportation (DOT), 1200 New Jersey Avenue SE, Room W58–213, West Building 5th Floor, Washington, DC 20590–0001.
- *Hand Delivery or Courier:* Take comments to Docket Operations in Room W58–213 of the West Building 5th Floor at 1200 New Jersey Avenue SE, Washington, DC 20590 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 the Docket Operations in Room W12–140 of the West Building Ground Floor at 1200 New Jersey Avenue SE, Washington, DC, between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays.

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

SUPPLEMENTARY INFORMATION:

I. Executive Summary

FAA proposes to add a regulation to Title 14 of the Code of Federal Regulations (14 CFR) part 73, subpart C to establish a prohibited area in the vicinity of Trump Tower in New York, New York. The prohibited area is necessary according to the United States Secret Service (USSS) to protect the President, secure the non-Governmental property in accordance with the Presidential Protection Assistance Act of 1976, and exercise its authority under 18 U.S.C. 3056(a).[1]

Proposed § 73.95 would create Prohibited Area P–75 (P–75). P–75 would prohibit aircraft operations from the surface to 1,000 feet above ground level (AGL) beginning at lat. 40°45′52″ N, long. 073°57″ 11″ W; then counterclockwise along an arc with a 1 nautical mile (NM) radius centered at lat. 40°45″ 46″ N, long. 073°58″30″ W; to lat. 40°44″48″ N, long. 73°58″ 09″ W, with a straight line to the point of beginning. In other words, P–75 would cover a circle with a 1 NM radius centered on Trump Tower and with a flat edge on the southeast side that parallels the East River. Aircraft operations would not be permitted within P–75 unless the using agency, which would be USSS, granted authorization to enter the area.[2]

II. Authority for This Rulemaking

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.

[1] Public Law 94–524 (Oct. 17, 1976) enabling the President to designate one non-governmental property to be fully secured by the USSS on a permanent basis.

[2] 14 CFR 73.83 states that ''No person may operate an aircraft within a prohibited area unless authorization has been granted by the using agency.''

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, FAA is charged with prescribing regulations to assign the use of the airspace necessary to ensure the safety of aircraft, the efficient use of airspace, and protecting individuals and property on the ground. In addition, 49 U.S.C. 44701(a)(5) charges FAA with promoting safe flight of civil aircraft by prescribing regulations and minimum standards for cybersecurity and other practices, methods, and procedures FAA finds necessary for safety in air commerce and national security. This regulation is within the scope of that authority as it would establish prohibited area airspace in the vicinity of New York, NY, to protect persons and property on the ground and to enhance national security.

III. Background and Proposed Rule

FAA has prohibited the operation of aircraft in the vicinity of seven presidential and vice presidential residences in the interest of national security by establishing a prohibited area pursuant to 14 CFR part 73. Prohibited areas are designated when necessary to prohibit all flight within an area, except in very limited circumstances, in the interest of national security. No person may conduct operations within a prohibited area without the permission of the using agency.[3] FAA has established prohibited areas in the vicinity of the following former presidential and vice presidential residences:

• On February 18, 1969, FAA established P–29 in the vicinity of Key Biscayne, Florida.[4] USSS had requested FAA establish the prohibited area for the security of the President, who had a residence in Key Biscayne. One concern was that public interest in the President may attract numerous aircraft over the residence for sightseeing and photographic purposes. The prohibited area provided for the protection of the President and property on the ground. FAA prohibited operations within 1 nautical mile (NM) radius from the surface up to 18,000 feet above mean sea level (MSL). FAA was the using agency. FAA revoked the prohibited area on September 3, 1974, shortly after President Nixon left office because the conditions that had prompted the prohibited area no longer existed.[5]

• On June 23, 1969, FAA established P–25 in the vicinity of San Mateo, California to provide adequate safeguards for the protection of the President and persons or property on the ground.[6] The prohibited area was established for the security of the President and because the public interest in the President might attract numerous aircraft over the Presidential residence for sightseeing and photographic purposes. FAA prohibited operations within a 1 NM radius from the surface to 4,000 feet MSL. FAA was the using agency. FAA revoked the prohibited area on September 3, 1974, shortly after President Nixon left office because the conditions that had prompted the prohibited area no longer existed.[7]

• On February 18, 1977, FAA established P–77 in the vicinity of Plains, Georgia.[8] The prohibited area was established due to the interest the President's residence may attract for sightseeing and photographic purposes. To provide adequate safeguards for the President and persons or property on the ground, FAA prohibited operations within 1 NM radius from the surface up to 1,500 feet MSL. FAA was the using agency. FAA revoked the prohibited area effective May 5, 1988, after President Carter left office, as USSS had notified the FAA that national welfare and security no longer required the prohibited area.[9]

• On January 20, 1981, FAA established P–65 in the vicinity of Pacific Palisades, California, and P–66 in the vicinity of Rancho del Cielo, California, based on USSS's request.[10] FAA prohibited operations within 1 NM radius from the surface to 1,000 feet above ground level (AGL) in both areas. The purpose of the prohibited areas was to enhance the level of security for the President by prohibiting unauthorized flights of aircraft over and in the immediate vicinity of presidential residences. The vertical and lateral limits of the areas were designed to impose the minimum burden upon the public while still providing acceptable security restraints. FAA was the using agency. On July 27, 1981, FAA revoked P–65 because USSS determined a prohibited area was no longer required.[11] Effective October 23, 1986, P–66 was expanded laterally and vertically due to the USSS's determination that this expansion was necessary to enhance the level of security provided to the President.[12] The area was subdivided into P–66A and P–66B as follows: P–66A from the surface to 4,000 feet MSL and P–66B from 4,000 feet MSL up to but not including 5,000 feet MSL. P–66B was activated by notice to airmen (NOTAM). FAA revoked the prohibited areas on June 1, 1989, shortly after President Reagan left office.[13] The FAA's revocation was based on the USSS's indication that the prohibition was no longer required for national welfare or security purposes.[14]

• On November 26, 1981, FAA established P–67 in the vicinity of Kennebunkport, Maine. FAA prohibited operations within 1 NM radius from the surface to 1,000 feet MSL.[15] The establishment of P–67 was based on USSS's request to prohibit the unauthorized flight of aircraft in the immediate vicinity of the Vice President's residence. The using agency was FAA. P–67 is still in effect at the time of the publication of this proposed rule.

• On May 17, 2001, FAA established P–49 in the vicinity of Crawford, Texas, in response to a USSS request.[16] The purpose of the prohibited area was to enhance the level of security provided to the President, who had a residence in that area. FAA prohibited operations within a 3 NM radius from the surface up to 5,000 feet MSL. USSS was the using agency. Effective February 16, 2010, FAA reduced the boundary and altitude dimensions of the prohibited area from a 3 NM radius to a 2 NM radius and from 5,000 feet MSL to 2,000 feet MSL.[17] The USSS determined that the larger restriction was no longer necessary.

On September 16, 2025, USSS requested that FAA establish a ''permanent flight restriction under 14 CFR 99.7 to ensure the safety and security of our protectee'' in the vicinity of the Trump Tower ''due to adverse threat intelligence and the ongoing protective mission of the USSS.'' [18] Moreover, USSS stated it would ''greatly increase the ability to mitigate the

[3] Under § 73.85 the using agency is the agency, organization, or military command that established the requirements for the prohibited area.

[4] 34 FR 2306 (Feb. 18, 1969).

[5] 39 FR 32325 (Sep. 6, 1974).

[6] 34 FR 9854 (Jun. 26, 1969).

[7] 39 FR 32325 (Sep. 6, 1974).

[8] 42 FR 142 FR 11826 (Mar. 1, 1977); 42 FR 12168 (Mar. 3, 1977).

[9] 53 FR 3010 (Feb. 3, 1988).

[10] 46 FR 3499 (Jan. 15, 1981).

[11] 46 FR 38345 (Jul. 27, 1981).

[12] 51 FR 30208 (Aug. 25, 1986).

[13] 54 FR 13517 (Apr. 4, 1989).

[14] Id.

[15] 46 FR 47065 (Sep. 24, 1981).

[16] 66 FR 16391 (Mar. 26, 2001).

[17] 75 FR 15992 (Mar. 31, 2010).

[18] September 16, 2025 Letter from Sean M. Curran, Director, United States Secret Service, to Bryan Bedford, Administrator, FAA. A copy of this letter has been placed in the docket for this rulemaking.

persistent risk posed by unauthorized aircraft and unmanned aircraft systems (UAS) operating in the proximity.'' USSS also requested that the restriction be published in the **Federal Register** and charted to ensure compliance. This action responds to that request.

On October 20, 2025, FAA issued a Special Security Instruction (SSI) flight restriction, under 14 CFR 99.7, that temporarily restricts all flight operations in the vicinity of the presidential residence at New York, NY.[19] The SSI flight restriction is set to expire on October 20, 2026. The SSI extends from the surface to 1,000 feet AGL. The SSI covers an area beginning at 40°45′53″ N, long. 073°57′11″ W, then counterclockwise along a 1 nautical mile (NM) arc centered at lat. 40°45′46″ N, long. 073°58′30″ W; to lat. 40°44′48″ N, long. 073°58′09″ W; to the point of beginning. Under the § 99.7 SSI flight restriction, aircraft cannot enter the airspace unless (1) they have authorization from ATC and or are on an air traffic control (ATC) instrument flight rules (IFR) plan with a discrete code assigned by ATC, (2) are squawking the discrete code prior to departure and at all times while in the TFR, and (3) in two-way radio communication with ATC.

Under 49 U.S.C. 40103(b) and in compliance with the Administrative Procedure Act (APA), 5 U.S.C. 551 *et seq.,* FAA can designate airspace through a rulemaking. In addition, FAA charts permanent flight restrictions established through rulemaking providing enhanced public awareness; whereas, temporary SSI flight restrictions are not charted. The enhanced public awareness in turn provides a higher level of security. This proposed rule would make the area covered by the SSI flight restriction a permanent prohibited area that is in effect continuously. Under 14 CFR 73.83, no person may operate an aircraft within a prohibited area without permission from the using agency. Although the prohibited area is more restrictive than the § 99.7 SSI in wording, there are few, if any, practical differences.

FAA is proposing an amendment to 14 CFR part 73 to establish Prohibited Area P–75, New York, NY. This rule would apply to all persons seeking to operate in the area defined in 14 CFR 73.95. The breadth of applicability is necessary in the interest of national security and to ensure the USSS ability to secure the non-Governmental property. The prohibited area would extend from the surface to 1,000 feet AGL, and would be defined as an area beginning at lat. 40°45′52″ N, long. 073°57′11″ W; then counterclockwise along an arc with a 1 nautical mile (NM) radius centered at lat. 40°45′46″ N, long. 073°58′30″ W; to lat. 40°44′48″ N, long. 73°58′09″ W; with a straight line to the point of beginning.[20] In other words, P–75 would cover a circle with a 1 NM radius centered on Trump Tower and with a flat edge on the southeast side that parallels the East River.[21] Flight within this area would be prohibited unless permission is obtained from the using agency, which would be USSS.

The size of the proposed prohibited area is based on discussions between FAA and USSS and meets security needs while minimizing impact on operators and the general public. Specifically, in its coordination with USSS, FAA sought to ensure minimal impact on helicopter operations and other operations that are routinely conducted along the Hudson and East River corridors. FAA specifically carved out an area over the East River that is within a 1 NM mile of Trump Tower to allow helicopter operations along the East River to continue. The SSI flight restriction and proposed prohibited area achieve the objective of maintaining the efficient flow of air traffic while also meeting the security requirements associated with USSS's request. FAA constructed the SSI flight restriction and proposed prohibited area in a way that avoids typical aircraft routes. Only law enforcement helicopters, air ambulance aircraft, and unmanned aircraft systems operated in this area before the SSI flight restrictions became effective on October 20, 2025. Additionally, per 14 CFR 73.83, if authorization has been granted by the using agency, which is USSS in this case, aircraft could still gain access to the area.

Regulatory Notices and Analyses

Regulatory Flexibility Act

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, ''Rulemaking and Guidance Procedure'' (March 10, 2025); and (3) is anticipated to have a minimal economic impact, as it only affects air traffic procedures and air navigation, resulting in at most de minimis costs from minor rerouting of flights. 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.

International Trade Impact Assessment

The Trade Agreements Act of 1979 (Pub. L. 96–39), as amended by the Uruguay Round Agreements Act (Pub. L. 103–465), prohibits Federal agencies from establishing standards or engaging in related activities that create unnecessary obstacles to the foreign commerce of the United States. Pursuant to these Acts, the establishment of standards is not considered an unnecessary obstacle to the foreign commerce of the United States, so long as the standard has a legitimate domestic objective, such as the protection of safety, and does not operate in a manner that excludes imports that meet this objective. The statute also requires consideration of international standards and, where appropriate, they be the basis for U.S. standards.

FAA has assessed the potential effect of this proposed rule and determined that it has legitimate domestic objectives of safety and security. The proposed rule would not impact exports. As a result, FAA does not consider this proposed rule as creating an unnecessary obstacle to foreign commerce.

International Compatibility

In keeping with U.S. obligations under the Convention on International Civil Aviation, it is FAA policy to conform to International Civil Aviation Organization(ICAO) Standards and Recommended Practices to the maximum extent practicable. FAA has determined there are no ICAO Standards and Recommended Practices that correspond to these proposed regulations.

Paperwork Reduction Act

The Paperwork Reduction Act of 1995 (44 U.S.C. 3507(d)) requires FAA to consider the impact of paperwork and other information collection burdens imposed on the public. According to the 1995 amendments to the Paperwork Reduction Act (5 CFR 1320.8(b)(2)(vi)), an agency may not collect or sponsor

[19] A copy of the SSI has been placed in the docket.

[20] The beginning point of the proposed prohibited area is one second in latitude different from the SSI beginning point to account for a rounding error, but the proposed prohibited area and SSI cover essentially the same space.

[21] A geographical depiction has been placed in the docket.

the collection of information, nor may it impose an information collection requirement unless it displays a currently valid Office of Management and Budget (OMB) control number. FAA determined that there would be no information collection associated with the proposed rule.

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.

Executive Order Determinations

Executive Order 13132, Federalism

FAA has analyzed this proposed rule under the principles and criteria of Executive Order 13132, Federalism. FAA has determined this action would not have a substantial direct effect on the States, or the relationship between the Federal Government and the States, or on the distribution of power and responsibilities among the various levels of government, and, therefore, would not have federalism implications.

Executive Order 13175, Consultation and Coordination With Indian Tribal Governments

Consistent with Executive Order 13175, Consultation and Coordination with Indian Tribal Governments and FAA Order 1210.20, American Indian and Alaska Native Tribal Consultation Policy and Procedures, FAA ensures Federally Recognized Tribes (Tribes) are given the opportunity to provide meaningful and timely input regarding proposed Federal actions that have the potential to affect uniquely or significantly their respective Tribes. At this point, FAA has not identified any unique or significant effects, environmental or otherwise, on Tribes resulting from this proposed rule.

Executive Order 13211, Regulations That Significantly Affect Energy Supply, Distribution, or Use

FAA analyzed this proposed rule under Executive Order 13211, Actions Concerning Regulations that Significantly Affect Energy Supply, Distribution, or Use (May 18, 2001). FAA has determined it would not be a ''significant energy action'' under the E.O. and would not be likely to have a significant adverse effect on the supply, distribution, or use of energy.

Executive Order 13609, Promoting International Regulatory Cooperation

Executive Order 13609, Promoting International Regulatory Cooperation, promotes international regulatory cooperation to (1) meet shared challenges involving health, safety, labor, security, environmental, and other issues and to reduce, eliminate, or (2) prevent unnecessary differences in regulatory requirements. FAA has analyzed this action under the policies and agency responsibilities of Executive Order 13609 and has determined this action would have no effect on international regulatory cooperation.

Executive Order 14192, Unleashing Prosperity Through Deregulation

This proposed rule is not an Executive Order 14192 regulatory action because it is being issued with respect to a national security or homeland security function of the United States.

Comments Invited

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

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

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

List of Subjects in 14 CFR Part 73

Airspace, Prohibited areas, Restricted areas.

The Proposed Amendment

In consideration of the foregoing, the Federal Aviation Administration proposes to amend 14 CFR part 73 as follows:

PART 73—SPECIAL USE AIRSPACE

■ 1. The authority citation for part 73 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.

§ 73.95 P–75 New York, NY [New]

■ 2. Section 73.95 is amended by adding the following:

* * * * *

P–75 New York, NY [New]

Boundaries. Beginning at lat. 40°45′52″ N, long. 073°57′11″ W; then counterclockwise along a 1 NM arc centered at lat. 40°45′46″ N, long. 073°58′30″ W; to lat. 40°44′48″ N, long. 073°58′09″ W; to the point of beginning.

Designated altitudes. Surface to 1,000 feet AGL.

Time of designation. Continuous.

Using agency. United States Secret Service, Washington, DC.

* * * * *

Issued in Washington, DC, on April 28, 2026.

Alex W. Nelson,

Manager, Rules and Regulations Group.

[FR Doc. 2026–08430 Filed 4–29–26; 8:45 am]

BILLING CODE 4910–13–P

INTERNATIONAL TRADE COMMISSION

19 CFR Part 210

Section 337 Adjudication and Enforcement

AGENCY: International Trade Commission.

ACTION: Notice of proposed rulemaking.

SUMMARY: The United States International Trade Commission (''Commission'') proposes to amend its Rules of Practice and Procedure concerning section 337 adjudication and enforcement. The intended effect of the proposed amendments is to require disclosure of information by the parties and intervenors in section 337 investigations and ancillary proceedings before the Commission regarding entities that have an ownership or a financial interest in the investigation.

DATES: To be assured of consideration, written comments must be received by 5:15 p.m. on June 29, 2026.

ADDRESSES: Lisa R. Barton, Secretary to the Commission, U.S. International

Trade Commission, 500 E Street SW, Washington, DC 20436, telephone 202–205–2595. General information concerning the Commission may be obtained by accessing its internet server at *https://www.usitc.gov.* Hearing-impaired persons are advised that information can be obtained by contacting the Commission's TDD terminal on (202) 205–1810.

Notwithstanding Commission Rule 201.8(d), 19 CFR 201.8(d), you may submit comments, identified by docket number MISC–051, by any of the following methods:

—*Federal eRulemaking Portal: https://www.regulations.gov.* Follow the instructions for submitting comments.
—*Agency Website: https://www.usitc.gov.* You may submit comments on the Commission's electronic docket (EDIS) at *https://edis.usitc.gov.* For help accessing EDIS, please email *EDIS3Help@usitc.gov.*
—*Email:* contact *Secretary@usitc.gov* to request submission of comments by email. Include docket number MISC–051 in the subject line of the message.
—*Mail:* For paper submission. U.S. International Trade Commission, 500 E Street SW, Room 112, Washington, DC 20436.
—*Hand Delivery/Courier:* U.S. International Trade Commission, 500 E Street SW, Room 112, Washington, DC 20436, from the hours of 8:45 a.m. to 5:15 p.m.

Instructions: All submissions received must include the agency name and docket number (MISC–051), along with a cover letter stating the nature of the commenter's interest in the proposed rulemaking. All comments received will be posted without change to *https://www.usitc.gov,* including any personal information provided. For paper copies, a signed original and one (1) copy of each set of comments should be submitted to Lisa R. Barton, Secretary, U.S. International Trade Commission, 500 E Street SW, Room 112, Washington, DC 20436.

Docket: For access to the docket to read background documents or comments received, go to *https://www.usitc.gov* and/or the U.S. International Trade Commission, 500 E Street SW, Room 112, Washington, DC 20436.

FOR FURTHER INFORMATION CONTACT: Lisa Barton, telephone 202–205–2000, Office of the General Counsel, United States International Trade Commission. Hearing-impaired individuals are advised that information on this matter can be obtained by contacting the Commission's TDD terminal at 202–205–1810. General information concerning the Commission may also be obtained by accessing its internet server at *https://www.usitc.gov.*

SUPPLEMENTARY INFORMATION: The preamble below is designed to assist readers in understanding the proposed amendments to the Commission Rules. This preamble provides background information, a regulatory analysis of the proposed amendments, an explanation of the proposed amendments to part 210, and a description of the proposed amendments to the rules. The Commission invites the public to comment on the proposed amendments to the Commission's rules.

If the Commission decides to proceed with this rulemaking after reviewing the comments filed in response to this proposed rule, the proposed rule revisions will be promulgated in accordance with the applicable requirements of the Administrative Procedure Act (''APA'') (5 U.S.C. 553) and will be codified in 19 CFR part 210.

Background

Section 335 of the Tariff Act of 1930 (19 U.S.C. 1335) authorizes the Commission to adopt such reasonable procedures, rules, and regulations as it deems necessary to carry out its functions and duties. This rulemaking seeks to improve provisions of the Commission's existing Rules of Practice and Procedure by formalizing the disclosure of information by parties and intervenors in investigations conducted under section 337 of the Tariff Act of 1930 (19 U.S.C. 1337) (''section 337'') regarding entities that have an ownership and/or financial interest in the investigations. Accordingly, the Commission proposes amendments to its rules governing section 337 proceedings.

This rulemaking was undertaken to address concerns that have arisen in Commission practice. Many Federal courts have real-party-in-interest and litigation-funding disclosure requirements to promote transparency and for conflicts. The Commission does not currently have such rules. Accordingly, the Commission endeavors to implement such rules. The intended effect of the proposed amendments is to require disclosure of entities that have a financial interest in or exert control with respect to the parties that appear before the Commission in section 337 investigations and ancillary proceedings. The purpose of this disclosure requirement is to (a) facilitate evaluation of potential conflicts for the Commissioners, the Commission's Administrative Law Judges, and Commission employees, for example, by clarifying whether a party is owned or controlled by another entity or whether an entity other than the party has control over the party's participation in the investigation; (b) provide early clarity about entities whose rights are at issue in the investigation; and (c) promote transparency to facilitate settlement and to bring relevant issues to the Commission's attention. The Commission notes that nothing in this proposed amendment is meant to prohibit the Commission and its Administrative Law Judges from requesting additional information from the parties or from enforcing this rule and their ground rules against the parties.

The Commission invites the public to comment on the proposed rule amendments. In any comments, please consider addressing whether the language of the proposed amendments is sufficiently clear for users to understand for compliance and enforcement purposes, in addition to any other comments you wish to make on the proposed amendments. Please also consider addressing how the proposed amendments could be improved and offering specific constructive alternatives and explanations, where appropriate. Further, the Commission encourages members of the public to comment on (1) the benefits to parties, the public, and the Commission in having a disclosure rule like the one proposed; (2) any undue burden the proposed amendments would have on parties; and (3) ways to mitigate those burdens while achieving the objectives of the proposed amendments. In addition, the Commission welcomes comments on the effect this rule is likely to have in section 337 investigations, including whether the proposed amendments are likely to affect certain entities or circumstances more so than others. Moreover, because some provisions in the proposed amendments are similar to disclosure requirements in Federal district and appellate court rules and other Federal/State judicial or administrative forums, the Commission is interested in comments concerning the relevance of any variances between the proposed amendments and similar provisions in those rules.

The Commission draws attention to the following aspects of proposed § 210.14a that commenters may wish to address among other issues: (1) whether proposed § 210.14a(a)(1) should require disclosure of entities owning a party's stock only after a particular percentage of ownership is reached; (2) whether proposed § 210.14a(a)(2) should apply to respondents and intervenors or just to

complainants and whether there is enough clarity about entities that have a legal right to bring a section 337 investigation particularly for claims under section 337(a)(1)(A) to be able to comply; (3) whether definitions of certain terms would be useful and any proposals for such definitions; (4) whether the disclosures required should differ for investigations under section 337(a)(1)(A) as opposed to 337(a)(1)(B)–(E); (5) whether disclosure of funding or necessary approval in related litigation is relevant and should be included in the disclosures required under proposed paragraphs (a)(3)(i) and (ii) of this section; and (6) whether there are other possible financial interests in section 337 investigations that are not required to be disclosed under proposed § 210.14(a)(1) through (3) that should also be subject to disclosure, and if so, details regarding the nature of such interests and how to define both the nature and holders of such interests. The Commission notes that it applied for and received a deviation from the Office of the Federal Register to use a number with an alpha character for § 210.14a.

The current notice of proposed rulemaking is consistent with the Commission's plan to ensure that the Commission's rules are effective, as detailed in the Commission's Plan for Retrospective Analysis of Existing Rules, published February 14, 2012 (77 FR 8114). This plan was issued in response to Executive Order 13579 of July 11, 2011, and established a process under which the Commission will periodically review its significant regulations to determine whether any such regulations should be modified, streamlined, expanded, or repealed so as to make the agency's regulatory program more effective or less burdensome in achieving regulatory objectives. This process includes a general review of existing regulations in 19 CFR part 210.

Although the Commission considers these rules to be procedural rules which are excepted from notice-and-comment under 5 U.S.C. 553(b)(3)(A), the Commission invites the public to comment on these proposed rules consistent with its ordinary practice. This practice entails the following steps: (1) publication of a notice of proposed rulemaking; (2) solicitation of public comments on the proposed amendments; (3) Commission review of public comments on the proposed amendments; and (4) publication of final amendments at least thirty (30) days prior to their effective date.

Regulatory Analysis of Proposed Amendments to the Commission's Rules

Pursuant to Executive Order 12866 (58 FR 51735, Oct. 4, 1993), as amended by Executive Order 14215 (90 FR 10447, Feb. 18, 2025), a determination must be made whether a regulatory action is significant and therefore subject to review by the Office of Management and Budget (OMB) in accordance with the requirements of the Executive Order. OMB and the Commission have determined that the proposed rules do not meet the criteria described in section 3(f) of Executive Order 12866 (58 FR 51735, Oct. 4, 1993), as amended, and thus do not constitute a significant regulatory action for purposes of the Executive Order.

Executive Order 14192 (90 FR 9065, Jan. 31, 2025) requires agencies to identify ten (10) existing regulations for repeal for each new regulation that they promulgate. Implementation guidance for Executive Order 14192 issued by OMB (Memorandum M–25–20, Mar. 26, 2025) clarifies that ''E.O. 14192 regulatory actions'' are limited to ''significant regulatory actions'' (as defined in Executive Order 12866) and significant guidance documents that impose total costs greater than zero. As noted above, OMB and the Commission have determined that the proposed rules do not constitute a significant regulatory action.

The Regulatory Flexibility Act (5 U.S.C. 601 *et seq.*) is inapplicable to this rulemaking because it is not one for which a notice of final rulemaking is required under 5 U.S.C. 553(b) or any other statute. Although the Commission has chosen to publish a notice of proposed rulemaking, these proposed regulations are ''agency rules of procedure and practice,'' and thus are exempt from the notice requirement imposed by 5 U.S.C. 553(b).

These proposed rules do not contain federalism implications warranting the preparation of a federalism summary impact statement pursuant to Executive Order 13132 (64 FR 43255, Aug. 4, 1999).

No actions are necessary under the Unfunded Mandates Reform Act of 1995 (2 U.S.C. 1501 *et seq.*) because the proposed rules will not result in expenditure in the aggregate by State, local, and tribal governments, or by the private sector, of $100,000,000 or more in any one year, and will not significantly or uniquely affect small governments, as defined in 5 U.S.C. 601(5).

The proposed rules are not major rules as defined by section 804 of the Small Business Regulatory Enforcement Fairness Act of 1996 (5 U.S.C. 801 *et seq.*). Moreover, they are exempt from the reporting requirements of the Contract With America Advancement Act of 1996 (Pub. L. 104–121) because they concern rules of agency organization, procedure, or practice that do not substantially affect the rights or obligations of non-agency parties.

These proposed rules do not contain any new or amended collections of information subject to the Paperwork Reduction Act of 1995 (44 U.S.C. 3501 *et seq.*).

Part 210—Adjudication and Enforcement

Subpart B—Commencement of Preinstitution Proceedings and Investigations

Section 210.8

The Commission proposes to amend § 210.8 to indicate that the complainant must file, concurrently with the complaint, a separate disclosure statement pursuant to § 210.14a. The proposed rule also allows related complainants to file a single disclosure statement.

Subpart C—Pleadings

Section 210.13

The Commission also proposes to amend § 210.13 to indicate that each respondent must file, concurrently with its response, a separate disclosure statement pursuant to § 210.14a. The proposed rule also allows related respondents to file a single disclosure statement.

Section 210.14a

Section 210.14a is a new rule that provides for certain disclosures by the parties in section 337 proceedings. The proposed rule adds several requirements, which apply to each nongovernment party to a section 337 investigation and each nongovernment party who seeks to intervene in a section 337 investigation. The proposed rule requires that these parties file a disclosure statement with the Secretary. In the disclosure statement, each party must identify any parent corporation and any other entity, not including natural person(s), owning that party's stock. The disclosure is focused on corporate or similar entities that through ownership of the party's stock may have a financial interest in the outcome of the investigation; the disclosure does not focus on individual persons that may hold stock in the party so as to not require disclosure of every individual shareholder. Each party must also identify any person or entity that has

the legal right to bring a section 337 investigation based on the unfair act or acts asserted in the complaint besides complainant. The Commission notes that the person or entity that has the legal right to bring a section 337 complaint will depend on the unfair act(s) asserted in the complaint. By way of example, the person or entity that has the legal right to bring a section 337 in patent, trademark, and copyright investigations is the owner or exclusive licensee, whereas for trade secret investigations, the person or entity that has the legal right to bring a section 337 is the trade secret owner. In addition, each party must identify any person or entity, not including counsel representing the party in the investigation: (a) that provides funding specifically for the section 337 investigation, not including personal loan(s), bank loans, or insurance; or (b) whose approval is necessary for litigation decisions or settlement decisions in the section 337 investigation, and state the nature of the terms and conditions relating to that approval. The proposed section does not cover funding provided as part of a contingency fee agreement between the party and its counsel and therefore has excluded counsel representing the party from among the entities that must be disclosed pursuant to proposed § 210.14a. Whether the party is represented by counsel and if so, whom will otherwise be disclosed in the investigation. The proposed section does not cover banks or insurers that may provide loans or insurance to the party but does cover loans provided specifically for the investigation by entities other than banks.

The proposed rule further states that the disclosure statement shall include the identity, business address, and, if a legal entity, place of formation for each corporation, entity, or person identified. Finally, the proposed rule allows a party to state that there is no, and/or that they are not aware of any, such parent corporation or entity under paragraph (a)(1) and/or such person or entity under paragraphs (a)(2) and (3) of this section.

Subpart D—Motions

Section 210.19

The Commission also proposes to amend § 210.19 to indicate that the intervenor must file, concurrently with its motion to intervene, a separate disclosure statement pursuant to § 210.14a. The proposed rule also allows related intervenors, who move to intervene together, to file a single disclosure statement.

Subpart I—Enforcement Procedures and Advisory Opinions

Section 210.75

The Commission also proposes to amend § 210.75 to indicate that a separate disclosure statement pursuant to § 210.14a must be filed by the enforcement complainant, concurrently with the enforcement complainant, and by the other parties named in the notice of institution, concurrently with their responses. The proposed rule also allows related parties to file a single disclosure statement.

Section 210.76

The Commission also proposes to amend § 210.76 to indicate that a separate disclosure statement pursuant to § 210.14a must be filed by the petitioner, concurrently with their petition to modify and/or rescind a remedial order, and by any responding party, concurrently with its response. The proposed rule also allows related parties to file a single disclosure statement.

Section 210.79

The Commission also proposes to amend § 210.79 to indicate that a separate disclosure statement pursuant to § 210.14a must be filed by the requester, concurrently with their request for an advisory proceeding, and by any responding party, concurrently with its response. The proposed rule also allows related parties to file a single disclosure statement.

Finally, the Commission proposes to change the term ''10'' to ''ten (10).''

List of Subjects in 19 CFR Part 210

Administrative practice and procedure, Imports, Investigations Reporting and recordkeeping requirements.

For the reasons stated in the preamble, the United States International Trade Commission proposes to amend 19 CFR part 210 as follows:

PART 210—ADJUDICATION AND ENFORCEMENT

■ 1. The authority citation for part 210 continues to read as follows:

Authority: 19 U.S.C. 1333, 1335, and 1337.

Subpart B—Commencement of Preinstitution Proceedings and Investigations

■ 2. Amend § 210.8 by:
■ a. Redesignating paragraphs (c) and (d) as paragraphs (d) and (e); and
■ b. Adding new paragraph (c).

The addition reads as follows:

§ 210.8 Commencement of preinstitution proceedings.

* * * * *

(c) *Provide disclosure statement.* Complainant must file, concurrently with the complaint, a separate disclosure statement pursuant to § 210.14a. Related complainants may file a single disclosure statement.

* * * * *

Subpart C—Pleadings

■ 3. Amend § 210.13 by adding paragraph (d) to read as follows:

§ 210.13 The response.

* * * * *

(d) *Provide disclosure statement.* Respondent must file, concurrently with its response, a separate disclosure statement pursuant to § 210.14a. Related respondents may file a single disclosure statement.

* * * * *

■ 4. Add § 210.14a to read as follows:

§ 210.14a Disclosure rule.

(a) Each nongovernment party to, or a nongovernment party who seeks to intervene, in a section 337 investigation shall file with the Secretary a disclosure statement that identifies:

(1) Any parent corporation and any entity, not including natural person(s), owning its stock;

(2) Any person or entity that has the legal right based on the unfair act(s) asserted in the complaint to bring a section 337 investigation besides complainant; and

(3) Any person or entity, not including counsel representing the party in the investigation:

(i) That provides funding specifically for the section 337 investigation, not including personal loan(s), bank loans, or insurance, or

(ii) Whose approval is necessary for litigation decisions or settlement decisions in the section 337 investigation, including the nature of the terms and conditions relating to that approval.

(b) For each corporation, entity, or person identified, include the identity, business address, and if a legal entity, place of formation.

(c) With respect to paragraphs (a)(1) through (3) of this section, if no such corporations, entities, or person(s) exist or are known by said party, said party may state that there is no, or they are not aware of any, such parent corporation or entity under paragraph (a)(1) of this section and/or such person or entity under paragraphs (a)(2) and (3) of this section.

Subpart D—Motions

■ 5. Revise § 210.19 to read as follows:

§ 210.19 Intervention.

Any person desiring to intervene in an investigation or a related proceeding under this part shall make a written motion after institution of the investigation or related proceeding. The motion shall have attached to it a certificate showing that the motion has been served upon each party to the investigation or related proceeding in the manner described in § 201.16(b) of this chapter. Each person must file, concurrently with their motion to intervene, a separate disclosure statement pursuant to § 210.14a. Related persons, who move to intervene jointly, may file a single disclosure statement. Any party may file a response to the motion in accordance with § 210.15(c) of this part, provided that the response is accompanied by a certificate confirming that the response was served on the proposed intervenor and all other parties. The Commission, or the administrative law judge by initial determination, may grant the motion to the extent and upon such terms as may be proper under the circumstances.

Subpart I—Enforcement Procedures and Advisory Opinions

■ 6. Amend § 210.75 by revising paragraph (a)(1) to read as follows:

§ 210.75 Proceedings to enforce exclusion orders, cease and desist orders, consent orders, and other Commission orders.

(a) * * *

(1) The Commission may institute an enforcement proceeding upon the filing of an enforcement complaint pursuant to §§ 210.4 and 210.8(a) by the complainant in the original investigation or the complainant's successor in interest, by the Office of Unfair Import Investigations, or by the Commission. Notwithstanding § 210.8(a)(1)(ii), no paper copies of enforcement complaints or exhibits thereto are required for the government of the foreign country in which each alleged violator is located. If a proceeding is instituted, the Commission shall publish in the **Federal Register** a notice of institution and shall serve copies of the nonconfidential version the enforcement complaint, the nonconfidential exhibits, and the notice of investigation upon each alleged violator. Within fifteen (15) days after the date of service of such a complaint, the named respondent shall file a response to it. Each enforcement complainant must file, concurrently with its enforcement complaint, and each named respondent must file, concurrently with its response, a separate disclosure statement pursuant to § 210.14a. Related parties may file a single disclosure statement.

* * * * *

■ 7. Amend § 210.76 by revising paragraph (a)(1) to read as follows:

§ 210.76 Modification or rescission of exclusion orders, cease and desist orders, consent orders, and seizure and forfeiture orders.

(a) * * *

(1) Whenever any person believes that changed conditions of fact or law, or the public interest, require that an exclusion order, cease and desist order, consent order, or seizure and forfeiture order be modified or rescinded, in whole or in part, such person may file a petition, pursuant to section 337(k)(1) of the Tariff Act of 1930, requesting that the Commission make a determination that the conditions which led to the issuance of an exclusion order, cease and desist order, consent order, or seizure and forfeiture order no longer exist. The Commission may also on its own initiative consider such action. The petition shall state the changes desired and the changed circumstances or public interest warranting such action, shall include materials and argument in support thereof, and shall be served on all parties to the investigation in which the exclusion order, cease and desist order, consent order, or seizure and forfeiture order was issued. Any person may file a response to the petition within ten (10) days of service of the petition. Each petitioner must file, concurrently with its petition, and each person who responds or is named in the notice of institution must file, concurrently with its response, a separate disclosure statement pursuant to § 210.14a. Related parties may file a single disclosure statement. If the Commission makes such a determination, it shall notify the Secretary of the Treasury and U.S. Customs and Border Protection.

* * * * *

■ 8. Amend § 210.79 by revising paragraph (a) introductory text to read as follows:

§ 210.79 Advisory opinions.

(a) Advisory *opinions.* Upon request of any person, the Commission may, upon such investigation as it deems necessary, issue an advisory opinion as to whether any person's proposed course of action or conduct would violate a Commission exclusion order, cease and desist order, or consent order. Any responses to a request for an advisory opinion shall be filed within ten (10) days of service of the request. Each requester must file, concurrently with its request, and each person who responds or is named in the notice of institution must file, concurrently with its response, a separate disclosure statement pursuant to § 210.14a. Related parties may file a single disclosure statement. The Commission will consider whether the issuance of such an advisory opinion would facilitate the enforcement of section 337 of the Tariff Act of 1930, would be in the public interest, and would benefit consumers and competitive conditions in the United States, and whether the person has a compelling business need for the advice and has framed his request as fully and accurately as possible. Advisory opinion proceedings are not subject to sections 554, 555, 556, 557, and 702 of title 5 of the United States Code.

* * * * *

By order of the Commission.

Issued: April 28, 2026

Lisa Barton,

Secretary to the Commission.

[FR Doc. 2026–08445 Filed 4–29–26; 8:45 am]

BILLING CODE 7020–02–P

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

24 CFR Parts 91 and 92

[Docket No. FR–6144–P–09]

RIN 2506–AC50

HOME Investment Partnerships Program: Further Program Updates and Streamlining

AGENCY: Office of the Secretary, U.S. Department of Housing and Urban Development (HUD).

ACTION: Supplemental notice of proposed rulemaking; re-opening of comment period.

SUMMARY: This supplemental notice of proposed rulemaking re-opens public comment for certain topics and provisions that were addressed in HUD's May 29, 2024, proposed rule entitled ''HOME Investment Partnerships Program: Program Updates and Streamlining.'' Among other changes, this supplemental notice of proposed rulemaking proposes to revise or revoke previously-proposed tenant protection provisions permitting participating jurisdictions to exceed the maximum per-unit subsidy for projects that met certain green building standards. This supplemental notice of

proposed rulemaking would also create additional flexibilities related to scattered site manufactured housing rental projects.

DATES: The comment period for specific topics in the proposed rule published on May 29, 2024 (89 FR 46618), and topics discussed in this supplemental notice of proposed rulemaking, is re-opened. The due date for comments on the topics discussed in this supplemental notice of proposed rulemaking is June 1, 2026.

ADDRESSES: There are two methods for submitting public comments. All submissions must refer to the above docket number and title.

1. *Electronic Submission of Comments.* Comments may be submitted electronically through the Federal eRulemaking Portal at *www.regulations.gov.* HUD strongly encourages commenters to submit comments electronically. Electronic submission of comments allows the commenter maximum time to prepare and submit a comment, ensures timely receipt by HUD, and enables HUD to make comments immediately available to the public. Comments submitted electronically through *www.regulations.gov* can be viewed by other commenters and interested members of the public. Commenters should follow the instructions provided on that website to submit comments electronically.

2. *Submission of Comments by Mail.* Comments may be submitted by mail to the Regulations Division, Office of General Counsel, Department of Housing and Urban Development, 2415 Eisenhower Ave., Alexandria, VA 22314.

FOR FURTHER INFORMATION CONTACT: Henrietta Owusu, Director, Program Policy Division, Office of Affordable Housing Programs, Office of Community Planning and Development, U.S. Department of Housing and Urban Development, 2415 Eisenhower Ave., Alexandria, VA 22314; telephone number (202) 708–2684 (this is not a toll-free number). HUD welcomes and is prepared to receive calls from individuals who are deaf or hard of hearing, as well as individuals with speech or communication disabilities. To learn more about how to make an accessible telephone call, visit *https://www.fcc.gov/consumers/guides/telecommunications-relay-service-trs.*

SUPPLEMENTARY INFORMATION:

I. Background

The HOME Program

The HOME Investment Partnership Program (HOME program or HOME) is authorized by title II of the Cranston-Gonzalez National Affordable Housing Act[1] (the Act) and has been in operation since 1992. The HOME program provides grants to States, local jurisdictions, and consortia of local jurisdictions (collectively, participating jurisdictions) and is used, often in partnership with local nonprofit groups, to fund a wide range of activities to build, buy, or rehabilitate affordable housing for rent or homeownership or to fund direct rental assistance to low-income people. Additional background on the HOME program can be found in the HOME Investment Partnerships Program: Program Updates and Streamlining proposed rule (HOME Proposed Rule) available in the **Federal Register** at 89 FR 46618.[2]

The HOME Program Rulemaking

On May 29, 2024, HUD published the HOME Proposed Rule, which proposed to revise the HOME program regulations to update, simplify, or streamline requirements, better align the HOME program with other Federal housing programs, and implement recent amendments to the HOME program statute. HUD proposed numerous changes to 24 CFR part 92 in the HOME Proposed Rule, including significant revisions to the Community Housing Development Organization requirements, a change in the approach to HOME rents, simplified requirements for small-scale rental projects, enhanced flexibility in HOME tenant-based rental assistance programs, and simplified provisions and new flexibilities for community land trusts.

On January 6, 2025, HUD published the HOME Investment Partnerships Program: Program Updates and Streamlining final rule (HOME Final Rule) in the **Federal Register**, available at 90 FR 746. The HOME Final Rule incorporated a majority of the proposed regulatory changes described in the HOME Proposed Rule. The HOME Final Rule provided for the rule to take effect on February 5, 2025.

On January 20, 2025, the President issued a memorandum entitled ''Regulatory Freeze Pending Review'' (Regulatory Freeze Pending Review Memorandum) to executive departments and agencies.[3] The Regulatory Freeze Pending Review Memorandum, among other things, asks executive departments and agencies to consider postponing the effective date of rules that had been published in the **Federal Register** but had not yet taken effect. The postponement allowed executive departments and agencies time to review any questions of fact, law, and policy that the rules may raise.

On February 3, 2025, consistent with the Regulatory Freeze Pending Review Memorandum, HUD delayed the effective date of the HOME Final Rule from February 5, 2025, until April 20, 2025.[4] HUD's delay of the effective date of the HOME Final Rule until April 20, 2025, provided HUD with time to review the HOME Final Rule for any questions of fact, law, and policy that arose in the HOME Final Rule, as directed by the Regulatory Freeze Pending Review Memorandum.

On April 17, 2025, HUD published the HOME Investment Partnerships Program Updates and Streamlining—Delay of Effective Date, Withdrawal, and Correction (Delay of Effective Date for Certain Provisions of the HOME Final Rule Notice).[5] The Delay of Effective Date for Certain Provisions of the HOME Final Rule Notice further delayed the effective date for the HOME Final Rule's addition of 24 CFR 92.250(c) and revisions to 24 CFR 92.253 until October 30, 2025, while allowing a majority of the HOME Final Rule to go into effect as of April 20, 2025. The Delay of Effective Date for Certain Provisions of the HOME Final Rule Notice also made certain technical revisions to the effective and compliance dates in 24 CFR 92.3 of the HOME Final Rule. The effective date was further delayed to April 30, 2026 (90 FR 48443). On April 29, 2026, the effective date was delayed indefinitely pending the publication of a future final rule.

II. This Supplemental Notice of Proposed Rulemaking

Pursuant to HUD's review of the HOME Final Rule, HUD has determined to seek further public comment on certain topics and provisions found in the HOME Proposed and Final Rules, as detailed in this supplemental notice of proposed rulemaking. Among other changes, this supplemental notice of proposed rulemaking would revise provisions related to tenant protections and would revoke the HOME Final Rule's unimplemented provisions related to permitting participating jurisdictions to exceed the maximum

[1] 42 U.S.C. 12721 *et seq.*

[2] Published May 29, 2024.

[3] Available at 90 FR 8249 (Jan. 28, 2025).

[4] *See* HOME Investment Partnerships Program: Program Updates and Streamlining–Delay of Effective Date at 90 FR 8780.

[5] 90 FR 16085.

per-unit subsidy for projects that meet certain green building standards. This supplemental notice of proposed rulemaking would also create additional flexibilities related to scattered site manufactured housing rental projects. HUD's proposed changes are described more fully in each of the sections below.

Corrective and Remedial Actions: Life-Threatening Deficiencies

HUD is also proposing to change ''health and safety'' to ''life-threatening'' throughout 24 CFR 92.251(f)(5)(i). The HOME Final Rule in § 92.251(f)(5)(i) requires that all health and safety deficiencies be corrected immediately and that a participating jurisdiction adopt a more frequent inspection schedule if such deficiencies are identified during the triennial onsite physical inspection of rental housing during the HOME period of affordability. The HOME Final Rule provides an exception for small-scale housing, which permits but does not require a participating jurisdiction to adopt a more frequent inspection schedule. The requirement for immediate correction applied only to life-threatening deficiencies in § 92.251(f)(1)(ii) and § 92.504(d)(1)(ii)(B), as it existed prior to the HOME Final Rule and was inadvertently applied to all health and safety deficiencies in the HOME Final Rule. The proposed § 92.251(f)(5)(i) would revert this inadvertent broadening of the requirement by applying immediate correction only to life-threatening deficiencies. In addition, the proposed § 92.251(f)(5)(i) would apply the requirement for a more frequent inspection schedule. This proposed inspection schedule would apply only to projects in which life-threatening deficiencies are identified, while maintaining an exception for small-scale housing and adding an exception for scattered site manufactured housing as described below.

The HOME property standards in the rule as it existed prior to the HOME Final Rule and the NSPIRE final rule (88 FR 30442) relied on the deficiencies defined in HUD's Uniform Physical Condition Standards (UPCS). Through the publication of the NSPIRE final rule, HUD fundamentally changed the nature of its inspection standards. NSPIRE removed superficial and cosmetic inspection deficiencies and frames all deficiencies in terms of health and safety concerns. For each deficiency, the NSPIRE inspection standards identify a health and safety determination of ''low'', ''moderate'', ''severe'' or ''life-threatening''. Although these tiers do not apply to HOME property standards or inspections, the HOME Final Rule requires that participating jurisdictions establish a list of life-threatening deficiencies. Additionally, where state and local property condition codes and standards do not exist, participating jurisdictions must ensure that the housing remains free of the deficiencies established by HUD based on NSPIRE inspection standards. Consequently, during an onsite physical inspection of a HOME project, all deficiencies identified will be health and safety deficiencies even though some may be defined as a ''low'' health and safety deficiency under the NSPIRE inspection standards.

Immediate correction of all health and safety deficiencies, and therefore, all deficiencies identified during an onsite inspection is an unreasonable and infeasible standard for participating jurisdictions and property owners. Similarly, requiring more frequent inspections when any deficiency is identified creates an undue administrative burden on participating jurisdictions when the risk to tenants is low. Reversing the unintended change to ''health and safety'' in the HOME Final Rule at 24 CFR 92.251(f)(5)(i) and replacing it with ''life-threatening'' will remove the inconsistency between projects subject to different versions of the HOME rule, clarify the inspection procedure requirements, and provide a realistic timeline for correction of deficiencies. HUD believes this change also provides adequate protection for tenants. Property owners must still inspect every three years and correct all deficiencies identified although they may do so over a longer timeframe. This change is consistent with the rest of the programs covered by NSPIRE.

Scattered Site Manufactured Housing Rental Projects

HUD is proposing to add the definition of ''scattered site manufactured housing rental project'' to 24 CFR 92.2. HUD would define ''scattered site manufactured housing rental project'' to mean a rental project of individually leased manufactured housing units owned by a single project owner. Pursuant to 42 U.S.C. 12756(c), HUD may provide streamlined procedures for monitoring compliance of ''small-scale or scattered site [rental] housing'' projects.

This proposed definition is consistent with the Act because manufactured housing may consist of contiguous or non-contiguous parcels under common ownership. This definition covers a manufactured housing project if the units are contiguous only. This definition will also cover non-contiguous parcels where certain manufactured housing units or lots are owner-occupied and some are renter-occupied, or where the owner intended to intersperse manufactured housing units for rent within a community. This definition and the flexibility provided would also apply to existing HOME projects to the extent that they meet the definition and that the written agreement allows for the reduction of frequency of monitoring performance.

Manufactured housing represents a cost-effective strategy to quickly increase the availability of affordable housing. Compared to site-built homes, manufactured homes offer substantial cost savings, largely due to efficiencies in procurement, production, and installation processes. According to the Harvard Joint Center for Housing Studies, the average price of a manufactured home in 2021 was $108,100, while the average cost of a new site-built home was $365,900. On a per-square-foot basis, manufactured housing averaged $72, compared to $144 for site-built housing, highlighting its affordability advantage.[6]

Despite these advantages, owners and developers of manufactured housing may not be fully participating in the HOME Program due to the complexity of program requirements and the administrative burden of compliance. The public comments support this conclusion. The Manufactured Housing Institute requested in their comment submission to the HOME Proposed Rule that HUD undertake research to determine the extent of the use of HOME funds for affordable manufactured housing and identify barriers to more use for this purpose.[7] They also noted in the comments that there was ''compliance complexity'' in the HOME Final Rule requirements.

Therefore, HUD is proposing to define ''scattered site manufactured housing rental project'' to streamline the procedures for monitoring compliance of these housing units to reduce the costs associated with owning rental projects composed of manufactured housing units. This proposal is intended to incentivize participating jurisdictions to fund a form of housing that can be easily scalable, faster to build, and less expensive than traditional brick and mortar housing.

Related to the proposed definition of ''scattered site manufactured housing rental project,'' HUD is proposing to

[6] Harvard Joint Center for Housing Studies, Comparison of the Costs of Manufactured and Site-Built Housing July 2023.

[7] Comment HUD–2024–0045–0039.

revise 24 CFR 92.251(f)(5)(i) to state that a participating jurisdiction is not required to adopt a more frequent inspection schedule for scattered site manufactured housing rental projects that have been found to have life-threatening deficiencies. Instead, HUD is proposing to permit participating jurisdictions to determine whether a more frequent inspection schedule is warranted, thereby providing participating jurisdictions with additional autonomy and encouraging the use of manufactured housing in the HOME program. This proposal is consistent with the requests made by commenters to the HOME Proposed Rule that HUD further encourage the use of manufactured housing in the HOME program and expand monitoring flexibilities to include scattered site projects with more units.[8] This proposal is consistent with the addition of the ''small-scale housing'' definition that HUD added through the HOME Final Rule.

HUD is also proposing to revise 24 CFR 92.252(g) to reduce the frequency of income examinations for scattered site manufactured housing rental projects to triennial income examinations for occupants of such housing instead of the more frequent income examination schedule defined in § 92.252. This proposed reduction in income examinations is intended to encourage the use of manufactured housing in the HOME program and to reduce the costs associated with owning and managing scattered site manufactured housing rental projects. This proposal is consistent with the addition of the ''small-scale housing'' definition that HUD added through the HOME Final Rule.

In addition, HUD is proposing certain revisions to 24 CFR 92.253(d)(5) that would permit participating jurisdictions to establish an alternative procedure to a written waiting list for the selection of tenants in scattered site manufactured housing rental projects, the same as HUD permitted for small-scale housing in the HOME Final Rule. HUD is proposing to allow participating jurisdictions to establish an alternative procedure to a written waiting list for the selection of tenants in scattered site manufactured housing rental projects because HUD believes that this flexibility will further incentivize the use of manufactured housing in HOME rental housing projects and will help to increase the availability and supply of affordable housing nationwide.

[8] *See* 90 FR 769, 779, and 783.

Proposed Removal of the HOME Final Rule's 24 CFR 92.250(c) Regarding Permitting Participating Jurisdictions To Exceed the Maximum Per-Unit Subsidy for a Project That Meets Certain Green Building Standards

In the HOME Proposed Rule, HUD proposed to add a new paragraph (c) to 24 CFR 92.250 to permit a participating jurisdiction to exceed the maximum per-unit subsidy described in 24 CFR 92.250 by 5 percent for a project that met one of the acceptable green building standards that HUD would describe in a separate **Federal Register** notice. In the HOME Final Rule, HUD maintained24 CFR 92.250(c) that was proposed in the HOME Proposed Rule; however, after consideration of public comments, HUD revised the maximum per-unit subsidy increase to 10 percent through the HOME Final Rule instead of the proposed 5 percent.

On further consideration, HUD is proposing through this supplemental notice of proposed rulemaking to remove the HOME Final Rule's 24 CFR 92.250(c) because the increased HOME maximum per-unit investment for green projects would allow for increased spending on projects with higher per-unit costs, potentially leading to the production of fewer affordable housing units. Although commenters made this argument in response to the HOME Proposed Rule and HUD elected to retain this provision in the HOME Final Rule (90 FR 807), HUD subsequently reconsidered these concerns in light of the President's direction to lower the cost of housing and expand housing supply [9] and to end programs that provide ''green'' subsidies.[10] Furthermore, from 2022–2024, the vast majority of HOME units (98.03%) were developed or preserved using less than 95% of the current maximum allowable per unit cost. Only 1.97% of HOME units' actual costs were within 5% of the current per unit cost limit, so there is little evidence that permitting increased subsidy would change behavior. In addition, given that HUD has not published a subsequent **Federal Register** notice that describes what constitutes acceptable green building standards, the HOME Final Rule's 24 CFR 92.250(c) remains inoperative and is therefore unnecessary.

As part of this proposed removal of the HOME Final Rule's 24 CFR 92.250(c), HUD is proposing conforming revisions to 24 CFR 92.251 to remove references relating to permitting a participating jurisdiction to exceed the 24 CFR 92.250 maximum per-unit subsidy for a project that meets certain green building standards. These proposed revisions would remove 24 CFR 92.251(a)(3)(vii) and (b)(1)(xii). HUD is also proposing to revise the HOME Final Rule's 24 CFR 92.508(a)(3)(iii) to conform with the proposed elimination of the HOME Final Rule's 24 CFR 92.250(c).

[9] *https://www.whitehouse.gov/presidential-actions/2025/01/delivering-emergency-price-relief-for-american-families-and-defeating-the-cost-of-living-crisis/.*

[10] *https://www.whitehouse.gov/presidential-actions/2025/01/unleashing-american-energy/.*

Tenant Protections and Selection

24 CFR 92.253 of the HOME rule as it existed prior to the HOME Final Rule provided substantive due process rights and prohibited lease terms to tenants in HOME rental housing or assisted with HOME tenant-based rental assistance and/or security deposit assistance. These protections included a list of prohibited lease terms, which were contained in 24 CFR 92.253(b), that derived from the Act, other applicable laws, and relevant case law. In the HOME Proposed Rule, HUD proposed significant revisions to the tenant protections and selection provisions in 24 CFR 92.253. The HOME Final Rule incorporated a majority of the proposed changes to 24 CFR 92.253 but with certain revisions in response to public comments. In the HOME Final Rule, HUD required three tenancy addenda be added to the leases of tenants living in HOME rental housing units or assisted with HOME funds:

- 24 CFR 92.253(b) described the requirements for the HOME rental housing tenancy addendum.
- 24 CFR 92.253(c) described the requirements for the HOME tenant-based rental assistance addendum.
- 24 CFR 92.253(d) described the requirements for the HOME security deposit assistance addendum.

While the tenancy addendum for tenants that only received security deposit assistance contained the same substantive due process rights found in the prohibited lease terms contained in the 24 CFR 92.253(b) as it existed prior to the HOME Final Rule, the HOME rental housing tenancy addendum and the HOME tenant-based rental assistance addendum each contained a variety of new tenant protections that departed significantly from the prior text. The extent of the revisions, including how HUD had grouped the tenant protections by topic area, make comparing the prior rule's tenant protections and the HOME Final Rule's tenant protections extremely difficult. It also could lead to significant confusion among the public.

Below, the Department provides examples of how the HOME Final Rule's tenant protections created additional costs, increased burden, and deviated significantly from the requirements of the Act and case law. The Department also explains how it is revising the tenant protection provisions of 24 CFR 92.253 in the language of the prior rule with certain exceptions.

a. Examples of tenant protections in the HOME Final Rule that created additional costs, increased owner or participating jurisdiction burdens, or deviated significantly from the Act.

Unreasonable Interference and Retaliation

One of the new tenant protections created a new regulatory test: the prohibition against unreasonable interference or retaliation. This provision, which was contained in both 24 CFR 92.253(b)(5) and 24 CFR 92.253(c)(5) of the HOME Final Rule, has no basis in the Act. It would have prohibited owners from unreasonably interfering with a tenant's safety or peaceful enjoyment of their rental housing unit and prohibited an owner from retaliating against a tenant for taking an action allowable under the lease. Commenters were very concerned that this new test could have a chilling effect on owner participation because determining whether an owner had retaliated against a tenant or had interfered with a tenant's peaceful enjoyment of their unit is subjective. Some commenters were concerned that HUD was substituting its own judgment for or supplanting the role of state and local law. Commenters also believed that the courts were the more appropriate authority to rule on landlord-tenant disputes, and that participating jurisdictions should not be injected into this role.

Unconditional Relocation of Tenants During Repairs to the Unit

Another new provision in the tenant protections for HOME rental housing imposed an additional cost on HOME rental housing owners. In 24 CFR 92.253(b)(1)(iii) of the HOME Final Rule, if an owner is required to repair a life-threatening deficiency impacting the tenant and the repairs cannot be completed on the day the deficiency is identified, the owner would have been required to relocate the tenant to another decent, safe, and sanitary unit in good repair or another form of physically suitable lodging at no additional cost to the tenant until the repairs were completed. This provision directly adds additional costs to owners that are not paid for by any HOME assistance without allowing owners other mitigation strategies. The provision also fails to consider whether the tenant may have caused the underlying deficiency, which could be necessary in determining whether an owner must pay for the costs of relocating a tenant under state or local landlord-tenant law.

New and Confusing Notice Requirements

The HOME Final Rule imposed notice requirements that provided no meaningful benefit to tenants and were not required under the Act. These include providing notices on changes in ownership and property management (See 24 CFR 92.253(b)(3)(ii) and 24 CFR 92.253(c)(3)(ii) of the HOME Final Rule), and notice of environmental, health, or safety hazards affecting the project (See 24 CFR 92.253(f) of the HOME Final Rule). Tenants have no meaningful method of objecting to changes in property ownership or management and requiring notice there serves only to create a potential liability for owners or participating jurisdictions that fail to comply with the requirement. For environmental, health, or safety hazards outside of the control of the participating jurisdiction or owner, requiring they provide notice to tenants or each other may be confusing or create a duty of care that currently does not exist. If an owner and participating jurisdiction failed to provide notice and a tenant was harmed by a safety hazard that was beyond an owner or participating jurisdiction's control, a tenant may attempt to bring legal action against the owner and participating jurisdiction for failing to comply with the regulation, even if the owner or participating jurisdiction had nothing to do with the safety hazard.

New Requirements To Accept Holders of All Federal, State, and Local Tenant-Based Rental Assistance

The HOME Final Rule also included expansions of existing statutory requirements that deviated from the plain language of the Act and may have created significant program design issues. In the HOME Final Rule, HUD had expanded a provision through 24 CFR 92.253(e)(4) to require owners to accept all forms of Federal, State, or local tenant-based rental assistance. This change unnecessarily deviates from the plain language in 42 U.S.C. 12745(a)(1)(D), which only prohibits denying the selection of a holder of a voucher under section 8 of the U.S. Housing Act of 1937. The Department had construed the statute as applying to all forms of Federal, state and local tenant-based rental assistance even though these forms of assistance may have different rules, program designs, income targeting, and protections than the Housing Choice Voucher and HOME programs. These differences in programs could have led to conflicts. Reverting back to the prior language is closer to the statutory intent of the drafters of the Act and will remove a potential disincentive to owner participation in the HOME program.

Additional Provisions Proposed for Removal

In addition to the provisions highlighted above, except as otherwise explained in this preamble, HUD is proposing to revert to tenant protections as they existed prior to the 2025 Final Rule. A selection of the provisions proposed for removal include:

—Requirements at § 92.253(a)(1) that all leases be provided to the participating jurisdiction prior to execution;

—Requirements at § 92.253(b)(1) that the lease contain provisions requiring owners to follow the HOME requirements that they maintain physical condition of the unit and project to the participating jurisdiction's property standards and State and local code requirements; that owners professionally maintain and repair units; and that owners, when controllable, provide continued, uninterrupted utility service;

—Requirements at § 92.253(b)(1) that owners must provide written time frames for maintenance and repairs as soon as practicable and that owners not charge tenants for reasonable wear and tear;

—Requirements at § 92.253(b)(2) that the lease explicitly describe use and occupancy protections that include rights for the family to reside with a foster child, foster adult, or live-in aide and rights that a tenant be able to reasonably access common areas of the project;

—Requirements at § 92.253(b)(2) that owners provide reasonable written notice prior to entering the unit and that they extend protections to allow tenants to organize tenant associations and associated activities;

—Requirements at § 92.253(b)(7) that a tenant lease include a requirement that owners must keep the personally identifiable information of assisted families secure and confidential.

—Requirements at § 92.253(b)(9) that security deposits be refundable, not be more than two months' rent, and that owners provide an itemized list of deductions for any charges against the security deposit.

b. Returning to the tenant protections required by the Act and relevant case law.

The statutory and substantive due process requirements included in the tenant protections were first required under the HOME regulations in 1991.[11] An additional protection was added in 2013 [12] to comply with section 504 of the of the Rehabilitation Act of 1973 (29 U.S.C. 794).[13] The HOME Final Rule incorporated a new protection for tenants, owners, and employees of owners that was required under Public Law 114–113. This provision permitted an owner to terminate a tenancy or refuse to renew the tenancy of a tenant that posed a direct threat to the health and safety of other tenants in the project, employees of the owner, or an imminent and serious threat to the property. This protection ensured that other tenants of the housing and employees of the owner would be safe from harm, and that owners would not incur liability for terminating a tenant's lease when they posed a danger to others in the project or to the housing itself. This new protection permitted termination of tenancy or refusal to renew tenancy when it was in accordance with the requirements of State or local law, and permitted the owner to do so without need for a 30-day waiting period to ensure that the danger posed to tenants, employees, and the housing was removed as quickly as legally possible,

Beyond these statutorily required tenant protections, the Act does not require HUD to further expand tenant protections under the HOME program. Expanding tenant protections beyond those that are statutorily required may increase HOME rental project owners' compliance costs and could create new barriers to the development of affordable housing by deterring owner participation in the HOME program.

In accordance with the Executive Order 14192 entitled ''Unleashing Prosperity Through Deregulation,'' the Department was directed to identify regulations that ''increase the incremental cost'' of doing business. That same Executive Order 14192 expressly stated that the policy of the Administration is to ''significantly reduce the private expenditures required to comply with Federal regulations to secure America's economic prosperity.'' Executive Order 14219 likewise requires that Agencies identify ''regulations that are based on anything other than the best reading of the underlying statutory authority or prohibition'' and ''regulations that impose significant costs upon private parties that are not outweighed by public benefits.''

In furtherance of Executive Order 14192 and Executive Order 14219 and giving appropriate consideration to the public comments submitted in response to the HOME Proposed Rule language in 24 CFR 92.253, HUD is proposing to revise 24 CFR 92.253 to more closely match the language that is statutorily mandated and substantively return 24 CFR 92.253 to the language that existed prior to the publication of the HOME Final Rule. HUD is still proposing some revisions to 24 CFR 92.253 as it existed prior to publication of the HOME Final Rule because the Department believes they add greater clarity to the requirements, incorporate certain statutory protections, align HOME with other HUD programs, and provide owners and participating jurisdictions with greater flexibility. Below, please find a description of proposed revisions to 24 CFR 92.253 as it existed prior to the HOME Final Rule

24 CFR 92.253(a)

HUD is proposing to revise the HOME Final Rule's 24 CFR 92.253(a) to state that a lease between the tenant and the owner of rental housing assisted with HOME funds, tenant-based rental assistance, or security deposit assistance must be in writing, for a period of not less than one year, unless by mutual agreement between the tenant and the owner a shorter period is specified. HUD is also proposing to clarify that the lease for tenants in rental housing assisted with HOME funds or tenants receiving either tenant-based rental assistance or security deposit assistance shall not contain any of the prohibited lease terms in 24 CFR 92.253(b). These are clarifications of the application of the existing requirements for tenant leases and are not substantive revisions to the requirements. HUD had already interpreted the lease requirements in 24 CFR 92.253 to apply to tenants with tenant-based rental assistance and security deposit assistance.

HUD is proposing to remove the HOME Final Rule's new requirements to include contact information for the owner, property management staff, and participating jurisdiction in the written lease. HUD defers to participating jurisdictions and owners to determine the best way to ensure that tenants have the relevant contact information they may need. HUD is also declining to propose requiring that each tenant lease include a tenancy addendum. While HUD is aware that some participating jurisdictions do require tenancy addenda to eliminate any prohibited lease terms from tenant leases, HUD is deferring to participating jurisdictions and owners in determining how best to ensure that prohibited lease terms are not included in tenant leases.

Section 24 CFR 92.253(b)

HUD is proposing to retain the change made to 24 CFR 92.253(b)(8) by the HOME Final Rule to add the words ''and the court so orders'' at the end of 24 CFR 92.253(b)(8) to ensure that a tenant is only charged with the costs of legal actions if the tenant loses and the court orders the tenant to pay costs. HUD believes it is appropriate to maintain this language because the determination of whether a tenant should pay court costs is more appropriately determined by the court and not through a provision described within the HOME regulation. HUD believes it is an overreach for it to state unequivocally in a regulation that a tenant may be obligated to pay the costs of a case if the tenant loses at trial. This is especially true when such costs may not be required under applicable state or local law or where a tenant loses on one ground but not another. The court of competent jurisdiction that is deciding the matter is also better situated in determining whether a tenant must pay court costs, as it has heard the relevant facts pertaining to the case and has determined the culpability of the parties.

24 CFR 92.253(c)

HUD is proposing to revise 24 CFR 92.253(c) of the HOME rule as it existed prior to the HOME Final Rule to include a clarification that the termination of tenancy provisions apply to tenants receiving tenant-based rental assistance and tenants receiving security deposit assistance. This is a nonsubstantive clarification of existing requirements that was included in the HOME Final Rule

In addition, HUD is proposing to add the statutorily required language from the HOME Final Rule providing that a minimum 30-day notice period is not required for the termination of tenancy or refusal to renew tenancy of a tenant in rental housing or a tenant receiving tenant-based rental assistance and security deposit assistance when it is due to a direct threat to the safety of the

[11] *See* Home Investment Partnerships Program at 56 FR 65312, 65354 (Dec. 16, 1991).

[12] *See* HOME Investment Partnerships Program: Improving Performance and Accountability; Updating Property Standards at 78 FR 44628, 44674 (July 24, 2013).

[13] *See* the version of 24 CFR 92.253(b)(9) that existed prior to the publication of the HOME Final Rule, which prohibited the following lease term: ''Mandatory supportive services. Agreement by the tenant (other than a tenant in transitional housing) to accept supportive services that are offered.''

tenants or employees of the housing or an imminent and serious threat to the property, as long as the termination of tenancy or refusal to renew tenancy is in accordance with Federal, State, and local law, and the requirements of 24 CFR part 92.[14]

HUD is also proposing to maintain the addition of the language from the HOME Final Rule describing what constitutes ''good cause'' for the termination of tenancy or the refusal to renew tenancy, which includes the following situations:

- The owner is permitted to do so pursuant to the provisions contained in 24 CFR part 5, subpart I; 24 CFR 882.511; or 24 CFR 982.310;
- A tenant or household member is a direct threat to the safety of the tenants or employees of the housing or an imminent and serious threat to the property;
- A tenant unreasonably refuses to provide the owner with access to the unit to allow the owner to repair the unit;
- An owner must terminate a tenancy to comply with an order issued by a governmental entity or court that requires the tenant to vacate the project or unit;
- An owner must terminate a tenancy to comply with a local ordinance that necessitates vacating the project or unit;
- A tenant fails to purchase a housing unit within the timeframes listed within the tenant's lease-purchase agreement; or
- For tenants with tenant-based rental assistance only, when an owner intends to withdraw the unit from the rental market to occupy the unit; allow an owner's family member to occupy the unit; or demolish or substantially rehabilitate the unit.

HUD is proposing to maintain these ''good cause'' reasons to terminate tenancy or refuse to renew tenancy because HUD believes that maintaining these ''good cause'' reasons will better incentivize the production of affordable housing and improve private landlord participation in HOME tenant-based rental assistance.

d. 24 CFR 92.253(d) (24 CFR 92.253(e) of the HOME Final Rule).

HUD is proposing to revise 24 CFR 92.253(d) of the HOME rule, which was 24 CFR 92.253(e) in the HOME Final Rule. 24 CFR 92.253(d)(3) of the HOME rule describes when an owner may limit eligibility or give preference to a particular segment of the population. 24 CFR 92.253(e)(3)(ii) limits an owner's authority to add a limitation to or preference for a person with disabilities who requires services offered at a project when the project does not receive funding from a Federal program that limits eligibility to a particular segment of the population. The first sentence of 24 CFR 92.253(d)(3)(ii)(C) permits limiting to or providing a preference for persons with disabilities who need services at a project only if the services cannot be provided in a nonsegregated setting. HUD believed at the time that this provision struck the balance between providing care for individuals with disabilities and avoiding unnecessary segregation on the basis of disability. The HOME Final Rule removed this restriction. HUD has determined that this provision is not required by any applicable law and is an unreasonable restriction on owners, participating jurisdictions, and persons with disabilities. Removing this restriction will make it easier for owners to better target assistance to persons with disabilities that need supportive services. HUD is therefore proposing, consistent with the HOME Final Rule, to delete the first sentence of this provision to permit owners to limit or provide a preference to persons with disabilities even if the services provided at the HOME project can be provided in a nonsegregated setting.

HUD is also proposing a clarification to that same 24 CFR 92.253(d)(3)(ii)(C) about how an owner may advertise the project as offering various supportive services, including a description of the specific supportive services available. That rule text at 24 CFR 92.253(d)(3)(ii)(C) states that the owner may advertise the project as offering services for a particular type of disability but must permit all eligible persons with disabilities who may benefit from the services provided in the project to participate. This description appears to indicate that owners can advertise that a project is only for persons with specific disabilities even when all persons with disabilities may obtain the benefit of supportive services offered in a HOME project. The provisions are not written in plain language and are difficult to follow. HUD is proposing to break up the sentence into two short, declarative sentences. The first sentence states that an owner may advertise a project's supportive services, including a description of the specific supportive services available. The second sentence explains that the project must be open to all eligible persons with disabilities. This language is identical to the language in the HOME Final Rule's 24 CFR 92.253(e)(3)(ii)(C).

In addition, HUD is proposing to remove the language from 24 CFR 92.253(d)(4) that existed prior to the publication of the HOME Final Rule relating to Section 8 Tenant Based Assistance and instead only reference the Housing Choice Voucher Program and HOME tenant-based rental assistance. This is a minor clarification, as the name of the program is the Housing Choice Voucher Program and it is unnecessary to maintain the wording ''Section 8 Tenant-Based Assistance.'' As discussed in the example section above, HUD is declining to propose an expansion of 24 CFR 92.253(d)(4)'s requirements to include additional Federal, state, and local tenant-based rental assistance programs other than what is required under the Act. As discussed earlier, the Department is also proposing to revise 24 CFR 92.253(d)(5) to state that except for small-scale housing and scattered site manufactured housing rental projects, all selection of tenants to HOME rental housing projects must be from a written waiting list in chronological order of their application, insofar as practicable. HUD is permitting participating jurisdiction the discretion to establish alternatives to requiring owners to maintain a written waiting list for the selection of tenants in these types of projects. This could allow participating jurisdictions the discretion to maintain jurisdiction-wide waiting lists on behalf of small-scale housing and scattered site manufactured housing project owners, or to utilize other nondiscriminatory methods of placing income-eligible tenants in HOME-assisted rental housing projects.

Other Conforming Revisions Related to the Proposed Changes in 24 CFR 92.253

HUD is proposing to revise the HOME Final Rule's 24 CFR 92.209(g) and 92.504(c)(2)(xii) to remove reference to the HOME tenant-based rental assistance tenancy addendum. This is a conforming revision due to HUD's proposed revisions to 24 CFR 92.253. For additional background on HUD's proposed removal of the tenancy addenda requirements of the HOME Final Rule, see the description of the proposed changes to the HOME Final Rule's 24 CFR 92.253(a) found earlier in this supplemental notice of proposed rulemaking.

Carbon Monoxide Detection

In the HOME Proposed Rule, 89 FR 46630, and the HOME Final Rule, 90 FR 755, HUD stated that it would more fully describe carbon monoxide requirements applicable to the HOME program in a separate publication in the **Federal Register**. Instead, HUD is proposing through this supplemental notice of proposed rulemaking to

[14] *See* 42 U.S.C. 12755(b), as amended by Public Law 114–113.

include carbon monoxide detector requirements in HOME program regulations. As explained in HUD's NSPIRE final rule, certain carbon monoxide detector standards apply to other HUD programs, not including HOME, pursuant to Section 101, ''Carbon Monoxide Alarms or Detectors in Federally Assisted Housing'' of Title I of Division Q, Financial Services Provisions and Intellectual Property, of the Consolidated Appropriations Act, 2021, Public Law 116–260, 134 Stat. 2162 (2020). See 88 FR 30445. The required standards include chapters 9 and 11 of the 2018 International Fire Code. 134 Stat. 2163–65. Therefore, HUD is proposing to revise 24 CFR 92.251(a)(3)(vi)(A) to state that housing units must have a carbon monoxide detector installed in a manner that meets or exceeds standards described in chapters 9 and 11 of the 2018 International Fire Code, consistent with the inspection requirements of other HUD programs.

24 CFR Parts 91 and 92—Technical Revisions and Correction

HUD is proposing a technical correction to 24 CFR 92.207(h) to replace the citation to § 92.254(a)(9) with a citation to § 92.254(b)(2), as paragraph (a)(9) does not exist in § 92.254 and the specified costs related to preserving affordability of housing assisted with HOME funds that HUD intends to cross reference are in § 92.254(b)(2). HUD is proposing to make certain technical revisions in the HOME Final Rule's paragraphs 24 CFR 91.220(1)(2)(vii)(D), 91.320(k)(2)(vii)(D), 92.252(k), 92.351(a)(1), and 92.504(c)(3)(iii) to replace the citation to ''24 CFR 92.253(e)'' with ''24 CFR 92.253.'' This proposal is a conforming revision because HUD is proposing to remove the HOME Final Rule's paragraph 24 CFR 92.253(e), as discussed earlier in this supplemental notice of proposed rulemaking. HUD is also proposing a technical correction to paragraph 24 CFR 92.254(a)(4) to change the citation to applicable property standards from ''§ 92.251(c)(3)'' to ''§ 92.251'' because the provision should have cited to the property standards more broadly and not to the property standards for existing housing that is acquired for homeownership alone. Homeownership assistance can be used on projects involving new construction, rehabilitation, or manufactured housing which are covered under 24 CFR 92.251(a), (b), and (e) respectively.

III. Application of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 to the HOME Program

HUD reminds HOME program recipients that grants must be administered in accordance with all applicable immigration restrictions and requirements, including the eligibility and verification requirements that apply under title IV of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996, as amended (8 U.S.C. 1601–1646) (PRWORA) and any applicable requirements that HUD, the Attorney General, or the U.S. Citizenship and Immigrations Services may establish from time to time to comply with PRWORA.

IV. Findings and Certifications

Regulatory Review—Executive Orders 12866 and 13563

Under Executive Order 12866 (Regulatory Planning and Review), a determination must be made regarding whether a regulatory action is significant and, therefore, subject to review by the Office of Management and Budget in accordance with the requirements of the order. Executive Order 13563 (Improving Regulations and Regulatory Review) directs executive agencies to analyze regulations that are ''outmoded, ineffective, insufficient, or excessively burdensome, and to modify, streamline, expand, or repeal them in accordance with what has been learned.'' Executive Order 13563 also directs that, where relevant, feasible, and consistent with regulatory objectives, and to the extent permitted by law, agencies identify and consider regulatory approaches that reduce burdens and maintain flexibility and freedom of choice for the public.

This supplemental notice of proposed rulemaking re-opens public comment for certain topics and provisions that were addressed in HUD's May 29, 2024, proposed rule entitled ''HOME Investment Partnerships Program: Program Updates and Streamlining,'' as described throughout this supplemental notice of proposed rulemaking.

This supplemental notice of proposed rulemaking was developed in a manner that is consistent with Executive Order 12866 and 13563. This supplemental notice of proposed rulemaking was determined to be a significant regulatory action under section 3(f) of Executive Order 12866 but was not deemed to be significant under section 3(f)(1).

Executive Order 14192, Regulatory Costs

Executive Order 14192, entitled ''Unleashing Prosperity Through Deregulation,'' was issued on January 31, 2025. Section 3(c) of Executive Order 14192 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 current burden estimate for HOME Investment Partnerships Program: Further Program Updates and Streamlining would result in an overall net decrease of 22,377 annual burden hours. This consists largely of an estimated decrease of 20,001 annual burden hours due to the revisions of tenant protections in § 92.253; an estimated decrease of 376 annual burden hours due to the removal of increases to maximum subsidy limits for green buildings in § 92.250; and a decrease of 2,000 annual burden hours due to the reduction of income-determinations in scattered site manufactured housing rental projects.

OMB has determined that this proposed rule would be a repeal of a regulation resulting in reduced regulatory costs for purposes of Executive Order 14192 by providing flexibility and reduced burdens for all of the parties affected by this proposed rule.

Regulatory Impact Analysis

HUD prepared a regulatory impact analysis (RIA) that addresses the costs and benefits of this supplemental notice of proposed rulemaking. HUD's RIA is part of the docket file for this supplemental notice of proposed rulemaking at *https://www.regulations.gov.*

As described in the RIA, HUD anticipates that the economic impact of this supplemental notice of proposed rulemaking will be almost entirely within the HOME program. In other words, the changes to the HOME program will affect what participating jurisdictions do with the HOME funds they receive from HUD and how projects that accept this funding source operate. HUD strongly encourages the public to view the docket file.

Regulatory Flexibility Act

The Regulatory Flexibility Act (RFA) (5 U.S.C. 601 *et seq.*) generally requires an agency to conduct a regulatory flexibility analysis of any rule subject to notice and comment rulemaking requirements unless the agency certifies that the rule will not have a significant economic impact on a substantial number of small entities. This supplemental notice of proposed rulemaking aims to improve the HOME program by making certain changes related to those incorporated through

the HOME Final Rule. As described in the RIA, HUD anticipates that the economic impacts of this rule will be almost entirely within the HOME program. In other words, the changes to the HOME program will affect what participating jurisdictions do with the HOME funds they receive from HUD and how projects that accept this funding source operate. For the reasons presented, the undersigned certifies that this rule will not have a significant economic impact on a substantial number of small entities.

Environmental Impact

A Finding of No Significant Impact (FONSI) with respect to the environment has been made in accordance with HUD regulations in 24 CFR part 50 that implement section 102(2)(C) of the National Environmental Policy Act of 1969 (42 U.S.C. 4332(2)(C)). The FONSI is available through the docket file at *https://www.regulations.gov.* The FONSI is also available for public inspection during regular business hours in the Regulations Division, Office of General Counsel, Room 10276, Department of Housing and Urban Development, 451 Seventh Street SW, Washington, DC 20410–0500. Due to security measures at the HUD Headquarters building, you must schedule an appointment in advance to review the FONSI by calling the Regulations Division at 202–708–3055 (this is not a toll-free number). HUD welcomes and is prepared to receive calls from individuals who are deaf or hard of hearing, as well as individuals with speech or communication disabilities. To learn more about how to make an accessible telephone call, please visit *https://www.fcc.gov/consumers/guides/telecommunications-relay-service-trs.*

Federalism—Executive Order 13132

Executive Order 13132 (Federalism) prohibits an agency from publishing any rule that has Federalism implications if the rule either: (i) imposes substantial direct compliance costs on State and local governments and is not required by statute, or (ii) preempts State law, unless the agency meets the consultation and funding requirements of section 6 of the Executive order. This supplemental notice of proposed rulemaking does not have Federalism implications and does not impose substantial direct compliance costs on State and local governments or preempt State law within the meaning of the Executive Order.

Unfunded Mandates Reform Act

Title II of the Unfunded Mandates Reform Act of 1995 (2 U.S.C. 1531–1538) (UMRA) establishes requirements for Federal agencies to assess the effects of their regulatory actions on State, local, and Tribal governments, and on the private sector. This supplemental notice of proposed rulemaking does not impose any Federal mandates on any State, local, or Tribal governments, or on the private sector, within the meaning of the UMRA.

Paperwork Reduction Act

The information collection requirements contained in this final rule have been approved by OMB in accordance with the Paperwork Reduction Act of 1995 (44 U.S.C. 3501–3520) and assigned the OMB control number 2506–0171. In accordance with the Paperwork Reduction Act, an agency may not conduct or sponsor, and a person is not required to respond to, a collection of information, unless the collection displays a currently valid OMB control number.

This supplemental notice of proposed rulemaking proposes to remove a provision in the HOME Final Rule's paragraph 24 CFR 92.250(c) that would have permitted a participating jurisdiction to exceed the maximum per-unit subsidy described in 24 CFR 92.250 for projects that met one of the acceptable green building standards that HUD would describe in a separate *Federal Register* notice. If finalized, this proposed removal of the HOME Final Rule's24 CFR 92.250(c) will lead to a slight decrease in burden for participating jurisdictions with qualified projects.

This supplemental notice of proposed rulemaking also proposes to add paragraph (g)(1) to 24 CFR 92.252, which would permit an owner of a scattered site manufactured housing rental project to re-examine annual income every three years, rather than annually. This addition of 24 CFR 92.252(g)(1) will reduce the burden of performing income determinations in scattered site manufactured housing rental projects.

This supplemental notice of proposed rulemaking also removes the various tenancy lease addenda found in the HOME Final Rule's paragraphs 24 CFR 92.253(b), (c), and (d), which will reduce the burden on owners of rental housing and private landlords participating in the HOME program.

Overall, the proposals in this supplemental notice of proposed rulemaking would, if finalized, result in a net decrease of burden by 22,377 total estimated annual burden hours.

The burden of the information collections in this final rule is estimated as follows:

REPORTING AND RECORDKEEPING BURDEN

24 CFR section reference	Number of parties	Frequency of responses	Number of responses per party	Estimated average time for requirements (hours)	Total estimated annual burden (hours)
§ 92.252(g)(1) scattered site manufactured housing rental project income determination.	1,000	Annual	1	2	(2,000)
Removal of § 92.250 to increase maximum subsidy limits for green buildings.	188	Annual	1	2	(376)
Removal and replacing § 92.253 tenant protections (including lease addendum requirement).	6,667	Annual	1	3	(20,001)

V. Electronic Access and Filing

Comments submitted electronically through the *http://www.regulations.gov* website can be viewed by other commenters and interested members of the public. Commenters should follow the instructions provided on that site to submit comments electronically.

All comments and communications properly submitted to HUD will be available for public inspection and copying between 8 a.m. and 5 p.m. weekdays at the address provided in the **ADDRESSES** section of this supplemental notice of proposed rulemaking. Due to security measures at the HUD Headquarters building, an advance appointment to review the public

comments must be scheduled by calling the Regulations Division at (202) 708–3055 (this is not a toll-free number). HUD welcomes and is prepared to receive calls from individuals who are deaf or hard of hearing, as well as from individuals with speech or communication disabilities. To learn more about how to make an accessible telephone call, please visit *https://www.fcc.gov/consumers/guides/telecommunications-relay-service-trs.*

In accordance with 5 U.S.C. 553(b)(4), a summary of this supplemental notice of proposed rulemaking may be found at *www.regulations.gov.*

List of Subjects

24 CFR Part 91

Aged; Grant programs—housing and community development; Homeless; Individuals with disabilities; Low and moderate income housing; Reporting and recordkeeping requirements.

24 CFR Part 92

Administrative practice and procedure; Low and moderate income housing; Manufactured homes; Rent subsidies; Reporting and recordkeeping requirements.

For the reasons stated in the preamble, HUD proposes to amend 24 CFR parts 91 and 92 as follows:

PART 91—CONSOLIDATED SUBMISSIONS FOR COMMUNITY PLANNING AND DEVELOPMENT PROGRAMS

■ 1. The authority citation for part 91 continues to read as follows:

Authority: 42 U.S.C. 3535(d), 3601–3619, 5301–5315, 11331–11388, 12701–12711, 12741–12756, and 12901–12912.

§ 91.220 [Amended]

■ 2. In § 91.220, amend paragraph (l)(2)(vii)(D) by removing the citation to ''24 CFR 92.253(e)'' and adding in its place a citation to ''24 CFR 92.253''.

§ 91.320 [Amended]

■ 3. In § 91.320, amend paragraph (k)(2)(vii)(D) by removing the citation to ''24 CFR 92.253(e)'' and adding in its place a citation to ''24 CFR 92.253''.

PART 92—[AMENDED]

■ 4. The authority citation for part 92 continues to read as follows:

Authority: 42 U.S.C. 3535(d) and 12701–12839; 12 U.S.C. 1701x.

■ 5. In FR Doc. 2024–29824, the amendment to add paragraph (c) to § 92.250 (amendment 24.c) and the amendment to revise § 92.253 (amendment 27), published on January 6, 2025 (90 FR 746), are withdrawn.

■ 6. In § 92.2, add the definition of ''scattered site manufactured housing rental project'' in alphabetical order to read as follows:

§ 92.2 Definitions.

* * * * *

Scattered site manufactured housing rental project means a rental project of individually leased manufactured housing units owned by a single project owner.

* * * * *

§ 92.3 [Amended]

■ 7. Amend § 92.3 by removing paragraph (e).

§ 92.207 [Amended]

■ 8. In § 92.207, amend paragraph (h) by removing the citation ''§ 92.254(a)(9)'' wherever it appears and adding in its place the citation ''§ 92.254(b)(2)''.

§ 92.209 [Amended]

■ 8. In § 92.209, remove the last sentence of paragraph (g).

§ 92.251 [Amended]

■ 9. Amend § 92.251 by:
■ a. Revising paragraph (a)(3)(vi)(A);
■ b. Removing paragraph (a)(3)(vii);
■ c. Removing paragraph (b)(1)(xii); and
■ d. Revising paragraph (f)(5)(i).

The revision reads as follows:

§ 92.251 Property Standards and inspections.

(a) * * *

(3) * * *

(vi) * * *

(A) A carbon monoxide alarm must be installed in the housing unit in a manner that meets or exceeds the carbon monoxide detection standards described in chapters 9 and 11 of the 2018 publication of the International Fire Code.

* * * * *

(f) * * *

(5) * * *

(i) *Life-threatening deficiencies.* Life-threatening deficiencies must be corrected immediately. Except for small-scale housing or scattered site manufactured housing rental projects, the participating jurisdiction must adopt a more frequent inspection schedule for properties that have been found to have life-threatening deficiencies. For small-scale housing or scattered site manufactured housing rental projects, the participating jurisdiction may adopt a more frequent inspection schedule if the small-scale housing or scattered site manufactured housing rental project is found to have life-threatening deficiencies, as described in its inspection procedures.

* * * * *

§ 92.252 [Amended]

■ 10. Amend § 92.252 by:
■ a. Removing the words ''small-scale housing'', wherever they appear in paragraph (g)(1), and adding in their place the words ''small-scale housing or a scattered site manufactured housing rental project'';
■ b. Removing the words ''Small-Scale Rental Housing Projects'' from the title of Table 2 to Paragraph (g)(1), and adding in their place the words ''Small-Scale Housing or Scattered Site Manufactured Housing Rental Projects'';
■ c. Removing the words ''small-scale housing projects'', wherever they appear in paragraph (g)(2), and adding in their place the words ''small-scale housing or scattered site manufactured housing rental projects''; and
■ d. Removing the citation ''§ 92.253(e)'', wherever it appears in paragraph (k), and adding in its place the citation ''§ 92.253''.
■ 11. Amend § 92.253 by:
■ a. Revising paragraph (a);
■ b. Revising paragraph (b)(8) by adding the words ''and the court so orders'' immediately after the word ''loses'';
■ c. Revising paragraph (c);
■ d. Revising paragraphs (d)(3)(ii)(C), (d)(4), and (d)(5).

The revisions read as follows:

§ 92.253 Tenant protections and selection.

(a) *Lease.* There must be a written lease between the tenant and the owner of rental housing assisted with HOME funds, tenant-based rental assistance, and security deposit assistance. The lease must be for a period of not less than 1 year, unless by mutual agreement between the tenant and the owner, a shorter period is specified. The lease must incorporate the VAWA lease term/addendum required under § 92.359(e), except as otherwise provided by § 92.359(b). The lease must not contain any of the prohibited lease terms in paragraph (b) of this section.

* * * * *

(c) *Termination of tenancy.*

(1) An owner may not terminate the tenancy or refuse to renew the lease of a tenant of rental housing assisted with HOME funds or a tenant assisted with tenant-based rental assistance, or security deposit assistance except for serious or repeated violation of the terms and conditions of the lease; for violation of applicable Federal, State, or local law; for completion of the tenancy period for transitional housing or failure to follow any required transitional housing supportive services plan; or for

other good cause. Good cause does not include an increase in the tenant's income or refusal of the tenant to purchase the housing. To terminate or refuse to renew tenancy, the owner must serve written notice upon the tenant specifying the grounds for the action at least 30 days before the termination of tenancy or refusal to renew tenancy. The minimum 30-day period is not required if the termination of tenancy or refusal to renew is due to a direct threat to the safety of the tenants or employees of the housing or an imminent and serious threat to the property and the termination of tenancy or refusal to renew is in accordance with the requirements of paragraph (c)(2) of this section. Good cause includes when:

(i) The owner is permitted to do so pursuant to the provisions contained in 24 CFR part 5, subpart I; 24 CFR 882.511; or 24 CFR 982.310;

(ii) A tenant or household member is a direct threat to the safety of the tenants or employees of the housing or an imminent and serious threat to the property;

(iii) A tenant unreasonably refuses to provide the owner access to the unit to allow the owner to repair the unit;

(iv) An owner must terminate a tenancy to comply with an order issued by a governmental entity or court that requires the tenant to vacate the project or unit;

(v) An owner must terminate a tenancy to comply with a local ordinance that necessitates vacating the project or unit;

(vi) A tenant fails to purchase a housing unit within the timeframes listed within the tenant's lease-purchase agreement; or

(vii) For tenants with tenant-based rental assistance only, when an owner intends to: withdraw the unit from the rental market to occupy the unit; allow an owner's family member to occupy the unit; or demolish or substantially rehabilitate the unit.

(2) The termination of tenancy or refusal to renew must be in accordance with Federal, State, local law, and the requirements of this part, including but not limited to requirements regarding fair housing, nondiscrimination, and VAWA.

* * * * *

(d) * * *

(3) * * *

(ii) * * *

(C) The families must not be required to accept the services offered at the project. The owner may advertise the project as offering various supportive services, including a description of the specific supportive services available. The project must be open to all eligible persons with disabilities.

(4) The limitation does not exclude an applicant with a voucher under the Housing Choice Voucher Program (24 CFR part 982) or an applicant participating in a HOME tenant-based rental assistance program because of the status of the applicant as a holder of such type of assistance;

(5) Except for small-scale housing and scattered site manufactured housing rental projects, provides for the selection of tenants from a written waiting list in the chronological order of their application, insofar as is practicable. The participating jurisdiction may establish alternative procedures to a written waiting list for the selection of tenants in small-scale housing and scattered site manufactured housing rental projects;

* * * * *

§ 92.254 [Amended]

■ 12. Amend § 92.254 by removing the citation to ''§ 92.251(c)(3)'' in paragraph (a)(4) and adding in its place a citation to ''§ 92.251''.

§ 92.351 [Amended]

■ 13. In § 92.351, amend paragraph (a)(1) by removing the citation to ''§ 92.253(e)(3)'' and adding in its place a citation to ''§ 92.253''.

■ 14. Amend § 92.504 by:

■ a. Revising the last sentence of paragraph (c)(2)(xii); and

■ b. Removing the citation to ''§ 92.253(e)'' in paragraph (c)(3)(iii) and adding in its place a citation to ''§ 92.253''.

The revision reads as follows:

§ 92.504 Participating jurisdiction responsibilities; written agreements.

* * * * *

(c) * * *

(2) * * *

(xii) * * * For any projects involving HOME rental housing, tenant-based rental assistance, or security deposit assistance, the agreement must require that the tenant leases comply with § 92.253 for all HOME-assisted rental housing units or tenants.

* * * * *

■ 15. In § 92.508, revise paragraph (a)(3)(iii) to read as follows:

§ 92.508 Recordkeeping.

(a) * * *

(3) * * *

(iii) Records demonstrating that each rental housing or homeownership project meets the minimum per-unit subsidy amount of § 92.205(c), the maximum per-unit subsidy amount in accordance with the requirement in § 92.250(a), and the subsidy layering and underwriting evaluation adopted in accordance with § 92.250(b).

* * * * *

Ronald J. Kurtz,

Assistant Secretary for Community Planning and Development.

[FR Doc. 2026–08406 Filed 4–29–26; 8:45 am]

BILLING CODE 4210–67–P

POSTAL REGULATORY COMMISSION

39 CFR Part 3050

[Docket No. RM2026–4; Order No. 9548]

Periodic Reporting

AGENCY: Postal Regulatory Commission.

ACTION: Notice of proposed rulemaking.

SUMMARY: The Commission is acknowledging a recent Postal Service filing requesting the Commission initiate a rulemaking proceeding to consider changes to analytical principles relating to periodic reports. This document informs the public of the filing, invites public comment, and takes other administrative steps.

DATES: *Comments are due:* May 29, 2026.

ADDRESSES: Submit comments electronically via the Commission's Filing Online system at *https://www.prc.gov.* Those who cannot submit comments electronically should contact the person identified in the **FOR FURTHER INFORMATION CONTACT** section by telephone for advice on filing alternatives.

FOR FURTHER INFORMATION CONTACT: David A. Trissell, General Counsel, at 202–789–6820.

SUPPLEMENTARY INFORMATION:

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III. Proposal
IV. Notice and Comment
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I. Introduction

On April 24, 2026, the Postal Service filed a petition pursuant to 39 CFR 3050.11 and Order No. 9377 [1] requesting that the Commission initiate a rulemaking proceeding to consider changes to analytical principles relating to periodic reports.[2] The Petition

[1] Docket No. RM2023–7, Order on Motion for Reconsideration and Clarification of Order No. 6659, December 1, 2025 (Order No. 9377).

[2] Petition of the United States Postal Service to Initiate a Proceeding to Change Analytical Principles, April 24, 2026 (Petition).

identifies the proposed analytical changes filed in this docket in a proposal accompanying the Petition.

II. Background

The Postal Service Reform Act of 2022 [3] modified and expanded the Postal Service's ability to enter into interagency agreements (IAAs) to provide property and services to, or on behalf of, other government agencies. Specifically, 39 U.S.C. 3703 for the first time authorizes the Postal Service to enter into agreements with agencies of any state government, local government, or tribal government to provide property or nonpostal services to the public on behalf of such agencies for non-commercial purposes. At the same time, with respect to the Postal Service's pre-existing authority under 39 U.S.C. 411 to provide property and services to other Federal agencies, the PSRA specifies that ''[t]he Postal Service may establish a program to provide property and nonpostal services to other Government [*i.e.,* federal] agencies within the meaning of section 411,[4] but only if such program provides a net contribution to the Postal Service, defined as reimbursement that covers at least 100 percent of the costs attributable . . . .'' 39 U.S.C. 3704.

Under the PSRA, the Postal Service must submit a report to the Commission after the close of each fiscal year that:

> [A]nalyzes costs, revenues, rates, and quality of service for each agreement or substantially similar set of agreements for the provision of property or nonpostal services under section 3703 or the program as a whole under section 3704, and any other nonpostal service authorized under [Chapter 37 of Title 39 of the United States Code], using such methodologies as the Commission may prescribe, and in sufficient detail to demonstrate compliance with the requirements of [Chapter 37 of Title 39 of the United States Code].

39 U.S.C. 3705(a)(1). Upon receiving the Postal Service's report and providing an opportunity for public comment, the Commission must make a written determination of compliance. 39 U.S.C. 3705(e).

Because the PSRA was enacted on April 6, 2022 (during FY 2022 Quarter 3), the Postal Service's first report responsive to this new statutory requirement was due December 29, 2022, covering FY 2022. In its FY 2022 Annual Compliance Determination (ACD), the Commission directed the Postal Service to develop a proposed methodology (or methodologies) for calculating and attributing costs and revenue to IAAs authorized under 39 U.S.C. 3703 and 3704, and to initiate a rulemaking proceeding to establish such methodology (or methodologies) in accordance with 39 CFR 3050.11.[5] As directed, the Postal Service initiated Docket No. RM2023–7 on May 26, 2023, proposing a categorical approach to calculating and attributing costs and revenue to similar types, or groupings, of IAAs.[6]

On August 31, 2023, the Commission conditionally approved the Postal Service's proposed methodology, subject to seven conditions.[7] As relevant here, three of the conditions had to do with what the Commission termed ''hybrid agreements,'' or agreements that involve the provision to government agencies of both: (1) postal services as defined by 39 U.S.C. 102(5) and/or nonpostal services authorized under 39 U.S.C. 404(e); and (2) property or nonpostal services authorized under 39 U.S.C. 411, 3703, and 3704. Order No. 6659 at 16–17, Attachment Under Seal at 1. As explained in Order No. 6659, postal services and nonpostal services are subject to different legal requirements with respect to pre-implementation review and post-implementation accounting and reporting. Order No. 6659 at 13. For these unique types of agreements, therefore, the Commission sought to ensure that the postal and nonpostal aspects of the agreements were separately accounted for and attributed, and that the correct pre-implementation procedures were followed. *Id.* at 16–17; *see* Attachment Under Seal. The Commission directed the Postal Service to make additional filings responsive to these conditions by September 29, 2023. *Id.*

On September 15, 2023, the Postal Service filed a motion seeking reconsideration and clarification of Order No. 6659, including the three conditions specific to hybrid agreements.[8] On December 1, 2025, the Commission denied the Postal Service's motion with respect to the conditions relating to hybrid agreements in Order No. 9377. The Commission directed the Postal Service to file a proposed change in analytical principles consistent with the terms of Conditions 5 and 7 of Order No. 6659, as clarified by Order No. 9377, by May 1, 2026. Order No. 9377 at 44–45. On January 27, 2026, the Postal Service appealed Order Nos. 6659 and 9377 to the United States Court of Appeals for the District of Columbia Circuit. *See* Petition for Review, *United States Postal Serv.* v. *Postal Regul. Comm'n,* No. 25–1289 (D.C. Cir. filed Dec. 26, 2025, ECF No. 2152063). Nevertheless, the Postal Service states that it is ''proceeding with this proposal in the interim as a good faith attempt to comply with Order No. 9377 and outline the procedure for disaggregating costs, revenues, and volumes for agreements that fit the Commission's definition of 'hybrid' agreements.'' Petition at 4.

III. Proposal

The Postal Service proposes that it begin, for purposes of each fiscal year's Annual Compliance Review (ACR), designating fulfillment costs as ''nonpostal'' and disaggregating any nonpostal product costs and revenues from postal product costs and revenues. *Id.* Fulfillment related costs and revenues currently included in NSA reporting would be moved to IAA reporting and categorized under one of the 6 categories approved in Order No. 6659. *Id.* The Postal Service additionally proposes to change the name of the current IAA category ''COVID Test Kits-Fulfillment'' to only ''Fulfillment.'' *Id.* at 5. The Postal Service states that ''[w]ith the discontinuance of the Postal Service distribution of COVID test kits, this category may have been removed[;] [however,] [t]o support the reporting of fulfillment activities within IAAs and NSAs with government counterparties, the Postal Service finds an IAA category for fulfillment services necessary for accurate IAA reporting.'' *Id.*

IV. Notice and Comment

Pursuant to 39 CFR 3050.11(d)(1), the Commission establishes Docket No. RM2026–4 for consideration of matters raised by the Petition. More information on the Petition may be accessed via the

[3] Postal Service Reform Act of 2022 (PSRA), Public Law 117–108, 136 Stat. 1127 (2022).

[4] Prior to the enactment of the PSRA, the Postal Service's authority for these agreements was governed by 39 U.S.C. 411, which authorizes the Postal Service to ''furnish property and services'' to ''Executive agencies within the meaning of [5 U.S.C. 105] and the Government Publishing Office. . . .'' 39 U.S.C. 411. Section 105 of Title 5 of the United States Code specifies that an '' 'Executive agency' means an Executive department, a Government corporation, and an independent establishment'' of the U.S. Government, as those terms are defined in 5 U.S.C. chapter 1. 5 U.S.C. 105.

[5] Docket No. ACR2022, *Annual Compliance Determination,* March 29, 2023, at 102 (FY 2022 ACD).

[6] Docket No. RM2023–7, Petition of the United States Postal Service for the Initiation of a Proceeding to Consider Proposed Changes in Analytical Principles (Proposal Two), May 26, 2023.

[7] Docket No. RM2023–7, Order on Analytical Principles Used in Periodic Reporting (Proposal Two), Directing the Postal Service's Participation in Further Proceedings, and Providing Notice of Filing Attachment Under Seal, August 31, 2023 (Order No. 6659).

[8] Docket No. RM2023–7, USPS Motion for Reconsideration and Clarification of Commission Order No. 6659, with Portions Filed Under Seal, September 15, 2023.

Commission's website at *http://www.prc.gov.* Interested persons may submit comments on the Petition and the Postal Service's Proposal by May 29, 2026. Pursuant to 39 U.S.C. 505, Jennaca Upperman is designated as an officer of the Commission (Public Representative) to represent the interests of the general public in this proceeding.

V. Ordering Paragraphs

It is ordered:

1. The Commission establishes Docket No. RM2026–4 for consideration of the matters raised by the Petition of the United States Postal Service to Initiate a Proceeding to Change Analytical Principles, filed April 24, 2026.
2. Comments by interested persons in this proceeding are due May 29, 2026.
3. Pursuant to 39 U.S.C. 505, the Commission appoints Jennaca Upperman to serve as an officer of the Commission (Public Representative) to represent the interests of the general public in this docket.
4. This order, or abstract thereof, will be published in the **Federal Register**.

By the Commission.

Sarah Wessel,

Senior Paralegal Specialist.

[FR Doc. 2026–08432 Filed 4–29–26; 8:45 am]

BILLING CODE 7710–FW–P

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 52

[EPA–R03–OAR–2025–0215; FRL–13068–01–R3]

Air Plan Approval; Delaware; Excess Emissions Provisions Pertaining to Periods of Startup, Shutdown and Malfunction Events

AGENCY: Environmental Protection Agency (EPA).

ACTION: Proposed rule.

SUMMARY: The Environmental Protection Agency (EPA) is proposing to approve revisions to the state implementation plan (SIP) for three state regulations submitted by the State of Delaware through the Delaware Department of Natural Resources and Environmental Control (DNREC) on February 3, 2025. The proposed 2025 revisions to the SIP amend certain startup and shutdown provisions in a manner that avoids the deficiencies that the EPA identified in a disapproval action dated October 23, 2023, in which the Agency disapproved portions of a prior SIP revision dated November 22, 2016. This action is being taken under section 110 of the Clean Air Act (CAA).

DATES: Written comments must be received on or before June 1, 2026.

ADDRESSES: Submit your comments, identified by Docket ID No. EPA–R03–OAR–2025–0215 at *www.regulations.gov,* or via email to *gordon.mike@epa.gov.* For comments submitted at *Regulations.gov,* follow the online instructions for submitting comments. Once submitted, comments cannot be edited or removed from *Regulations.gov.* For either manner of submission, 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 *www.epa.gov/dockets/commenting-epa-dockets.*

FOR FURTHER INFORMATION CONTACT: Bryan Cashman, 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) 814–2012. Mr. Cashman can also be reached via electronic mail at *cashman.bryan@epa.gov.*

SUPPLEMENTARY INFORMATION: On February 3, 2025, the State of Delaware through DNREC submitted four separate SIP revisions to correct deficiencies identified in a prior 2023 action in which the EPA disapproved portions of a SIP revision dated November 22, 2016 (88 FR 72688; October 23, 2023). The EPA determined in the 2023 disapproval action that provisions in the 2016 SIP revision did not address the deficiencies identified in the EPA's June 2015 SIP Call (80 FR 33840, June 12, 2015) related to exemptions during periods of startup, shutdown, and malfunction (SSM) from the otherwise applicable SIP emission limitations, and the SIP submission contained insufficient analysis to meet the requirements of section 110(l) of CAA.

In response, Delaware amended the following four state regulations relating: excess emissions during SSM events that comprise the SIP revisions submitted February 3, 2025: 7 Delaware Administrative Code (DE Admin. Code) 1104—Particulate Emissions from Fuel Burning Equipment; 7 DE Admin. Code 1105—Particulate Emissions from Industrial Process Operations; 7 DE Admin. Code 1109—Emission of Sulfur Compounds from Industrial Operations; and 7 DE Admin. Code 1114—Visible Emissions. In this proposed rulemaking, the EPA is proposing to approve the amendments to the following three state regulations into the State's SIP: 7 DE Admin. Code 1104, 1105, and 1109. Delaware submitted, and the EPA views the SIP revisions for each of the three state regulations as separate and the Agency may take final action on each separately. This notice of proposed rulemaking (NPRM) does not include Delaware's submitted SIP revision applicable to 7 DE Admin Code 1114 which the EPA will address separately.

I. Background

A. The EPA's 2015 SSM SIP Action, Environmental Committee of the Florida Electric Power Coordinating Group, Inc. v. EPA, 94 F.4th 77 (D.C. Cir. 2024), and Delaware's SSM SIP Revisions

On June 12, 2015, the EPA finalized the 2015 SSM SIP Action [1] which clarified, restated, and updated the EPA's national policy regarding SIP provisions applying to excess emissions that occur during periods of SSM. The 2015 SSM SIP Action found that certain SIP provisions in 36 states were substantially inadequate to meet CAA requirements and issued a SIP call to those states to submit SIP revisions to address the inadequacies. The EPA established an 18-month deadline by which the affected states had to submit such SIP revisions and states were required to submit corrective revisions to their SIPs in response to the SIP calls by November 22, 2016. Delaware submitted a revision to its SIP on November 22, 2016.[2] On October 23, 2023 (88 FR 72688), the EPA took final action disapproving certain portions of Delaware's November 22, 2016, SIP revision based on the EPA's finding that

[1] 80 FR 33840 (June 12, 2015). State Implementation Plans: Response to Petition for Rulemaking; Restatement and Update of EPA's SSM Policy Applicable to SIPs; Findings of Substantial Inadequacy; and SIP Calls To Amend Provisions Applying to Excess Emissions During Periods of Startup, Shutdown and Malfunction.

[2] 2016 DE SIP-Revision to Satisfy EPA's State Implementation Plan (SIP) Call Related to Air Emissions During Equipment Start-up and Shutdown.

the SIP revision did not correct the remaining deficiencies in Delaware's SIP identified in the 2015 SSM SIP Action. The EPA's disapproval triggered mandatory sanctions and an obligation for the EPA to issue a Federal Implementation Plan (FIP). *See* 88 FR 72688, 72690 (October 23, 2023).

However, as a result of the March 1, 2024, decision from the United States Court of Appeals for the District of Columbia Circuit in *Environ. Comm. Fl. Elec. Power* v. *EPA,* 94 F.4th 77 (D.C. Cir. 2024), certain portions of the EPA's 2015 SSM SIP Action were vacated by the D.C. Circuit and therefore have no legal effect. Thus, certain States subject to the 2015 SSM SIP Action no longer have a legal obligation to submit the revisions that the EPA had originally determined were required to correct a deficiency identified in the SIP call. In other words, by partially vacating the EPA's 2015 SSM SIP Action, the D.C. Circuit's decision rendered Delaware's SIP submission in response to the 2015 SSM SIP Action voluntary rather than mandatory. Therefore, the EPA issued an error correction to terminate the triggering of mandatory sanctions and FIP obligation following the October 23, 2023, disapproval. *See* 89 FR 104434 (December 23, 2024). The EPA, however, did not withdraw the disapproval action because the substantive basis for the disapproval was not erroneous. *See* 89 FR 87826, 87828 (November 5, 2024).

On February 3, 2025, Delaware submitted to the EPA proposed SIP revisions amending the four state regulations from the 2016 SIP revision that the EPA disapproved in October 2023. Three of those state regulations are the subject of this proposed rulemaking.

B. Delaware's Provisions Related to Excess Emissions

The EPA's 2015 SSM SIP Action determined that the following Delaware regulations were substantially inadequate to meet CAA requirements for SIP provisions: 7 DE Admin. Code 1104 § 1.5 (Particulate Emissions from Fuel Burning Equipment); 7 DE Admin. Code 1105 § 1.7 (Particulate Emissions from Industrial Process Operations); 7 DE Admin. Code 1108 § 1.2, (Sulfur Dioxide Emissions from Fuel Burning Equipment); 7 DE Admin. Code 1109 § 1.4 (Emissions of Sulfur Compounds From Industrial Operations); 7 DE Admin. Code 1114 § 1.3 (Visible Emissions); 7 DE Admin. Code 1124 § 1.4 (Control of Volatile Organic Compound Emissions); and 7 DE Admin. Code 1142 § 2.3.1.6 (Specific Emission Control Requirements).[3] These regulations included provisions that provided a state official with the discretion, through the permitting process, to exempt sources from otherwise applicable SIP emission limitations, or to set alternative limitations for periods of SSM inconsistent with the SIP requirements. 78 FR 12460, 12495 (February 22, 2013) and 80 FR 33840, 33960 (June 12, 2015).

Delaware submitted a SIP revision on November 22, 2016, in response to the 2015 SIP Call. In addition to addressing the 2015 SIP Call deficiencies identified for 7 DE Admin. Code 1104 § 1.5, 7 DE Admin. Code 1105 § 1.7, 7 DE Admin. Code 1109 § 1.4, and 7 DE Admin. Code 1114 § 1.3, Delaware's 2016 submission noted that the deficiency highlighted in 7 DE Admin. Code 1108 § 1.2 (Sulfur Dioxide Emissions from Fuel Burning Equipment) was corrected by a previous SIP revision, which was submitted to the EPA on July 10, 2013. A final rule in which the EPA acted on this 2013 submission to address 7 DE Admin. Code 1108 § 1.2 published in the **Federal Register** on July 11, 2022.[4]

Delaware's 2016 SIP revision also requested that the EPA approve a change to the Delaware SIP by removing 7 DE Admin. Code 1124 § 1.4 (Control of Volatile Organic Compound Emissions) and 7 DE Admin. Code 1142 § 2.3.1.6 (Specific Emission Control Requirements) in their entirety, thereby removing these provisions, and their deficiencies, from the Delaware SIP. A final rule by the EPA approving these revisions which remedied 7 DE Admin. Code 1124 § 1.4 and 7 DE Admin. Code 1142 § 2.3.1.6 published in the **Federal Register** on February 14, 2023.[5]

On October, 23, 2023, the EPA published a final action in the **Federal Register** related to the remaining four provisions 7 DE Admin. Code 1104 § 1.5, 7 DE Admin. Code 1105 § 1.7, 7 DE Admin. Code 1109 § 1.4, and 7 DE Admin. Code 1114 § 1.3, identified in the EPA's 2015 SIP Call that had not yet been addressed by prior EPA actions.[6] In that document, the EPA finalized disapproval of the remainder of Delaware's 2016 SIP revision for multiple reasons.

With regards to 7 DE Admin. Code 1104 and 7 DE Admin. Code 1105, Delaware's 2016 submittal requested the EPA revise the Delaware SIP to replace the shorter averaging periods for particulate emission limitations with 30-day rolling averages with no change to the numerical level of the limit. The increases in averaging times were not supported by a sufficient analysis explaining why these changes met the requirements of CAA section 110(l). Additionally, Delaware did not provide an explanation or analysis of how increasing the averaging time of the affected limits without any adjustment to their levels would, or would not, affect attainment or maintenance of the national ambient air quality standards (NAAQS).

With regards to 7 DE Admin. Code 1109, Delaware's 2016 SIP revision requested the EPA to approve removal of the provision from the SIP in its entirety, while retaining it in the State regulation, and stated that other requirements, including the CAA New Source Performance Standards (NSPS), were adequate to protect the NAAQS. The EPA explained that this was problematic because the specific NSPS which Delaware cited allowed for periods of excess emissions during SSM events. Additionally, the EPA explained that there was insufficient analysis to explain how these changes would meet the requirements of CAA section 110(l). A more detailed explanation of the reasons for the disapproval can be found in the June 21, 2023, NPRM.[7]

II. Summary of SIP Revision and EPA Analysis

In this proposed rulemaking, the EPA is evaluating the February 3, 2025, SIP submission from Delaware. Delaware's revisions to 7 DE Admin. Code 1104 § 1.5, 7 DE Admin. Code 1105 § 1.7, 7 DE Admin. Code 1109 § 1.4, and the EPA's corresponding analysis are explained below. Delaware is proposing to remove the potential exemption from the otherwise applicable SIP emission limitations during startup and shutdown in each of the three provisions. An underline/strike-out version of each regulation, showing the changes to the regulations, is included in the docket for this rulemaking.[8]

A. 7 DE Admin. Code 1104—Particulate Emissions From Fuel Burning Equipment

Specifically, 7 DE Admin. Code 1104 establishes particulate matter emissions limitation for fuel burning equipment

[3] *See* 80 FR 33840, 33960 (June 15, 2015).

[4] 87 FR 41074 (July 11, 2022), Air Plan Approval; Delaware; Sulfur Content of Fuel Oil.

[5] 88 FR 9399 (February 14, 2023); Air Plan Approval; Delaware; Removal of Excess Emissions Provisions.

[6] 88 FR 72688 (October 23, 2023); Air Plan Disapproval; Delaware; Removal of Excess Emissions Provisions.

[7] 88 FR 40136 (June 21, 2023) NPRM, Air Plan Disapproval; Delaware; Removal of Excess Emissions Provisions.

[8] See Delaware's Final Regulations published in the Delaware Register of Regulations, Vol. 28, Issue 8 on February 1, 2025.

with a heat input capacity equal to, or greater than 1 million British Thermal units (MMBtu) per hour and addresses emissions during startup and shutdown events. Regulated sources include commercial and industrial generators, engines, boilers and turbines. Delaware revised its State regulation to: (1) remove language from the SIP that could potentially allow exemptions from the emission limitations during startup and shutdown; (2) remove from 7 DE Admin. Code 1104 the 0.3 lb/MMBtu, maximum 30-day rolling average emission limitation [9] that the EPA had disapproved in 2023 and never included in the Delaware SIP; and (3) thus make the 0.3 lb/MMBtu, maximum two-hour average emission limitation apply to affected sources at all times and maintain the numerical limit and averaging time that is in the SIP.

Delaware requests in the SIP submission that the EPA approve the removal of Subsection 1.5 of Section 1.0 ''General Provisions,'' from Delaware's approved SIP. This subsection allowed a potential exemption from the emission limitations specified in subsection 2.1 during startup and shutdown if a source was operating under a permit issued under section 2.0 of 7 DE Admin. Code 1102 (Permits). The EPA is proposing to approve Delaware's request to remove from the SIP Subsection 1.5 of Section 1.0 of 7 DE Admin. Code 1104. If the removal is finalized, the existing SIP-approved emission limitation of 0.3 lb/MMBtu, maximum two-hour average limit will then apply at all times.

B. 7 DE Admin. Code 1105—Particulate Emissions From Industrial Process Operations

The State regulation at 7 DE Admin. Code 1105 ensures that particulate emissions from industrial process equipment do not exceed 0.2 grains per standard cubic foot (gr/scf). Delaware revised its state regulation to: (1) remove language from the SIP that could potentially allow exemptions from emission limitations during startup and shutdown; (2) remove from 7 DE Admin. Code 1105 the ''0.2 grains per standard cubic foot, on a 30-day rolling average'' emission limitation that the EPA had disapproved in 2023 and never included in the Delaware SIP [10]; and (3) thus make the ''0.2 grains per standard cubic foot'' emission limitation apply at all times, and maintain the limit as it appears in the SIP.

Delaware requests in the SIP submission that the EPA approve the removal of subsection 1.7 of section 1.0 ''General Provisions'', from Delaware's SIP. This subsection allowed a potential exemption from the emission limitations specified in subsection 2.1 during startup and shutdown if a source was operating under a permit issued under section 2.0 of 7 DE Admin. Code 1102 (Permits). The EPA is proposing to approve Delaware's request to remove from the SIP subsection 1.7 of section 1.0 of 7 DE Admin. Code 1105. As a result, if finalized, the existing SIP-approved 0.2 grains per standard cubic foot emission limit will apply at all times.[11]

C. 7 DE Admin. Code 1109—Emissions of Sulfur Compounds From Industrial Operations

The State regulation at 7 DE Admin. Code 1109 sets specific sulfur dioxide (SO_2) emission limitations for sulfuric acid manufacturing and sulfur recovery operations. For instance, the regulation limits SO_2 emissions from sulfuric acid manufacturing operations to 0.5 pounds per ton (lb/ton) for acid mist and sets the maximum SO_2 emission rate of 2,000 parts per million (ppm) for sulfur recovery operations. The State revised the regulation to remove language that could allow potential exemptions during startup and shutdown events and to require sources to meet the emission limitations stated in the regulation at all times.

Delaware requests in the SIP submission that the EPA approve the removal of Subsection 1.4 of Section 1.0 ''General Provisions'' from Delaware's SIP. This subsection allowed potential exemptions from the emission limitations imposed in sections 2.0 and 3.0, if a source was operating under a permit issued under section 2.0 of 7 DE Admin. Code 1102 (Permits). The EPA is proposing to approve Delaware's request to remove from the SIP subsection 1.4 of section 1.0 of 7 DE Admin. Code 1109 such that, if finalized, the SO_2 limits at section 2.0 and 3.0 will apply at all times.

III. Proposed Action

The EPA's review of this material indicates that the SIP revision submitted on February 3, 2025, is approvable. The February 3, 2025, submission requests that the EPA approve into the Delaware SIP the revised versions of 7 DE Admin. Code 1104, 7 DE Admin. Code 1105, and 7 DE Admin. Code 1109, thus removing subsection 1.5, subsection 1.7, and subsection 1.4 respectively, and the startup and shutdown exemptions contained therein, as described earlier in this document.

The EPA is proposing to approve these three revisions to the Delaware SIP because they are consistent with applicable statutory requirements, strengthen Delaware's SIP, and align the approved SIP with revised state regulations. The EPA is soliciting public comments on the issues discussed in this document. The EPA is only taking comment on the proposed SIP revisions to the specific provisions discussed in this document. The EPA will consider comments before taking final action.

IV. Incorporation by Reference

In this proposed rulemaking, the EPA is proposing to include in a final EPA rule regulatory text that includes incorporation by reference. In accordance with the requirements of 1 CFR 51.5, the EPA is proposing to incorporate by reference the revisions to 7 DE Admin. Code 1104, 7 DE Admin. Code 1105, and 7 DE Admin. Code 1109, as described in section II of this document. The EPA has made, and will continue to make, these materials generally available through *Regulations.gov* and at the EPA Region III office (please contact the person identified in the **FOR FURTHER INFORMATION CONTACT** section of this preamble for more information).

V. Statutory and Executive Order Reviews

Under the Clean Air Act, the Administrator is required to approve a SIP submission that complies with the provisions of the Clean Air Act and applicable Federal regulations. 42 U.S.C. 7410(k); 40 CFR 52.02(a). Thus, in reviewing SIP submissions, EPA's role is to approve state choices, provided that they meet the criteria of the Clean Air Act. Accordingly, this

[9] Delaware amended its State regulation at 7 DE Admin. Code 1104 to remove Subsection 2.2 of Section 2.0 ''Emission Limits'', which the EPA disapproved in October 2023 and never incorporated into the SIP because of insufficient analysis demonstrating compliance with CAA section 110(l). This subsection allowed emission of particulate matter up to 0.3 lb/MMBtu heat input over a maximum 30-day rolling average, from any fuel burning equipment which could potentially exceed the 0.3 lb/MMBtu, maximum two-hour average emission limit specified in subsection 2.1.

[10] Delaware amended its state regulation at 7 DE Admin. Code 1105 to remove subsection 2.2 of section 2.0 ''General Restrictions'', which the EPA disapproved in October 2023 and never incorporated into the SIP because of insufficient analysis demonstrating compliance with CAA section 110(l). This subsection allowed emission of particulate matter up to 0.2 grains per standard cubic foot over a 30-day rolling average which could potentially exceed the 0.2 gr/scf emission limit specified in subsection 2.1.

[11] The EPA is also proposing to include in the SIP a non-substantive change to section 5.0 of 7 DE Admin. 1105 where one sentence stating that ''[f]or the purpose of interpolation and extrapolation calculations, 'Coke Burn-Off Rate' shall be construed to be equivalent to 'Process Weight Rate','' was shifted from one location to another within subsection 5.1 without altering the meaning.

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 Clean Air Act.

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

List of Subjects in 40 CFR Part 52

Environmental protection, Air pollution control, Incorporation by reference, Nitrogen dioxide, Ozone, Particulate matter, Sulfur dioxide.

Amy Van Blarcom-Lackey,

Regional Administrator, Region III.

[FR Doc. 2026–08373 Filed 4–29–26; 8:45 am]

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ENVIRONMENTAL PROTECTION AGENCY

40 CFR Parts 52 and 81

[EPA–R08–OAR–2024–0552; FRL–13198–01–R8]

Utah; Northern Wasatch Front; 2015 8-Hour Ozone National Ambient Air Quality Standards; Reconsideration and Repeal of Finding of Failure To Attain and Reclassification to a Serious Nonattainment Area; Determination of Attainment by the Moderate Attainment Date But for International Emissions

AGENCY: Environmental Protection Agency (EPA).

ACTION: Proposed rule; reconsideration of final rule.

SUMMARY: The U.S. Environmental Protection Agency (EPA) is proposing to repeal the December 9, 2024, final rule in which the Agency determined that the Northern Wasatch Front (NWF) nonattainment area (NAA) in Utah failed to attain the Clean Air Act (CAA) 2015 ozone National Ambient Air Quality Standards (NAAQS) by the August 3, 2024, Moderate area attainment date, and reclassified the area by operation of law to Serious nonattainment (the ''December 2024 Final Rule''). The EPA is also proposing to determine that the NWF ozone NAA would have attained the 2015 ozone NAAQS by the Moderate area attainment date but for emissions emanating from outside the United States (U.S.). If the EPA finalizes this proposed action, the NWF ozone NAA would no longer be subject to the CAA requirements pertaining to reclassification to Serious nonattainment upon failure to attain and would remain classified as Moderate for the 2015 ozone NAAQS.

DATES: Written comments must be received on or before June 1, 2026.

ADDRESSES: Submit your comments, identified by Docket ID No. EPA–R08–OAR–2024–0552, to the Federal Rulemaking Portal: *https://www.regulations.gov.* Follow the online instructions for submitting comments. Once submitted, comments cannot be edited or removed from *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, 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.*

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.,* CBI or other information whose 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 electronically in *https://www.regulations.gov.* Please email or call the person listed in the **FOR FURTHER INFORMATION CONTACT** section if you need to make alternative arrangements for access to the docket.

FOR FURTHER INFORMATION CONTACT: Abby Fulton, Air and Radiation Division, EPA, Region 8, Mailcode 8ARD–AQ–R, 1595 Wynkoop Street, Denver, Colorado 80202–1129; phone: (303) 312–6563; email: *fulton.abby@epa.gov.*

SUPPLEMENTARY INFORMATION:

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

AMNP Annual Monitoring Network Plan
AQS Air Quality System
CAA Clean Air Act
CFR Code of Federal Regulations
DV Design Value
EPA U.S. Environmental Protection Agency
FDV Future Design Value
FDV_{adj} Adjusted Future Design Value
$FDV_{adj\text{-}atyp}$ Adjusted Future Design Value accounting for exclusion of international anthropogenic contributions and atypical, wildfire smoke-impacted days
LLC Limited Liability Company
MDA8 Maximum Daily 8-hour Average
NAA Nonattainment Area
NAAQS National Ambient Air Quality Standards
NASA National Aeronautics and Space Administration
NOAA National Oceanic and Atmospheric Administration
NO_x Nitrogen Oxides

NTTAA National Technology Transfer and Advancement Act
NWF Northern Wasatch Front
OMB Office of Management and Budget
$PM_{2.5}$ Fine particulate matter with aerodynamic diameter ≤2.5 micrometers
ppb Parts per billion
ppm Parts per million
PRA Paperwork Reduction Act
RACM Reasonably Available Control Measures
RACT Reasonably Available Control Technology
RFA Regulatory Flexibility Act
RFP Reasonable Further Progress
RRF Relative Response Factor
SIP State Implementation Plan
TSD Technical Support Document
U.S. United States
UMRA Unfunded Mandates Reform Act
USGS United States Geological Survey
VOC Volatile Organic Compounds

Organization of this Document: The information in this preamble is organized as follows:

I. Background
A. 2015 Ozone NAAQS and Area Designations
B. Clean Air Act Requirements for Moderate Ozone NAAs
C. Requirement for Determination of Attainment of the 2015 Ozone NAAQS
D. International Transport and Clean Air Act Section 179B
E. Atypical Events: Exclusion of Unrepresentative Air Quality Data
II. Legal Authority
III. Proposed Action
IV. Northern Wasatch Front Ozone NAA—Proposed Determination of Attainment But for International Emissions
A. NWF Ozone NAA
B. Overview of NWF Proposed Determination of Attainment But for International Emissions
C. Evidence Supporting NWF Ozone Attainment Status
D. Conclusions on NWF Attainment Status Based on the Available Evidence
V. Statutory and Executive Order Reviews

I. Background

A. 2015 Ozone NAAQS and Area Designations

Ground-level ozone pollution is formed from the reaction of volatile organic compounds (VOC) and nitrogen oxides (NO_X) in the presence of sunlight. These two pollutants, referred to as ozone precursors, are emitted by many types of sources, including on-road and non-road motor vehicles and engines, and industrial facilities, and smaller area sources such as lawn and garden equipment and paints. Scientific evidence indicates that adverse public health effects occur following exposure to ground-level ozone pollution.[1] Exposure to ozone can harm the respiratory system (the upper airways and lungs), can aggravate asthma and other lung diseases, and is linked to premature death from respiratory causes. People most at risk from breathing air containing ozone include people with asthma, children, older adults, and people who are active outdoors, especially outdoor workers.[2]

Under CAA section 109, the EPA promulgates NAAQS (or ''standards'') for ''each air pollutant for which air quality criteria have been issued. . . .'', such as ozone.[3] The EPA promulgated NAAQS for ozone in 1979 and revised them in 1997 and 2008.[4] On October 26, 2015, the EPA revised the NAAQS for ozone to establish new 8-hour standards (the ''2015 Ozone NAAQS Implementation Rule).[5] In the 2015 Ozone NAAQS Implementation Rule, the EPA promulgated identical revised primary and secondary ozone standards designed to protect public health and welfare, respectively, that specified an 8-hour ozone level of 0.070 parts per million (ppm).[6] Specifically, the standards require that the 3-year average of the annual fourth highest maximum daily 8-hour average (MDA8) ozone concentration (*i.e.,* the design value (DV)) may not exceed 0.070 ppm.[7] If the DV does not exceed 0.070 ppm at each ambient air quality monitoring site within the area, the area is deemed to be attaining the ozone NAAQS.[8]

CAA section 107(d) provides that when the EPA promulgates a new or revised NAAQS, the Agency must designate areas of the country as nonattainment, attainment, or unclassifiable. This is based on whether an area is not meeting (or is contributing to air quality in a nearby area that is not meeting) the NAAQS, meeting the NAAQS, or cannot be classified as meeting or not meeting the NAAQS, respectively. Subpart 2 of part D of title I of the CAA governs the classification, State planning, and emissions control requirements for any areas designated as nonattainment for a revised primary ozone NAAQS.[9] In particular, CAA section 181(a)(1) also requires the EPA to classify each ozone NAA at the time of designation, based on the area's DV.[10] Classifications for ozone NAAs range from Marginal to Extreme. CAA section 182 provides the specific attainment planning and additional requirements that apply to each ozone NAA based on its classification.[11] CAA section 182, as interpreted in the EPA's implementing regulations at 40 CFR 51.1308 through 51.1317, also establishes the timeframes by which air agencies must submit and implement State Implementation Plan (SIP) revisions to satisfy the applicable attainment planning elements, and the timeframes by which NAAs must attain the 2015 ozone NAAQS.

Effective August 3, 2018, the EPA designated 51 areas throughout the U.S., including the NWF area in Utah, as nonattainment for the 2015 ozone NAAQS.[12] The NWF ozone NAA includes the Salt Lake City metropolitan area. In a separate action, the EPA assigned classification thresholds and attainment dates based on each NAAs ozone DV.[13] The EPA established the attainment date for Marginal, Moderate, and Serious NAAs as 3 years, 6 years, and 9 years, respectively, from the effective date of the final designations. Thus, the attainment date for Marginal NAAs for the 2015 ozone NAAQS was August 3, 2021, the attainment date for Moderate areas was August 3, 2024, and the attainment date for Serious areas is August 3, 2027. The EPA initially classified the NWF NAA as Marginal for the 2015 ozone NAAQS. On October 7, 2022, the EPA determined that 22 areas, including the NWF NAA, did not attain the 2015 ozone NAAQS by the Marginal area attainment date, and these areas were reclassified to Moderate by operation of law.[14]

[1] 80 FR 65296 (October 26, 2015).

[2] EPA Fact Sheet—Ozone and Health, available at *https://www.epa.gov/sites/default/files/2016-04/documents/20151001healthfs.pdf* and in the docket for this action.

[3] 42 U.S.C. 7409.

[4] 44 FR 8202 (February 8, 1979); 62 FR 38856 (July 18, 1997); 73 FR 16436 (March 27, 2008).

[5] *See* footnote 1 in this preamble.

[6] Because the 2015 primary and secondary NAAQS for ozone are identical, for convenience, the EPA refers to them in the singular as ''the 2015 ozone NAAQS'' or as ''the standard.'' Further, while the NAAQS is in units of ppm, ozone measurements are often discussed in terms of parts per billion (ppb), with 0.070 ppm being equal to 70 ppb.

[7] A DV is a statistic used to compare data collected at an ambient air quality monitoring site to the applicable NAAQS to determine compliance with the standard. The DV for the 2015 ozone NAAQS is the 3-year average of the annual fourth highest MDA8 ozone concentration. The DV is calculated for each air quality monitor in an area and the area's DV is the highest DV among the individual monitoring sites in the area.

[8] The data handling convention in 40 Code of Federal Regulations (CFR) part 50, appendix U dictates that concentrations shall be reported in ''ppm'' to the third decimal place, with additional digits to the right being truncated. Thus, a DV of 0.071 ppm is greater than 0.070 ppm and would exceed the standard, but a DV of 0.0709 ppm is truncated to 0.070 ppm and attains the 2015 ozone NAAQS.

[9] 42 U.S.C. 7407(d).

[10] 42 U.S.C. 7511(a)(1).

[11] 42 U.S.C. 7511a.

[12] 83 FR 25776 (June 4, 2018), effective Aug. 3, 2018. The EPA later designated the San Antonio area as a 2015 ozone NAAQS NAA effective September 24, 2018. 83 FR 35136 (July 25, 2018).

[13] 83 FR 10376 (March 9, 2018), effective May 8, 2018.

[14] 87 FR 60897 (October 7, 2022).

B. Clean Air Act Requirements for Moderate Ozone NAAs

The applicable requirements for ozone NAAs classified as Moderate include a baseline emissions inventory, source emission statement rules, nonattainment New Source Review program requirements, an attainment demonstration, a Reasonably Available Control Measures (RACM) demonstration, Reasonably Available Control Technology (RACT) requirements, a Reasonable Further Progress (RFP) demonstration, and contingency measures for failure to attain or achieve RFP.[15]

Attainment contingency measures are triggered upon the EPA's determination that an area failed to attain a given NAAQS by its applicable attainment date. For ozone NAAs, such a finding would be made pursuant to CAA section 181(b)(2), as described in section I.C of this preamble. However, CAA section 179B(b) provides that if a State demonstrates to the satisfaction of the Administrator that the area would have attained the ozone NAAQS by the applicable attainment date but for emissions emanating from outside the U.S., the area is not subject to the reclassification provisions in CAA section 181(b)(2) and will not be reclassified to a higher nonattainment level.[16] Therefore, following the EPA's approval of a demonstration under CAA section 179B(b), attainment contingency measures will not be triggered. Given these considerations, the CAA does not require the State to have EPA approved contingency measures for failure to attain the NAAQS in an area with an approved CAA section 179B(b) demonstration.[17]

In the case of Moderate ozone NAAs, the EPA's longstanding interpretation is that RFP contingency measures for the ozone NAAQS can be triggered in Moderate areas only by an EPA finding that the area has failed to attain the NAAQS by the attainment date under CAA section 181(b)(2).[18] Under CAA section 182(g), ozone NAAs classified Serious or higher are required to meet RFP emissions reduction ''milestones'' and to demonstrate compliance with those milestones.[19] For Moderate areas, there are no RFP milestone compliance demonstration requirements.[20] Thus, the statute does not impose a requirement on either the State or the EPA to determine whether a Moderate ozone NAA achieved RFP.

C. Requirement for Determination of Attainment of the 2015 Ozone NAAQS

CAA section 181(b)(2)(A) requires that within 6 months following the applicable attainment date, the EPA shall determine whether an ozone NAA attained the ozone standard based on the area's DV as of that date. If the EPA determines that an area failed to attain, CAA section 181(b)(2)(A) requires the area to be reclassified by operation of law to the higher of: (1) the next higher classification for the area, or (2) the classification applicable to the area's DV as of the determination of failure to attain. CAA section 181(b)(2)(B) requires the EPA to publish the determination of failure to attain in the **Federal Register** no later than 6 months after the attainment date, which was February 3, 2025, for the NWF ozone NAA. A finding by the EPA that an area has not attained the standard by the attainment date results in that area being reclassified by operation of law to the next higher classification.

The level of the 2015 ozone NAAQS is 0.070 ppm.[21] Under the EPA regulations at 40 CFR part 50, appendix U, the 2015 ozone NAAQS is attained at a site when the 3-year average of the annual fourth highest MDA8 ambient ozone concentration (*i.e.,* DV) does not exceed 0.070 ppm. When the DV does not exceed 0.070 ppm at each ambient air quality monitoring site within the area, the area is deemed to be attaining the ozone NAAQS. Each area's DV is determined by the highest DV among monitors with valid DVs.[22]

For the NWF ozone NAA, the Moderate attainment date was August 3, 2024. Because the DV is based on the three most recent, complete calendar years of data, attainment must occur no later than December 31 of the year prior to the attainment date (*i.e.,* December 31, 2023, in the case of Moderate NAAs for the 2015 ozone NAAQS). Therefore, the EPA's determination for this area was based on calendar years 2021, 2022, and 2023.

On December 9, 2024, the EPA determined that the NWF ozone NAA failed to attain the 2015 ozone NAAQS by the Moderate attainment date based on monitored ozone data from 2021 through 2023. The EPA further determined that the area did not meet the requirements under CAA section 181(a)(5)(B) or 40 CFR 51.1307 necessary to grant a 1-year extension of the attainment date because at least one monitor had a 2023 fourth highest MDA8 that was greater than 0.070 ppm. As a result, the NWF ozone NAA was reclassified to Serious by operation of law with an effective date of January 8, 2025.[23] As shown in table 1, all regulatory monitors in the NWF ozone NAA had a 2021–2023 DV greater than the standard of 0.070 ppm.

[15] *See, e.g.,* 42 U.S.C. 7502(c), 7511a.

[16] 42 U.S.C. 7509a(b). Note that the statute cites 42 U.S.C. 7511(a)(2), but that provision establishes ozone attainment deadlines for Severe areas under the 1-hour standard. The EPA has long interpreted the citation in CAA section 179B(b) to be a scrivener's error that was supposed to refer to 42 U.S.C. 7511(b)(2), which addresses consequences for failure to attain by the attainment date. *See* ''State Implementation Plans; General Preamble for the Implementation of Title I of the Clean Air Act Amendments of 1990,'' 57 FR 13498, 13569 n.41 (April 16, 1992).

[17] 84 FR 58641, 58660 (November 1, 2019) (proposing the same interpretation with respect to Imperial County for the 2008 ozone NAAQS); 85 FR 11817 (February 27, 2020) (finalizing the same).

[18] 57 FR 13498, 13511 (April 16, 1992) (contrasting Moderate areas, for which contingency measures would be triggered ''when the area fails to attain the standard by the attainment date'' with Serious and above areas, for which contingency measures would also be triggered ''if the area fails to meet the rate-of-progress requirements for any milestone other than one falling on an attainment year''); *See also* Memorandum from G.T. Helms, Chief Ozone/Carbon Monoxide Programs Branch, to Air Branch Chief, Regions I through X (March 11, 1993) (''The test for moderate areas will be whether they attained the standard because the attainment date for moderate areas coincides with the milestone demonstration date. Failure to attain will cause an area to be required to implement its contingency measures . . .''), available in the docket for this rulemaking. *See also Sierra Club* v. *EPA,* 99 F.3d 1551, 1557 (10th Cir. 1996) (upholding the EPA's interpretation not to require RFP contingency measures for moderate ozone NAA if the NAA attains the NAAQS); *NRDC* v. *EPA,* 571 F.3d 1245, 1260 (2009) (agreeing with *Sierra Club* v. *EPA*).

[19] 42 U.S.C. 7511a(g)(2).

[20] 42 U.S.C. 7511a(g)(1).

[21] 40 CFR 50.19.

[22] *See* footnote 7 of this preamble. According to appendix U to 40 CFR part 50, ambient monitoring sites with a DV of 0.070 ppm or less must meet minimum data completeness requirements in order to be considered valid. These requirements are met for a 3-year period at a site if daily maximum 8-hour average ozone concentrations are available for at least 90 percent of the days within the ozone monitoring season, on average, for the 3-year period, with a minimum of at least 75 percent of the days within the ozone monitoring season in any one year. Ozone monitoring seasons are defined for each State in appendix D to 40 CFR part 58. DVs greater than 0.070 ppm are considered to be valid regardless of the data completeness.

[23] 89 FR 97545 (December 9, 2024).

Table 1. 2021-2023 Fourth Highest MDA8 Ozone Concentrations and Design Values at All Monitors in the Northern Wasatch Front Nonattainment Area

Site ID	State	County	Monitor Name	Annual 4th Max (ppm)			2021-2023 DV (ppm)
				2021	2022	2023	
490110004	Utah	Davis	Bountiful	0.082	0.075	0.073	0.076
490352005	Utah	Salt Lake	Copperview	0.086	0.074	0.073	0.077
490354002	Utah	Salt Lake	Galleria	0.083	0.072	0.076	0.077
490353006	Utah	Salt Lake	Hawthorne	0.081	0.072	0.072	0.075
490353013	Utah	Salt Lake	Herriman	0.087	0.071	0.068	0.075
490353016	Utah	Salt Lake	Inland Port	0.084	0.075	0.073	0.077
490353014	Utah	Salt Lake	Lake Park	0.082	0.072	0.072	0.075
490353010	Utah	Salt Lake	Rose Park	0.079	0.075	0.070	0.074
490353015	Utah	Salt Lake	UT Tech Center	0.082	0.076	0.062	0.073
490450004	Utah	Tooele	Erda	0.075	0.070	0.068	0.071
490571003	Utah	Weber	Harrisville	0.077	0.071	0.070	0.072

Following the EPA's publication of the December 2024, Final Rule making the finding of failure to attain, the EPA received petitions to reconsider the rule from the Utah Congressional delegation on January 14, 2025, the State of Utah on January 22, 2025, and the Utah Petroleum Association on February 4, 2025. On March 5, 2025, the EPA granted the petitions for reconsideration and stated the Agency's intention to undertake a notice and comment rulemaking to reconsider the December 2024 Final Rule.[24] Additionally, the State and the Utah Petroleum Association filed petitions for review in the U.S. Court of Appeals for the Tenth Circuit, and the court granted the petitioners' subsequent motion to stay the December 2024 Final Rule on April 30, 2025.[25]

Further, on January 6, 2026, the EPA approved a request from the State of Utah that expanded the NWF ozone NAA boundary to include 12 additional townships within Tooele County.[26] As detailed in Utah's February 2023 request and associated analysis, a magnesium processing plant owned by US Magnesium, LLC located upwind of the NWF ozone NAA was directly impacting high ozone levels within the NWF ozone NAA and the State submitted a request to the EPA to expand the NAA boundary to include this facility.[27] This proposed rule impacts the NWF ozone NAA in its entirety, which includes this newly added portion and the US Magnesium facility.

D. International Transport and Clean Air Act Section 179B

On December 12, 2024, the State of Utah submitted a demonstration pursuant to CAA section 179B(b) concerning the impact of international emissions on the NWF ozone NAA (''Utah 179B(b) Demonstration'').[28] CAA section 179B(b) provides that if a State demonstrates to the Administrator's satisfaction that an ozone NAA would have attained the NAAQS by the applicable attainment date but for emissions emanating from outside the U.S., that area shall not be subject to the provisions of CAA section 181(b)(2).[29] In the event an air agency does not demonstrate to the Administrator's satisfaction that it would have attained the NAAQS but for international emissions, the area will remain subject to the provisions of CAA section 181(b)(2).

Emission sources outside of the U.S. can affect to varying degrees the air quality of NAAs in the U.S. In a NAA affected by international emissions, a State may elect under CAA section 179B to develop and submit to the EPA a demonstration intended to show that a NAA would attain, or would have attained, the relevant NAAQS by the applicable statutory attainment date but for emissions emanating from outside the U.S.[30] Under CAA section 179B, the EPA evaluates such demonstrations and, if the Agency agrees with the air agency's demonstration, the Agency considers the impacts of international emissions in taking specific regulatory actions.

CAA section 179B provides the EPA with authority to consider impacts from international emissions in two contexts: (1) a ''prospective'' State demonstration submitted as part of an attainment plan, which the Agency considers when determining whether the SIP submission adequately demonstrates that a NAA will attain the NAAQS by its future attainment date but for emissions emanating from outside the U.S. (CAA section 179B(a)), or (2) a ''retrospective'' State demonstration, which the EPA considers after the attainment date in determining whether a NAA attained the NAAQS by the attainment date but for emissions emanating from outside the U.S. (CAA section 179B(b)–(d)).

[24] Copies of the petitions and the EPA's responses granting the petitions are provided in Docket ID No. EPA–R08–OAR–2024–0552. The docket also includes a January 22, 2025, letter to the EPA from Kennecott Utah Copper LLC in support of Utah's petition, and a January 14, 2025, letter from the Utah Congressional delegation asking the EPA to reconsider the December 9, 2024, final rule.

[25] *Utah* v. *EPA,* No. 25–9519 (10th Cir. April 30, 2025); *Utah Petroleum Association* v. *EPA,* No. 25–9520 (10th Cir. April 30, 2025). The practical implication of this judicial stay is that the NWF ozone NAA is currently classified as Moderate as of the date of this proposal.

[26] 91 FR 339 (January 6, 2026).

[27] 90 FR 46128, 46130 nn.9–10 (September. 25, 2025).

[28] *See* letter dated December 12, 2024 from Utah Governor Spencer J. Cox to EPA Region 8 Administrator Kathleen Becker, transmitting Utah's submittal of a CAA section 179B(b) International Transport Demonstration for the NWF ozone NAA to the EPA for review, and see accompanying demonstration from the Utah Department of Environmental Quality Air Quality Division titled ''Northern Wasatch Front Nonattainment Area 2015 Ozone NAAQS—Clean Air Act 179B(b) Demonstration'' (''Utah 179B(b) Demonstration''), available in the docket for this action.

[29] *See* footnote 16 of this preamble.

[30] All references to CAA section 179B are to 42 U.S.C. 7509a, titled ''International border areas,'' as added in Public Law 101–549, title VIII, section 818, 104 Stat. 2697 (1990).

First, CAA section 179B(a) provides that: ''Notwithstanding any other provision of law, an implementation plan or plan revision required under this chapter shall be approved by the Administrator if—(1) such plan or revision meets all the requirements applicable to it . . . other than a requirement that such plan or revision demonstrate attainment and maintenance of the relevant national ambient air quality standards by the attainment date specified under the applicable provision of this chapter, or in a regulation promulgated under such provision, and (2) the submitting State establishes to the satisfaction of the Administrator that the implementation plan of such State would be adequate to attain and maintain the relevant national ambient air quality standards by the attainment date . . . but for emissions emanating from outside of the United States.'' [31] The EPA refers to CAA section 179B(a) demonstrations as ''prospective'' demonstrations because they are intended to assess future air quality, taking into consideration the impact of international emissions.

Second, CAA section 179B(b) provides that, for ozone NAAs, ''[n]otwithstanding any other provision of law, any State that establishes to the satisfaction of the Administrator that . . . such State would have attained the national ambient air quality standard . . . by the applicable attainment date but for emissions emanating from outside of the United States,'' shall not be subject to the provisions of CAA section 181(b)(2), including reclassification to a higher classification category by operation of law.[32] The EPA refers to demonstrations developed under CAA section 179B(b) as ''retrospective'' demonstrations because they involve analyses of past air quality (*e.g.,* air quality data from the years evaluated for determining whether an area attained by the attainment date). Thus, an EPA-approved retrospective demonstration provides relief from reclassification that would have resulted from the EPA determining that the area failed to attain the NAAQS by the relevant attainment date.

The 2015 Ozone NAAQS Implementation Rule did not include regulatory requirements specific to CAA section 179B but did provide guidance on certain points.[33] In the preamble to the 2015 Ozone NAAQS Implementation Rule, the EPA confirmed that: (1) only areas classified Moderate and higher must show that they have implemented RACM/RACT; (2) CAA section 179B demonstrations are not geographically limited to NAAs adjoining an international border; and (3) a State demonstration prepared under CAA section 179B can consider emissions emanating from sources in any country, including outside North America.[34] In the preamble to the 2015 Ozone NAAQS Implementation Rule, the EPA encouraged air agencies to consult with the appropriate EPA regional office in developing CAA section 179B demonstrations.

The EPA issued more detailed guidance regarding CAA section 179B on December 18, 2020, which included recommendations to assist State, local, and Tribal air agencies that intend to develop a CAA section 179B demonstration (''179B Guidance'').[35] On April 7, 2025, the Administrator rescinded the 179B Guidance and announced that the ''EPA intends to work with State and local air agencies to develop the evidence necessary to grant regulatory relief under CAA Section [179B].'' [36] Accordingly, in this rulemaking, the EPA is applying interpretations and policies that differ in certain respects from those set forth in the rescinded 179B Guidance and previous actions under CAA section 179B(b), consistent with the discretion provided to the EPA under the CAA and relevant case law concerning agencies' authority to reconsider prior decisions.[37]

E. Atypical Events: Exclusion of Unrepresentative Air Quality Data

The EPA allows for the exclusion of unrepresentative air quality data from certain regulatory determinations that qualify either as ''exceptional events'' or ''atypical events.'' As described below in sections IV.B and IV.C of this preamble, the Utah 179B(b) Demonstration excludes atypical event air quality data impacted by wildfire smoke from its air quality modeling.

Congress has recognized that it may not be appropriate for the EPA to use certain monitoring data collected by the ambient air quality monitoring network and maintained in the Air Quality System in certain regulatory determinations.[38] Thus, in 2005, Congress provided the statutory authority for the exclusion of data influenced by ''exceptional events'' meeting specific criteria by adding section 319(b) to the CAA.[39] To implement this 2005 CAA amendment, the EPA promulgated administrative rules codified at 40 CFR parts 50 and 51 (sections 50.1, 50.14 and 51.930) (''Exceptional Events Rule'').[40] The Exceptional Event Rule contains definitions, procedural requirements, requirements for air agency demonstrations, criteria for the EPA's approval of the exclusion of exceptional event-affected air quality data from the data set used for regulatory decisions, and requirements for air agencies to take appropriate and reasonable actions to protect public health from exceedances or violations of the NAAQS. In 2016, the EPA promulgated a comprehensive revision to the Exceptional Events Rule.[41] Under the 2016 revisions, if a State demonstrates to the EPA's satisfaction that emissions from an exceptional event as defined by 40 CFR 50.1 including a wildfire, caused a specific air pollution concentration in excess of the NAAQS at a particular air quality monitoring location and otherwise satisfies the requirements of 40 CFR 50.14, the Agency must exclude that data from use in determinations of exceedances and violations.[42]

In addition to exceptional events, the EPA and States may also exclude unrepresentative air quality data from certain modeling analyses. Among other things, past air quality monitoring data reflecting elevated, unrepresentative pollutant levels due to wildfires and other ''atypical events'' may be excluded from DV calculations used in air quality modeling. The EPA allows for modeling to exclude monitoring air quality data influenced by atypical events because these events result in unrepresentative monitoring data that, if used in modeling calculations, would not create representative modeled air quality estimates.

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[31] 42 U.S.C. 7509a(a) (emphasis added).

[32] 42 U.S.C. 7509a(b) (emphasis added).

[33] 83 FR 62998, 63010 (December 6, 2018).

[34] *Id.*

[35] ''Guidance on the Preparation of Clean Air Act Section 179B Demonstrations for Nonattainment Areas Affected by International Transport of Emissions'' (December 18, 2020). The EPA also issued a notice of availability in the **Federal Register** on January 7, 2021 (86 FR 1105).

[36] *See* EPA News Release: Administrator Zeldin Moves Forward with Ensuring U.S. States Are Not Punished for Foreign Air, April 7, 2025, *https://www.epa.gov/newsreleases/administrator-zeldin-moves-forward-ensuring-us-states-are-not-punished-foreign-air.*

[37] *See, e.g., FDA* v. *Wages & White Lion Invs., L.L.C.,* 604 U.S. 542, 567–68 (2025); *FCC* v. *Fox Television Stations, Inc.,* 556 U.S. 502, 515 (2009) (referencing *Motor Vehicle Mfrs. Ass'n* v. *State Farm Mut. Auto. Ins. Co.,* 463 U.S. 29 (1983)) (an agency is free to change a prior policy and ''need not demonstrate . . . that the reasons for the new policy are better than the reasons for the old one; it suffices that the new policy is permissible under the statute, that there are good reasons for it, and that the agency believes it to be better'').

[38] U.S. Environmental Protection Agency, Air Quality System (AQS) Data Mart, available via *https://www.epa.gov/outdoor-air-quality-data.*

[39] 42 U.S.C. 7619(b).

[40] 72 FR 13560 (March 22, 2007).

[41] 81 FR 68216 (October 3, 2016).

[42] 40 CFR 50.14(b)(4).

In the preamble to the final 2016 Exceptional Events Rule, the EPA explained that ''it may be appropriate to exclude data using mechanisms other than the Exceptional Events Rule,'' based upon whether a particular situation concerns '' 'past' versus 'predicted' exceedances and/or violations.'' [43] The preamble further explained:

> ''[P]redictions of future NAAQS violation(s) generally involve reviewing the historical ambient concentration data that are the evident focus of CAA section 319(b), estimating expected future emissions, and then using both of these data sets as inputs to an air quality modeling tool or other analytical approach that extrapolates these data to predict a future outcome . . . . [T]he fact that these predicted future values rely only in part on historical monitoring data implies that a different standard for data exclusion may be appropriate.'' [44]

The EPA further stated that ''we . . . intend to develop a supplementary guidance document . . . which will describe the appropriate additional pathways for data exclusion for some 'predicted future' monitoring data applications.'' [45]

The EPA published that supplementary guidance document in 2019, the Clarification Memo on Data Modification.[46] The Clarification Memo on Data Modification clarified what types of air quality data exclusions fall under the Exceptional Events Rule and identified ''other determinations, actions, and analyses that are not covered by the scope of the Exceptional Events Rule, but for which the exclusion, selection, or adjustment of monitoring data may be appropriate and allowable'' under the CAA and applicable rules and guidance.[47] For example, the Clarification Memo on Data Modification cites an EPA administrative rule titled ''Guideline on Air Quality Models,'' which allows for modification of the ambient data record for purposes of certain modeling analyses.[48] In particular, the Guideline on Air Quality Models allows for ''removal of data from specific days or hours when a monitor is being impacted by activities that are not typical or not expected to occur again in the future (*e.g.,* construction, roadway repairs, forest fires, or unusual agricultural activities).'' [49] The Clarification Memo on Data Modification also cites modeling guidance issued by the EPA in 2018 discussing exclusion of data influenced by atypical events in the context of (1) establishing a base DV, and (2) developing relative response factors (RRF) as part of modeling calculations (''2018 Modeling Guidance'').[50]

II. Legal Authority

The statutory authority for the actions proposed in this rulemaking is provided by the CAA, as amended.[51] Relevant portions of the CAA include, but are not limited to, CAA sections 179B and 181(b)(2). Additionally, the EPA has the authority to reconsider and revise, rescind, and repeal final actions to the extent permitted by law so long as it offers a reasonable basis for doing so and considers applicable reliance interests.[52]

As explained in section I.C of this preamble, CAA section 181(b)(2)(A) requires that within 6 months following the applicable attainment date, the EPA shall determine whether an ozone NAA attained the ozone standard based on the area's DV as of that date. A finding by the EPA that an area has not attained the standard by the attainment date results in that area being reclassified by operation of law to the next higher classification.

As explained in section I.D of this preamble, CAA section 179B provides the EPA with the authority to consider, based on a State's demonstration, whether a NAA will attain or would have attained the NAAQS by the applicable attainment date but for impacts from international emissions. If a State provides a demonstration under CAA section 179B(b) that establishes to the satisfaction of the Administrator that an area would have attained the ozone NAAQS by the applicable attainment date but for emissions emanating from outside of the U.S., the area shall not be subject to specified provisions, including CAA section 181(b)(2), which includes determinations of attainment by the relevant attainment date and reclassification for failure to attain.[53]

III. Proposed Action

This notice and comment rulemaking arises out of the EPA's March 5, 2025, granting of the petitions for reconsideration of the December 2024 Final Rule submitted by the Utah Congressional delegation, the State of Utah, and the Utah Petroleum Association. Upon reconsideration and review of technical information submitted by the State of Utah, including a 179B(b) demonstration for the NWF ozone NAA, the EPA is proposing to repeal the December 2024 Final Rule, which determined that the NWF ozone NAA area failed to attain by the Moderate attainment date and reclassified it by operation of law to a Serious ozone NAA. The EPA is proposing to repeal that prior action because the Agency is also proposing to determine that the NWF ozone NAA would have attained the 2015 ozone NAAQS by the applicable Moderate area attainment date but for emissions emanating from outside the U.S., thereby retaining the area's Moderate nonattainment classification. In doing so, the EPA is proposing that it is appropriate to exclude atypical events due to wildfire smoke in the modeling supporting the determination that the NWF ozone NAA would have attained the NAAQS by the attainment date but for international emissions.

In this rulemaking, the EPA is applying interpretations and policies that differ in certain respects from those set forth in the rescinded 179B Guidance and previous actions under CAA section 179B(b), consistent with the discretion provided to the EPA under the CAA and relevant case law concerning agencies' authority to reconsider prior decisions. The CAA does not specify what technical analyses would be sufficient to demonstrate ''to the satisfaction of the Administrator'' that a ''State would have attained the [ozone NAAQS] by the applicable attainment date, but for'' international emissions. The best reading of the phrase ''to the satisfaction of the Administrator'' is that it provides inherent flexibility to the EPA to determine what analyses are sufficient.[54] As described in previous EPA 179B(b) determinations: ''[t]he EPA considers and qualitatively weighs all

[43] 81 FR 68216, 68228 (October 3, 2016).

[44] *Id.*

[45] *Id.* at 68229.

[46] Memorandum from Richard Wayland, Director Air Quality Assessment Division, ''Additional Methods, Determinations, and Analyses to Modify Air Quality Data Beyond Exceptional Events,'' dated April 4, 2019 (''Clarification Memo on Data Modification''), available at *https://www.epa.gov/sites/default/files/2019-04/documents/clarification_memo_on_data_modification_methods.pdf.*

[47] *Id.*

[48] 40 CFR part 51, appendix W.

[49] 40 CFR part 51, appendix W, section 8.3.2.c.ii. *See also id.* sections 8.3.2.d and 8.3.3.d.

[50] Memorandum from Richard Wayland, Director Air Quality Assessment Division, ''Modeling Guidance for Demonstrating Attainment of Air Quality Goals for Ozone, $PM_{2.5}$ and Regional Haze,'' dated November 29, 2018 (''2018 Modeling Guidance''), available at *https://www.epa.gov/sites/default/files/2020-10/documents/o3-pm-rh-modeling_guidance-2018.pdf,* at 102–106.

[51] 42 U.S.C. 7401 *et seq.*

[52] *See* footnote 37 of this preamble.

[53] *See* footnote 16 of this preamble.

[54] *Loper Bright Enters.* v. *Raimondo,* 603 U.S. 369, 395 (2024) (''[Other statutes] empower an agency . . . to regulate subject to the limits imposed by a term or phrase that 'leaves the agencies with flexibility,' . . . such as 'appropriate' or 'reasonable.' '').

evidence based on its relevance to CAA section 179B and the nature of international contributions as described in the demonstration's conceptual model. Every demonstration should include fact-specific analyses tailored to the [NAA] in question.'' [55]

The EPA is retaining this overall approach to evaluating 179B(b) demonstrations, which the Agency finds to be consistent with the discretion granted to the Agency under section 179B(b). However, the EPA no longer considers specific characteristics related to a given NAA as necessarily suggesting the need for a more detailed demonstration with additional evidence.[56] Similarly, the EPA is no longer applying the previous policy that ''[w]hen a CAA section 179B demonstration shows that international contributions are larger than domestic contributions, the weight of evidence will be more compelling than if the demonstration shows domestic contributions exceeding international contributions.'' [57]

In evaluating previous CAA section 179B demonstrations, the EPA has also considered what measures an air agency has implemented to control local emissions. Specifically, the EPA has stated, ''[f]or the EPA to concur with a state's CAA section 179B retrospective demonstration, the weight of evidence should show the area could not attain with on-the-books measures and potential reductions associated with controls required for that particular NAAQS and classification that are to be implemented by the attainment date.'' [58] The EPA has also previously noted that ''[b]ecause CAA section 179B does not relieve an air agency of its planning or control obligations, the air agency should show that it has implemented all required emissions controls at the local level as part of its demonstration.'' [59]

The EPA now proposes that the Agency's prior interpretation of CAA section 179B(b), with regard to planning and control obligations as noted above, was not the best reading of the statute. CAA section 179B(b) does not expressly require that a State meet all CAA requirements for an area's classification as a precondition before the EPA can approve a retrospective demonstration. Accordingly, the EPA is now proposing to change the Agency's policy with respect to analysis of potential controls as part of a 179B(b) demonstration. Under the proposed new interpretation, States will no longer be expected to show that they could not attain with on-the-books measures and potential reductions associated with controls required to be implemented by the attainment date to qualify for approval of a CAA section 179B(b) determination. For example, areas classified Moderate and higher would no longer need to show that they could not attain by implementing RACM and RACT. However, approval of a 179B(b) demonstration does not relieve a State of its obligation to adopt and submit the required SIP elements for its existing classification, with the exception of contingency measures.[60]

As noted, the EPA proposes to find that, if the Agency finalizes approval of the 179B(b) determination as proposed, the contingency measure requirements of CAA section 172(c)(9) would no longer apply to the NWF Moderate 2015 ozone NAA. Specifically, as explained in section I.B of this preamble, attainment contingency measures and RFP contingency measures can only be triggered for a Moderate ozone NAA by a finding of failure to attain under CAA section 181(b)(2). As previously noted, if the EPA finalizes the Agency's proposed determination under 179B(b), the NWF ozone NAA will no longer be subject to the provisions of CAA section 181(b)(2). Therefore, neither contingency measures for failing to attain, nor RFP contingency measures will be triggered for the NWF NAA. Accordingly, if the EPA finalizes the 179B(b) determination for the NWF Moderate 2015 ozone NAA, the requirement for Utah to submit contingency measures for failure to attain and RFP will no longer apply to this area.

This proposed determination of attainment but for international emissions under CAA section 179B(b) would not constitute formal redesignation to attainment as provided for under CAA section 107(d)(3). Redesignations to attainment require, among other things, that the States responsible for ensuring attainment and maintenance of the NAAQS have met the applicable requirements under CAA section 110 and title I, Part D (sections 171–193) and require States to submit to the EPA for approval a maintenance plan to ensure continued attainment of the standard for 10 years following redesignation, as provided under CAA section 175A. This action, if finalized, will result in the NWF ozone NAA retaining its Moderate nonattainment classification and will not be subject to being reclassified to any higher nonattainment classifications under CAA section 181(b)(2).

If the EPA takes final action determining that the NWF ozone NAA would have attained the 2015 ozone NAAQS by the Moderate attainment date of August 3, 2024, but for emissions emanating outside of the U.S. (as demonstrated by modeling of international emissions and the exclusion of wildfire smoke atypical events from modeling calculations, among other factors), the NWF will remain a Moderate NAA and still will be required to submit all outstanding required Moderate SIP elements aside from contingency measures.

Additional information supporting the EPA's proposed action is included in the Technical Support Document (TSD) provided in the docket for this rulemaking.

The EPA seeks comment on all aspects of the proposed actions described in this preamble, including with respect to our statutory authority to reconsider and repeal the December 2024 Final Rule and any changes in interpretation and policy relevant thereto. Because this action would, if finalized, relieve certain obligations for the State of Utah and adopt interpretations and policies that clarify the ways in which other States may satisfy statutory obligations under similar circumstances, the EPA does not believe there are reasonable and

[55] 87 FR 50030, 50033 (August 15, 2022); *see also* 87 FR 21842, 21852 (April 13, 2022).

[56] In previous actions on CAA section 179B demonstrations, the EPA has stated the following characteristics would suggest the need for a more detailed demonstration with additional evidence: (1) affected monitors are not located near an international border; (2) specific international sources and/or their contributing emissions are not identified or are difficult to identify; (3) exceedances on internationally influenced days are in the range of typical exceedances attributable to local sources; and (4) exceedances occurred in association with other processes and sources of pollutants, or on days in which meteorological conditions were conducive to local pollutant formation (*e.g.,* for ozone, clear skies, and elevated temperatures). *See* 87 FR 21842, 21852 (April 13, 2022); 87 FR 60897, 60906 (October 7, 2022); 87 FR 50030, 50033 (August 15, 2022).

[57] Guidance on the Preparation of Clean Air Act Section 179B Demonstrations for Nonattainment Areas Affected by International Transport of Emissions, EPA–457/P–20–001F, December 2020, at page 7 (rescinded); *see also* 87 FR 21842, 21852 (April 13, 2022); 87 FR 60897, 60906 (October 7, 2022).

[58] 87 FR 50030, 50034 (August 15, 2022); *see also* 87 FR 21842, 21852 (April 13, 2022).

[59] 87 FR 21842, 21852; *see also* ''Technical Support Document (TSD), Northern Wasatch Front (NWF), Utah: Failure to Attain 2015 Ozone National Ambient Air Quality Standard by Attainment Date; Reclassification and Disapproval of International Emissions Demonstration, January 2022,'' available in the docket for this action. However, a State could choose to follow the recommended procedures in the 179B Guidance, and the EPA would consider that as part of the weight of evidence. *See* 83 FR 62998, 63010 (December 6, 2018) (''For purposes of CAA section 179B demonstrations for the 2015 ozone NAAQS, we are maintaining the approach used for prior ozone standards that only areas classified Moderate and higher must show that they have implemented RACM/RACT.'').

[60] *See* footnote 11 of this preamble.

cognizable reliance interests that would be adversely impacted by finalizing this action as proposed. Nevertheless, the EPA seeks comment on whether such reliance interests exist and, if so, how the Agency should consider them in taking any final action on this proposal.

IV. Northern Wasatch Front Ozone NAA—Proposed Determination of Attainment But for International Emissions

A. NWF Ozone NAA

The NWF ozone NAA is an urbanized area with a population over 1.8 million.[61] The meteorology of the urbanized Wasatch Front is strongly influenced by the Wasatch Mountain Range to the east of the urban corridor and the Great Salt Lake and Utah Lake to the west of the urbanized area.[62] Peak ozone season is typically from May through September, with ozone exceedances often occurring when wind speed and relative humidity are low, temperature is high, and cloud cover is minimal. Further, ozone levels are commonly impacted by wildfire smoke from summer wildfire events, as well as from ozone and ozone precursor emissions that are transported into the NAA from upwind sources, including the upper troposphere, portions of Utah not within the designated NAA, other States, and other countries.[63]

Utah currently operates ozone monitors at 22 locations statewide, including 11 active regulatory monitoring sites, as defined by 40 CFR 58.1, in the NWF ozone NAA (*See* table 1). Each year, the Air Monitoring Section of Utah's Division of Air Quality produces an Annual Monitoring Network Plan (AMNP) in accordance with 40 CFR 58.10.[64] The most recent AMNP was approved by the EPA in July 2025.[65] Data from this monitoring network are what the EPA previously relied upon in issuing a finding of failure to attain in the December 2024 Final Rule.

B. Overview of NWF Proposed Determination of Attainment but for International Emissions

On December 12, 2024, the State of Utah submitted a retrospective 179B(b) demonstration showing that the NWF ozone NAA would have met the 2015 ozone NAAQS by the Moderate attainment date of August 3, 2024, but for emissions emanating from international sources (as demonstrated by modeling of international emissions and the exclusion of wildfire smoke atypical events from modeling calculations, among other factors).

The EPA has used a weight-of-evidence approach to evaluate whether the data, technical analyses, and overall strength of the evidence provided by Utah supports a proposed determination that emissions from outside the U.S. prevented the NWF ozone NAA from attaining the ozone standard by the attainment date. Additional details are included in the TSD provided in the docket for this rulemaking.

The CAA does not specify what technical analyses would be sufficient to demonstrate ''to the satisfaction of the Administrator'' that a ''State would have attained the [ozone NAAQS] by the applicable attainment date, ''but for'' international emissions''. The CAA does not define the term ''but for.'' The plain meaning of this term, however, as evidenced by standard dictionary definitions, is that something is the ''but for'' cause of an event if the event would not have occurred absent that factor. This meaning is the best reading of the term in CAA section 179B(b), for which the proper question is whether a NAA would have attained the relevant NAAQS by the applicable attainment date in the absence of impacts of international emissions. When a State properly establishes the existence of, and quantity of, such international impacts in the NAA, the EPA can evaluate whether such impacts caused the failure to attain.

Moreover, the best reading of the phrase ''to the satisfaction of the Administrator'' is that it provides inherent flexibility to the EPA to determine what analyses are sufficient for this purpose.[66] As described in previous EPA 179B(b) determinations:

Given the extensive number of technical factors and meteorological conditions that can affect international transport of air pollution, and the lack of specific guidance in the Act, the EPA evaluates CAA section 179B demonstrations based on the weight of evidence of all information and analyses provided by the air agency.[67]

C. Evidence Supporting NWF Ozone Attainment Status

The primary lines of evidence provided in the Utah 179B(b) Demonstration to support that the NWF ozone NAA would have attained the 2015 ozone NAAQS by the attainment date but for the impacts of international emissions included an assessment of local and synoptic weather patterns, air quality measurements, satellite imagery, remote sensing data, and wildfire smoke information provided by the National Oceanic and Atmospheric Administration (NOAA), the National Aeronautics and Space Administration (NASA), and the United States Geological Survey (USGS). Trajectory and air quality modeling were also completed to understand the conditions associated with elevated ozone levels in the NWF ozone NAA. In general, these analyses illustrated that the NWF ozone NAA is located in an environment with complex meteorological conditions and terrain that can transport air originating from areas outside of Utah and trap pollution, contributing to degraded local air quality and elevated ozone levels.

The transport trajectories also support the finding that pollution originating from regions in Asia and Mexico impacted the ozone levels in the NWF ozone NAA during days with ozone exceedances. Because transport trajectories are used to determine the origin and dispersion of air parcels,[68] Utah also used an air quality model that included source apportionment to account for the complex physical and chemical processes that occur as air pollution disperses from international sources and to quantify the contributions from international anthropogenic sources. Here, the results from the air quality model predicted that the average international anthropogenic emission contributions over the 10 highest modeled ozone days across the State of Utah ranged from an estimated 3 ppb to 6 ppb. Further, the back trajectory and air quality model analyses and air quality observations showed that wildfire smoke from outside of the State of Utah (*e.g.,* from the Western and Northwestern U.S.) impacted the NWF ozone NAA monitors on several days with ozone

[61] 2020 U.S. Census, *https://www.census.gov/data/datasets/2020/dec/2020-census-redistricting-summary-file-dataset.html.*

[62] Utah 179B(b) Demonstration, Appendix I, Section 2.3 and Appendix II, page 123 of 478.

[63] Pan and Faloona. (2022). The Impacts of Wildfires on Ozone Production and Boundary Layer Dynamics in California's Central Valley, *Atmospheric Chemistry and Physics Discussions,* 1–30. *See also* Lindaas J. et al. (2017). Changes in ozone and precursors during two aged wildfire smoke events in the Colorado Front Range in summer 2015, *Atmospheric Chemistry and Physics, 17*(17), 10691–10707.

[64] The purpose of the document is to apprise stakeholders (public, private, government) and other entities of the current and the upcoming changes to the State's air monitoring network.

[65] *See* letter dated June 30, 2025, from Bryce Bird, Director, Division of Air Quality, Utah Department of Environmental Quality to Adrienne Sandoval, EPA Region 8 Director, Air and Radiation Division, submitting Utah's 2025 Annual Monitoring Network Plan, available in the docket for this action.

[66] *See* footnote 54 of this preamble.

[67] *See* footnote 55 of this preamble.

[68] An air parcel is a body of air that retains its general characteristics as it moves through the atmosphere.

exceedances, and support excluding the unrepresentative and atypical air quality monitoring data on these days from modeled DV calculations for the purpose of the 179B(b) demonstration as explained in section IV.C.4 of this preamble.

Additionally, as described further below in section IV.C.3 of this preamble and in section 2.c of the TSD, the EPA's modeling supported Utah's modeled estimates of international anthropogenic emissions contributions. As described further below in section IV.C.4 of this preamble and in section 2.d of the TSD, the EPA's analysis of wildfire smoke impact on air quality monitors in the NWF ozone NAA supported the exclusion of atypical air quality monitoring data from modeled DV calculations for the purpose of the Utah 179B(b) Demonstration.

1. Conceptual Model of NWF Ozone Exceedances

The Utah 179B(b) Demonstration assessed various types of information and data to describe the factors and conditions that may cause the exceedances at the regulatory monitors within the NWF ozone NAA. This information included an examination of the existing air quality, meteorology, local and long-range transport, and the influence of emissions from within and outside the NAA on days with ozone exceedances. Based on monitoring data, the elevated ozone levels are an area-wide problem because all 11 monitors within the NWF NAA exceeded the 70-ppb standard in all three years between 2021 and 2023 (which comprise the 2023 DV). In addition to local emissions contributing to ozone formation in the NWF ozone NAA, the Utah 179B(b) Demonstration showed that the area's complex terrain and meteorological conditions can also make the area susceptible to air pollution originating from outside of the State. Utah's analysis showed that these conditions can create persistent high-pressure systems, low wind speeds, low relative humidity, high temperatures, and suppressed mixing heights and cloud formations. These conditions are commonly associated with elevated ozone levels and were shown to exist in the NWF ozone NAA during the period of 2021 through 2023.[69] The relatively high baseline elevation, coupled with its warm and dry climate, can also enhance the vertical circulation of air that exposes the area to mid- and upper-tropospheric air with foreign pollution during the summer ozone season. Additionally, Utah's analysis showed that persistent global circulation patterns, or large-scale movement of air, created a direct transport route in the mid- to upper-troposphere that could bring pollution from Mexico and Asia to the Western U.S. and into the NWF ozone NAA within days to weeks.

Utah's 179B(b) demonstration shows that the total number of days with ozone exceedances ranged from 1 to 28 days across all regulatory monitors between 2021 and 2023. Extensive wildfire activity in the Western U.S. during the summer of 2021 was associated with a high number of ozone exceedances.[70] Utah used a two-factor methodology involving surface monitoring of particulate matter ($PM_{2.5}$) concentrations and satellite imagery to identify days that were impacted by wildfire smoke.[71] Days identified with the presence of wildfire smoke were confirmed by the use of NOAA's Hazard Mapping System. Based upon this analysis, the EPA has determined that the number of exceedance days in 2021 was an average of 4 times higher than when compared to 2022 and 2023 across the entire monitoring network (6 and 8 wildfire smoke influenced exceedance days in 2022 and 2023 respectively, compared to 27 wildfire smoke influenced exceedance days in 2021), indicating a widespread wildfire smoke impact on ozone levels in the NWF ozone NAA that is separate from any local source influences.[72]

2. Back Trajectory Model Analyses of International Transport Patterns on Ozone Exceedance Days

Utah completed back trajectory model analyses to explore the origins of air parcels that arrived in the NWF ozone NAA from long-range transport on days with ozone exceedances between 2021 and 2023. These analyses focused on 33 ozone exceedance days without impacts from wildfire smoke. After the wildfire smoke days between 2021 and 2023 were excluded, the results indicated that 29 of the 33 ozone exceedance days (88 percent) had air parcels originating from Asia (40 percent) or Mexico (48 percent), and the remaining four ozone exceedance days had air parcels originating from other areas of the U.S. outside of Utah. The results from this analysis support Utah's assertion that most of the local ozone exceedances were impacted by international anthropogenic emissions.

3. Quantification of International Contributions Using Photochemical Air Quality Modeling

Utah used a photochemical air quality model that included source apportionment to quantify the local, regional, and international anthropogenic source contributions to ozone exceedances in the NWF ozone NAA. For 8 of the 11 monitors in the NWF ozone NAA, modeling demonstrated that the NAA would have attained but for international emissions. For the remaining three monitors, modeling demonstrated that the NAA would have attained but for international emissions after excluding wildfire smoke atypical events from modeling calculations. Utah used modeling to simulate ozone levels during the 2017 base year and 2023 future year. The 2017 base year was selected to serve as the baseline for modeling the air quality conditions because Utah considered it representative of typical air quality events that have occurred in more recent years. Utah also selected the 2023 future year as the target year for projecting future ozone levels because it is the last full year of data that the EPA evaluated for determining attainment of Moderate NAAs for the 2015 ozone NAAQS. Utah used the conditions from these years in the model to quantify the contribution of the international anthropogenic sources on the modeled ozone values across the NWF ozone NAA and to determine the projected 2023 future DV (FDV). Utah's source apportionment analysis also focused on model results between June and July 2023. The 2018 Modeling Guidance does not require the model simulations to cover the entire base and future years or the typical ozone season because of the resources needed to complete the model simulations.[73] Instead, the 2018 guidance recommends selecting a time period to model that captures the meteorological conditions conducive to elevated pollution concentrations or poor air quality and corresponds with the observed MDA8 at the monitoring sites with the NAA. The modeling episode was selected after careful examination by Utah of several summertime episodes in 2014, 2016, 2017, and 2018 that exhibited multiple ozone exceedances. Selection was based on an analysis of meteorological

[69] *See* the EPA's TSD for this rulemaking, section 2.a. *See also* Utah 179B(b) Demonstration, Appendix II (page 130).

[70] Utah 179B(b) Demonstration, Appendix I, Section 2, Figure 3.

[71] *Id.*

[72] *See* Utah 179B(b) Demonstration, Appendix I, Section 2.3.

[73] *See* 2018 Modeling Guidance. *See also* Software for the Modeled Attainment Test—Community Edition (SMAT–CE), EPA Photochemical Modeling Tools: *https://www.epa.gov/scram/photochemical-modeling-tools.*

conditions, ozone exceedances, and pollutants trends to ensure that the selected time period satisfied the EPA's recommended selection criteria.[74]

To determine the international anthropogenic contributions to monitored DVs, Utah completed modeling based upon the model attainment test procedures from the 2018 Modeling Guidance and model attainment test tool.[75] As described in the 2018 Modeling Guidance, typical attainment demonstrations calculate a model-derived RRF at each selected monitoring site, which is based on the relative (or fractional) change in the concentrations between base year and future year model results. The RRF calculated at each monitoring site is then multiplied by the monitored base year DV to provide an estimated FDV for comparison to the NAAQS. For determining the international contributions in the Moderate attainment year (*i.e.,* 2023), instead of using the modeled base year and future year to develop the RRFs, Utah used model results from two 2023 future year simulations to develop international anthropogenic RRFs at each monitoring site. These simulations comprised of one simulation that included international anthropogenic emissions and another that excluded the international anthropogenic emissions. This approach attempts to represent the fractional change in ozone levels when international sources are excluded from the model and identifies the modeled ozone sensitivity to international anthropogenic emissions. Utah then applied these RRFs to adjust the monitored 2023 DVs and estimate the 2023 DVs that account for the estimated impact of the international anthropogenic emissions for purposes of comparison to the NAAQS. The methods and assumptions used in the air quality model and the assessment of international anthropogenic emissions are appropriate for the purpose of this demonstration.

The EPA previously estimated the impact of international anthropogenic emissions on ozone in the NWF ozone NAA using a 2016 model platform and following the Agency's modeling guidance.[76] This analysis considered international contributions relative to 2018–2020 DVs for the Bountiful and Rose Park monitors. The EPA compared ozone simulated from the 2016 model platform that included a full estimate of emissions (*i.e.,* included international anthropogenic emissions) to ozone predicted from a model simulation without the international anthropogenic emissions. Here, the international anthropogenic contribution to ozone was determined based on the differences in ozone predicted by these two model simulations. Because this previous analysis completed by the EPA focused on ozone at the Bountiful and Rose Park monitors located in the NWF ozone NAA, the EPA expanded this analysis to include all monitors with exceedances for the 2021–2023 DVs in the NWF ozone NAA. This additional analysis supported the evidence presented in Utah's demonstration (*See* section 2.c of the TSD for more details).

Table 2 presents observed ozone levels based on monitoring data and estimated international anthropogenic contributions from the two air quality model analyses (namely the ''EPA Assessment'' and the ''Utah 179B(b) Demonstration''). While the results from these analyses show different estimated contributions from international anthropogenic sources, the results still offer a range of plausible contributions. Based on the model results included in the Utah 179B(b) Demonstration, the site-specific international anthropogenic contributions to ozone levels ranged from an estimated 4.3 ppb to 5.2 ppb across the regulatory monitoring sites in the NWF ozone NAA, while the model results from the EPA's Assessment showed the contributions ranging from an estimated 8.2 ppb to 9.8 ppb across these sites. The modeled international contributions included in the Utah 179B(b) Demonstration are generally lower than estimates from the EPA Assessment, so that the international contribution to ozone levels in Utah's demonstration may be seen as relatively conservative. Ultimately, these results indicate that all but three of the NWF ozone NAA monitors (Copperview, Inland Port, and Near Road) would have attained the ozone NAAQS after subtracting the site-specific international anthropogenic contributions to ozone (*See* FDV_{adj} in table 2 of this preamble).[77] Based upon these results, the remaining three monitors required further evaluation to determine whether they too would have attained the ozone NAAQS after subtracting international anthropogenic contributions and wildfire smoke atypical events on specific exceedance days. As discussed in section IV.C.4 of this preamble, when modeling also excluded air quality data impacted by atypical events—unrepresentative monitored ozone data impacted by wildfire smoke—the modeling demonstrated that these three monitors also would have attained the ozone NAAQS.

[74] Utah Divion of Air Quality, Ozone Non-Attainment Demonstration Wasatch Front, Modeling Protocol, October 2021, pages 10–15, *https://lf-public.deq.utah.gov/WebLink/ElectronicFile.aspx?docid=545062&eqdocs=DAQ-2023-001304.*

[75] *See* 2018 Modeling Guidance.

[76] Memorandum from Barron Henderson and Heather Simon (EPA, Office of Air Quality Planning and Standards), Modeled U.S. and International Contributions for 2015 Ozone NAAQS Nonattainment Areas (December 10, 2021). Available at *https://www.regulations.gov/document/EPA-HQ-OAR-2021-0742-0038. See also* Policy Assessment for the Review of the Ozone National Ambient Air Quality Standards. No. EPA–452/R–20–001, dated May 2020. EPA, Research Triangle Park, NC. Available at *https://www.epa.gov/sites/production/files/2020-05/documents/o3-final_pa-05-29-20compressed.pdf. See also* 2018 Modeling Guidance.

[77] *See* footnote 8 of this preamble for explanation regarding truncation of FDV_{adj}.

Table 2. Observed 2021-2023 Design Values, EPA and Utah Modeled International Anthropogenic (IA) Contributions, and Adjusted 2023 Future Design Values (FDV_{adj})

NWF Ozone Monitors	AQS Site Number	Ozone (ppb)			
		Observed Design Values[1]	IA (EPA Assessment)	IA (NWF 179B(b))[1]	FDV_{adj}[2]
Bountiful	490110004	76	8.3	5.2	70
Erda	490450004	71	8.8	4.8	66
Harrisville	490571003	72	8.6	5.0	67
Hawthorne	490353006	75	8.4	5.0	70
Herriman	490353013	75	9.8	4.4	70
Lake Park	490353014	75	8.6	4.9*	70
Rose Park	490353010	74	8.3	4.7	69
Utah Technical Center	490353015	73	8.2	4.7*	68
Copperview	490352005	77	8.7	4.3	72
Inland Port	490353016	77	8.3	5.1*	71
Near Road	490354002	77	8.7	4.4*	72

[1] Utah 179B(b) Demonstration, Table 1, page 10 of 478.

[2] These values represent the subtraction of the Utah 179B(b) Demonstration international anthropogenic values from the Observed Design Values. Based on the data handling convention as outlined in 40 CFR part 50, appendix U, decimal results in ppb are truncated to a whole number. To note, the EPA is not taking a position on whether the Agency must utilize the more conservative values or a State's values in all 179B(b) evaluations.

*IA estimates with asterisks were provided in a supplement to the Utah 179B(b) Demonstration ("Additional 179B(b) Details Near Road.pdf", provided by Ryan Bares, Utah Department of Environmental Quality, Air Quality via email on November 5, 2025).

4. Influence of Wildfire Smoke on Ozone Exceedances

Wildfires emit pollutants including carbon monoxide, $PM_{2.5}$, NO_X, and VOCs.[78] Because NO_X and VOCs are key ozone precursors, the presence of wildfire smoke and the associated wildfire emissions is an important factor to ozone production.[79] As a part of the Utah 179B(b) demonstration, the State also submitted an assessment of air quality information and model results that connects wildfire smoke to elevated ozone levels to support the exclusion of specific ozone exceedance days as atypical events from the DV calculation. The information provided by Utah focused on several dates in July and August 2021 at the Copperview monitoring site because this site continued to show a DV that exceeded the 2015 ozone standard after accounting for contributions from international anthropogenic sources. The EPA also conducted analyses to evaluate the relevance of Utah's evidence for the Inland Port and Near Road monitors that also continued to exceed the ozone standard after accounting for the international anthropogenic contributions. As discussed below, the analyses completed by Utah and EPA demonstrate that all of the NWF ozone NAA monitors would have attained the ozone NAAQS after excluding days identified as atypical events and subtracting the site-specific international anthropogenic contributions to ozone from the DV calculations.

As described in section I.E of this preamble, past air quality monitoring data reflecting elevated, unrepresentative pollutant levels due to wildfire smoke and other atypical events may be excluded from DV calculations used in air quality modeling that supports a 179B(b) demonstration. In this case, the Utah 179B(b) Demonstration relied in part on modeling to estimate ozone levels in the NWF ozone NAA due to international anthropogenic emissions. Consistent with the 2018 Modeling Guidance, Utah's modeling utilized past monitoring air quality data to calculate the future ozone levels for purposes of estimating the ozone contribution from international anthropogenic emissions.[80] The EPA allows for modeling to exclude this type of monitoring air quality data influenced by atypical events, such as wildfire smoke, because these events result in unrepresentative monitoring data that, if used in modeling calculations, would not create representative simulated air quality estimates. Because Utah identified unrepresentative wildfire smoke influenced air quality data as part of its modeling calculations to predict future ozone concentrations, for the purposes of estimating ozone contributions to the NWF ozone NAA from international anthropogenic emissions, it is appropriate to exclude that data due to influence by atypical events for the reasons outlined in the preamble to the final 2016 Exceptional Events Rule, the Clarification Memo on Data Modification, the Guideline on Air Quality Models, and the 2018 Modeling Guidance.

The Utah 179B(b) Demonstration's atypical events assessment included evidence relating upwind wildfire smoke in the NWF ozone NAA area on five days in 2021 with ozone exceedances measured at the Copperview monitor. These dates in 2021 included July 12, July 24, August 7, August 8, and August 16. The EPA compiled additional evidence of wildfire smoke influenced days with ozone exceedances at the Near Road and Inland Port monitor sites. The EPA's assessment focused on July 12, 2021, at the Inland Port monitor and July 11, July 12, and July 24 in 2021 at the Near Road monitor. While the Utah 179B(b) Demonstration focused on July 12, 2021,

[78] Ninneman, M. and Jaffe, D. (2021). The impact of wildfire smoke on ozone production in an urban area: Insights from field observations and photochemical box model. *Atmospheric Environment,* 267, 118764.

[79] *See* the EPA's TSD for this rulemaking, section 2.d.

[80] *See* 2018 Modeling Guidance.

for the Copperview monitor, the EPA expanded the assessment to July 11, 2021, at the Near Road monitor because July 11, 2021, was part of a multi-day wildfire smoke event. On the days evaluated, record-high or elevated levels of ozone, $PM_{2.5}$, and brown carbon were observed relative to days without impacts from wildfire smoke. The meteorological conditions and synoptic weather patterns during these events also indicated conditions that would cause wildfires and the transport of wildfire smoke into the NWF ozone NAA, including persistent ridging events, deep and well-mixed boundary layers, and exceptionally dry and warm conditions. Satellite imagery and remote sensing revealed expansive and dense plumes of wildfire smoke transported from major wildfires in the Western and Northwestern portion of the U.S. Trajectories also indicated that wildfire smoke was transported between the wildfire events occurring outside of the State of Utah and the NWF ozone NAA.

Overall, the analyses provided multiple lines of evidence illustrating that episodic wildfire smoke across the Western U.S. influenced the NWF ozone NAA on these six days. The evidence provided in the analyses also indicated that the high ozone levels observed during these wildfire smoke events are unrepresentative of the local conditions, which, as described in section I.E of this preamble, supports treating these days as atypical events for exclusion from DV calculations for the purpose of the Utah 179B(b) Demonstration. Table 3 of this preamble presents the 2021–2023 DV at each of these three monitors after excluding the atypical event days from the 179B(b) DV calculations.

Table 3. Observed Design Values for 2021-2023 and Adjusted 2021-2023 Design Values After Excluding the Atypical Event Days for This 179B(b) Demonstration at the Copperview, Inland Port, and Near Road Monitors.

NWF Monitor	AQS Site Number	2021-2023 DV (ppb)	Adjusted 2021-2023 DV (ppb)	Dates of Wildfire Events in 2021
Copperview	490352005	77	75	July 12, July 24, August 7, August 8, August 16
Inland Port	490353016	77	75	July 12
Near Road	490354002	77	75	July 11, July 12, July 24

After excluding these days as atypical events from the DV calculations for this demonstration, all of the NWF ozone NAA monitors would have attained the ozone NAAQS after subtracting the site-specific international anthropogenic contributions to ozone (*See* $FDV_{adj\text{-}atyp}$ in table 4 of this preamble).[81]

Table 4. Observed 2021-2023 Design Values, EPA and Utah Modeled International Anthropogenic (IA) Contributions, and Adjusted Future Design Values ($FDV_{adj\text{-}atyp}$)

NWF Ozone Monitors	AQS Site Number	Ozone Contributions (ppb)			
		Observed Design Values	IA (EPA Assessment)	IA (NWF 179B(b))	$FDV_{adj\text{-}atyp}$[1]
Bountiful	490110004	76	8.3	5.2	70
Erda	490450004	71	8.8	4.8	66
Harrisville	490571003	72	8.6	5.0	67
Hawthorne	490353006	75	8.4	5.0	70
Herriman	490353013	75	9.8	4.4	70
Lake Park	490353014	75	8.6	4.9*	70
Rose Park	490353010	74	8.3	4.7	69
Utah Technical Center	490353015	73	8.2	4.7*	68
Copperview	490352005	77	8.7	4.3	70
Inland Port	490353016	77	8.3	5.1*	70
Near Road	490354002	77	8.7	4.4*	70

[1]These values were calculated by omitting the atypical events at the three monitors (Copperview, Inland Port, and Near Road) and subtracting the international anthropogenic results from the Utah 179B(b) Demonstration analysis.
*International anthropogenic estimates with asterisks were provided in a supplement to the Utah 179B(b) Demonstration ("Additional 179B(b) Details Near Road.pdf", provided by Ryan Bares, Utah Department of Environmental Quality, Air Quality via email on November 5, 2025).

[81] *See* footnote 8 of this preamble for explanation regarding truncation of $FDV_{adj\text{-}atyp}$.

D. Conclusions on NWF Attainment Status Based on the Available Evidence

As previously discussed, the EPA evaluates CAA section 179B demonstrations by considering the available weight of evidence as it relates to the specific relief being sought. Upon review of the available lines of evidence, the EPA has concluded that the Utah 179B(b) Demonstration establishes that the NWF ozone NAA would have attained the 2015 ozone NAAQS by the Moderate attainment date of August 3, 2024, but for emissions emanating from outside of the U.S. (as demonstrated by modeling of international emissions and the exclusion of wildfire smoke atypical events from modeling calculations, among other factors). CAA section 179B(b) requires a State to demonstrate to the satisfaction of the Administrator that an ozone area would have attained but for the impacts of international emissions. The EPA is proposing to find that the Utah 179B(b) Demonstration for the NWF ozone NAA for purposes of the 2015 ozone NAAQS meets that requirement. Under CAA section 179B(b), that proposed determination would exempt the NWF ozone NAA from the provisions of CAA section 181(b)(2), including determinations of attainment by the relevant attainment date and reclassification for failure to attain. As a result, the EPA is also proposing to repeal the December 2024 Final Rule in which the Agency determined that the NWF ozone NAA failed to attain the 2015 ozone NAAQS by the August 3, 2024, Moderate area attainment date and reclassified the area by operation of law to Serious nonattainment.

V. Statutory and Executive Order Reviews

A. Executive Order 12866: Regulatory Planning and Review and Executive Order 13563: Improving Regulation and Regulatory Review

This action is not a significant regulatory action and was therefore not submitted to the Office of Management and Budget (OMB) for review.

B. Executive Order 14192: Unleashing Prosperity Through Deregulation

Executive Order 14192 does not apply because this action is not a significant regulatory action and is therefore exempted from review under Executive Order 12866.

C. Paperwork Reduction Act (PRA)

This rule does not impose an information collection burden under the provisions of the PRA of 1995 (44 U.S.C. 3501 *et seq.*). This action does not contain any information collection activities.

D. Regulatory Flexibility Act (RFA)

I certify that this action will not have a significant economic impact on a substantial number of small entities under the RFA (5 U.S.C. 601 *et seq.*). This action will not impose any requirements on small entities. The proposed determination that the NWF NAA would have attained the 2015 ozone NAAQS but for international emissions and wildfire smoke does not in and of itself create any new requirements beyond what is mandated by the CAA. This action would not itself directly regulate any small entities.

E. Unfunded Mandates Reform Act (UMRA)

This action does not contain any unfunded mandate as described in UMRA, 2 U.S.C. 1531–1538, and does not significantly or uniquely affect small governments. The action imposes no enforceable duty on any State, local, or Tribal governments or the private sector.

F. Executive Order 13132 Federalism

This action does not have federalism implications. It will not have substantial direct effects on the States, on the relationship between the national government and the States, or on the distribution of power and responsibilities among the various levels of government. The division of responsibility between the Federal government and the States for purposes of implementing the NAAQS is established under the CAA.

G. Executive Order 13175 Consultation and Coordination With Indian Tribal Governments

Executive Order 13175 requires the EPA to develop an accountable process to ensure ''meaningful and timely input by Tribal officials in the development of regulatory policies that have Tribal implications.'' This action does not have Tribal implications.

H. Executive Order 13045 Protection of Children From Environmental Health and Safety Risks

The EPA interprets Executive Order 13045 as applying only to those regulatory actions that concern environmental health or safety risks that the Agency has reason to believe may disproportionately affect children, per the definition of ''covered regulatory action'' in section 2–202 of the Executive Order. This action is not subject to Executive Order 13045 because it does not concern an environmental health risk or safety risk.

I. Executive Order 13211 Actions That Significantly Affect Energy Supply, Distribution, or Use

This action is not subject to Executive Order 13211 because it is not a significant regulatory action under Executive Order 12866.

J. National Technology Transfer and Advancement Act (NTTAA)

This rulemaking does not involve technical standards.

List of Subjects

40 CFR Part 52

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

40 CFR Part 81

Environmental protection, Administrative practice and procedure, Air pollution control, Intergovernmental relations, Nitrogen oxides, Ozone, Reporting and recordkeeping requirements, Sulfur oxides, and Volatile organic compounds.

Dated: April 20, 2026.

Cyrus M. Western,

Regional Administrator, Region 8.

[FR Doc. 2026–08372 Filed 4–29–26; 8:45 am]

BILLING CODE 6560–50–P

COMMITTEE FOR PURCHASE FROM PEOPLE WHO ARE BLIND OR SEVERELY DISABLED

41 CFR Parts 51–3.5 and 51–4.4

RIN 3037–AA24

Revising Central Nonprofit Agencies' Requirements To Charge Fees and Clarifying the Permissibility of Subcontracting Within the AbilityOne Program

AGENCY: Committee for Purchase From People Who Are Blind or Severely Disabled.

ACTION: Notice of proposed rulemaking; request for comments.

SUMMARY: This notice proposes to amend the Committee regulation at 41 CFR 51–3.5 to formally codify the congressionally mandated requirements set forth in the Consolidated Appropriations Act of 2016, Public Law 114–113, Division H, Title IV, 129 Stat.

2639, December 18, 2015, which requires the central nonprofit agencies to enter into a written agreement with the Committee before charging fees to nonprofit agencies. This notice also proposes to amend the Committee's regulation at 41 CFR 51–4.4 to clarify the definition of subcontracting within the AbilityOne Program, amend and reduce regulatory requirements to subcontract, streamline the approval process for use of subcontracting, and lessen the administrative burdens for selecting subcontractors.

DATES: The Commission must receive comments on these proposed revisions 30 days after publication, by June 1, 2026.

ADDRESSES: Comments must be submitted via the Federal eRulemaking Portal at *regulations.gov.* where you can also find a plain language summary of the proposed rule. Information on using *regulations.gov,* including instructions for finding a rule on the site and submitting comments, is available on the site under ''FAQ.'' Follow the instructions for submitting comments. Please be advised that comments received will be posted without change to *https://www.regulations.gov,* including any personal information provided.

Accessible Format: Individuals with disabilities can obtain this document, as well as the comments or other documents in the public rulemaking record for the proposed regulations, in an alternative accessible format by contacting the individual listed in the **FOR FURTHER INFORMATION** section of this document.

Electronic Access to This Document: The official version of this document is the document published in the **Federal Register**. You may access the official edition of the **Federal Register** and the Code of Federal Regulations at *www.govinfo.gov.* You may also access documents of Commission published in the **Federal Register** by using the article search feature at: *www.federalregister.gov.*

FOR FURTHER INFORMATION CONTACT: Cassandra Assefa, Attorney-Adviser, Office of General Counsel, Committee for Purchase From People Who Are Blind or Severely Disabled, 355 E Street SW, Suite 325, Washington, DC 20024; telephone: 202–430–9886; *cassefa@abilityone.gov.* If you are deaf, hard of hearing, or have a speech disability and wish to access telecommunications relay services, please dial 7–1–1.

SUPPLEMENTARY INFORMATION:

I. Background

A. 41 CFR 51–3.5 (Program Fee)

1. Cooperative Agreements and the Consolidated Appropriations Act of 2016

The Committee for Purchase From People Who Are Blind or Severely Disabled, operating as the U.S. AbilityOne Commission (Commission) oversees the AbilityOne Program (Program). The Commission is authorized by the Javits-Wagner-O'Day Act (JWOD) and its implementing regulations [1] to administer the Program. The Program creates employment opportunities for individuals who are blind or who have other significant disabilities primarily by requiring Government agencies to purchase selected products and services from nonprofit agencies employing such individuals.

The JWOD Act directs the Commission to designate central nonprofit agencies (CNAs) to facilitate, by direct allocation, subcontract, or any other means, the distribution of Government orders of products and services among nonprofit agencies (NPAs) employing individuals who are blind or have severe disabilities.[2] The Commission has designated National Industries for the Blind (NIB) and SourceAmerica as the nonprofits that perform the CNA roles and responsibilities.[3] Additionally, under the Commission's regulations, 41 CFR 51–3.5, the CNAs are able to collect a program fee for facilitating the NPAs' participation in the program.[4]

In 2013, the U.S. Government Accountability Office (GAO) conducted an audit of the AbilityOne Program to determine how the Commission: ''(1) directs and oversees the CNAs; (2) adds products and services to the program and assigns affiliates to provide them; and (3) prices program projects.'' [5] The GAO noted that the existing structure did not require the CNAs to take certain action and often had to ''seek [the CNAs] voluntary cooperation'' to carryout Commission directives.[6] GAO concluded that the Commission lacked sufficient authority and procedures to help ensure the effectiveness, efficiency, and integrity of CNA operations and that the lack of a written agreement was a key factor contributing to the voluntariness of the parties' relationship.[7] To strengthen the Commission's oversight of the Program, the GAO recommended that the parties enter into ''a written agreement with each CNA that specifies key expectations for the CNA and mechanisms for the Commission to oversee their implementation.'' [8] The Commission agreed with the GAO's recommendation to enter into a written agreement; however, no such agreement was reached.

Subsequently, in 2016, Congress intervened and mandated changes to AbilityOne Program through the Consolidated Appropriations Act of 2016 (2016 CAA). These changes included Congressional reporting requirements and the creation of an Office of Inspector General.[9] Particularly, relevant to this rulemaking, the CNAs were required to enter into written agreements with the Commission.[10] The 2016 CAA did not specify the type of agreement, but it did state that ''a fee may not be charged under section 51–3.5 of title 41, Code of Federal Regulations, unless such a fee is under the terms of the written agreement between the Committee and any such central nonprofit agency.'' [11]

Congress also directed that the written agreements establish expectations for each CNA and mechanisms for Commission oversight. These required elements included: (1) formalizing the roles and responsibilities of the Commission and CNAs in project assignment procedures, including decision-making processes; (2) expenditures of funds; (3) performance goals and targets; (4) governance standards to prevent fraud, waste, and abuse; (5) access to data and records; (6) consequences for not meeting expectations; (7) periodic evaluations and audits on affiliates; (8) periodic review and updates on pricing information define the measures of accountability used to evaluate the CNAs; and (9) provisions for updating the agreement.[12]

[1] 41 U.S.C. Chapter 85, Committee For Purchase From People Who Are Blind or Severely Disabled.

[2] 41 U.S.C. 8503(c).

[3] 41 CFR 51–3.1. The existing regulation references the National Industries for the Severely Handicapped (NISH). In 2013 NISH began operating as SourceAmerica.

[4] 41 CFR 51–3.5.

[5] Report to the Committee on Oversight and Government Reform, House of Representatives, Employing People With Blindness Or Severe Disabilities: Enhanced Oversight of the AbilityOne Program Needed, GAO 13–457 (2013).

[6] *Id.* at 13.

[7] *Id.* at 33.

[8] *Id.*

[9] Consolidated Appropriations Act, 2016, Public Law 114–113 (2015).

[10] Prior to this mandate, no written agreement existed between the Commission and CNAs.

[11] *Id.* at Division H, Title IV, §§ 01–402, 129 Stat. 2242, 2639.

[12] House of Representatives; Congressional Record Vol. 161, No. 184, page H10292.

2. Cooperative Agreements and the Applicability of 2 CFR Part 200

In the Summer of 2016, the Commission entered into written agreements (first-generation cooperative agreements) with both CNAs to govern their relationships with the Commission, establish measurable performance metrics, and satisfy the mandates established in the 2016 CAA.[13] Although these agreements were characterized as ''cooperative agreements,'' the agreements lacked the formality and administrative framework typically found in a cooperative agreement. This was largely due to the ambiguity surrounding how to properly characterize the program fee. More specifically, unlike other types of Federal awards or financial assistance, the Committee does not directly provide the program fee to the CNAs. Instead, through regulation, it authorizes CNAs to collect a fee from its affiliated NPAs contracted with the Federal government. The NPAs are expected to pass this fee on to the Federal government as an allowable expense under the contract.[14] Nevertheless, the parties were able to finalize operative agreements by adopting portions of 2 CFR 200 and Federal Acquisition Regulation (FAR) based principles, without specifically relying on any authoritative source. In essence, the first-generation cooperative agreements functioned more like memoranda of understanding with quasi-contractual requirements than cooperative agreements. The first-generation cooperative agreements were extended several times but were finally set to expire in December of 2024. On July 8, 2024, the Commission established an Ad Hoc Commission Panel for Cooperative Agreements to better align the CNA's mission with the objectives of the Commission's most recent 5-year Strategic Plan.[15] Rather than the ad hoc framework used in the first-generation cooperative agreements, the Commission included the Uniform Administrative Requirements, Cost principles, and Audit Requirements (2 CFR part 200) in the second-generation cooperative agreements.[16] The parties finalized and signed the second-generation agreements in December 2024.

The Office of Management and Budget (OMB) issued 2 CFR part 200 to ensure consistent and uniform government-wide policies and procedures for the management of Federal agencies' grants of Federal awards to non-Federal entities and cooperative agreements and it governs all grants and cooperative agreements issued by the U.S. Government and applies to all Federal funding in its entirety.[17] Under the Federal Grant and Cooperative Agreement Act (FGCAA), an executive agency shall use a cooperative agreement as the legal instrument reflecting a relationship between the United States Government and a recipient, defined as a recipient authorized to receive United States Government assistance or procurement contracts, when the principal purpose of the relationship is to transfer a thing of value to the recipient to carry out a public purpose of support or stimulation authorized by a law of the United States.[18] The FGCAA does not define, characterize, or limit the ''thing of value'' to appropriated funds. Instead, the FGCAA defines assistance as ''anything of value for a public purpose of support or stimulation authorized by a law of the United States.'' [19]

Accordingly, under the JWOD Act, Commission regulations, and the 2016 CAA, the program fee can be construed to serve as a ''federal award'' or a form of ''financial assistance'' that the CNA is authorized to collect for facilitating NPA participation in the AbilityOne Program. Specifically, under the existing 41 CFR 51–3.5, the Commission authorizes the CNAs to charge the NPAs a fee from procurement contracts and allows that fee to be a cost to the Federal customer on the products and services sold to the government.[20] The NPAs, by extension, are required by regulation and policy to remit this fee to the CNA. The NPA, however, is not expected to absorb this expense. Instead, the NPA may treat it as an allocable expense under a Federal contract that it can pass on to the Federal government. By authorizing the CNA to collect fees and directing NPAs to remit fees, the Commission is, by regulation, transferring a thing of value to the CNA to which the CNA otherwise has no claim, right, entitlement, or title.[21] If the Commission did not authorize the collection of the fee, the services provided by the CNAs would function as an ''unfunded mandate,'' or it would be forced to rely on the voluntary contributions of the NPAs within their networks. To ensure that CNAs are properly compensated for carrying out responsibilities under the statute and Commission regulation, the Program Fee was formally mandated via Commission regulation in 1991.[22] However, no substantive changes have been made to § 51–3.5 since then.

3. Comments on Program Fee

The primary purpose of the program fee is to foster the creation of employment opportunities for participating employees through the use of Federal procurement as set forth in the Commission's regulations, policy, and the cooperative agreements. The

[13] Agreements can be found at *https://www.abilityone.gov/laws,_regulations_and_policy/foia_reading_room.html.*

[14] There is no statutory authorization for a central nonprofit agency (CNA) to collect ''Program Fee'' from contracting activities who purchase products and services from nonprofit agencies (NPA) who sell products and services to the Federal government. *See* 41 U.S.C. 8503(c). The Commission's regulation at 41 CFR 51–2.2(f) authorizes the Commission to first designate a fee, and then to set ''appropriate ceilings on fee paid to ''these nonprofit agencies selling items under the AbilityOne Program . . .'' The Commission's regulation at 41 CFR 51–3.5 authorizes a CNA to charge fees to an NPA for facilitating their participation in the AbilityOne Program. *See* 41 CFR 51–3.2(a). Commission Policy 51.601, § 6(d), effective August 8, 2025, categorizes Program Fee as an allowable cost for the NPA to deliver a product or service under the AbilityOne Program.

[15] U.S. AbilityOne Commission Strategic Plan for Fiscal Years 2022–2026.

[16] 31 U.S.C. 6301 *et seq.* See 31 U.S.C. 6301(2). Although Congress did not specifically direct that the Commission use a cooperative agreement, the citations following each Congressionally required element track 2 CFR 200. Roles and responsibilities on the part of the Commission and the CNA in project assignment procedures, including decision making processes; Expenditures of funds (2 CFR 200.1), including policy governing reserve levels (§ 200.433(b)); Performance goals and targets (§ 200.201(b)(1)); Governance standards and other internal controls to prevent fraud, waste, and abuse (§ 200.303), including conflict of interest (§ 200.112) disclosures (such as the names of CNA board members who have an affiliation with nonprofits receiving contracts) and reports of alleged misconduct; Access to data and records (§ 200.315); Consequences for not meeting expectations (§ 200.339); Periodic evaluations and audits on affiliates (§ 200.501 & Subpart F); Periodic review and updates on pricing information (§ 200.201), and Provisions for updating the agreement (§ 200.309).

[17] *See generally* 2 CFR 200 and 200.100(a). CFR 1.200. 2 CFR 200 describes requirements from pre-through post-award, including property standards; procurement standards; performance and financial monitoring and reporting; subrecipient monitoring and management; record retention and access; remedies for non-compliance with an award or subaward; and award closeout and post-closeout responsibilities. It also sets forth cost principles, including specific guidance on selected items of cost, to guide recipients and subrecipients in their use of Federal funds.

[18] Public Law 95–224, 92 Stat. 3 (1978); 31 U.S.C. 6305 (emphasis added). The definition of and applicability of the use of a cooperative agreement as an instrument is even more expansive under 2 CFR 200. It specifically states that cooperative agreements are [u]sed to enter into a relationship the principal purpose of which is to transfer *anything of value* to carry out a public purpose authorized by a law of the United States.

[19] 31 U.S.C. 6101(3). The definition of federal award and financial assistance within the 2 CFR 200 is broad enough to apply to the program fee and the terms ''federal award'' and ''financial assistance'' are used interchangeably throughout the regulation.

[20] *See* 31 U.S.C. 6101(3); 41 CFR 51–3.5.

[21] *Id.*

[22] 56 FR 48979, Sept. 26, 1991.

Commission is responsible for setting the ceiling for the program fee.[23]

Since the Program's creation, the program fee ceiling has always been set as a percentage of sales. From 1938 to 1974, NIB served as the sole CNA in the Program, and its affiliated NPAs contributed 2% of sales to NIB to finance the CNA's operating expenses. In 1966, the program fee was increased to 3% and again in 1968 to 4%. In 1974, SourceAmerica was established, and the ceiling remained at 4% for both CNAs until 2007. Since 2007, the ceiling has ranged from 3.9% to 3.75% and, at times, the Commission has established separate ceilings for each CNA.[24] The current program fee is set at 3.75% for both CNAs and this ceiling has been in place since 2020.

Therefore, as part of this proposed rulemaking, the Commission is also seeking public feedback on the current program fee to determine if it is the most cost-effective way to achieve the Program's employment mission. When providing comments, please consider providing responses to the following questions:

1. Does the current program fee strike the right balance between ensuring that the CNAs are properly resourced to accomplish their statutory mission and reducing the overall cost burden to the Federal government?

2. Should the Commission explore other ways to set that program fee that would have the overall effect of lowering it, such as adopting a tiered system of fees or a flat fee not based on a percentage of sales?

B. 41 CFR 51–4.4 (Subcontracting)

The JWOD Act authorizes the Commission to determine which products or services are suitable for sole-source procurement and placed on the Procurement List (PL). Once an item is placed on the PL, it is deemed a mandatory source to supply the product or service. The significance of being a mandatory source is two-fold. First, Federal agencies do not follow normal competitive procedures when acquiring products or services on the PL. Instead, Federal agencies are *required* to procure the listed item from the authorized NPA (and only that NPA) identified on the PL. Second, a PL addition serves as a catalyst for job creation for individuals who are blind or have severe disabilities.[25] In fiscal year 2025, NPAs under the AbilityOne Program employed approximately 41,000 significantly disabled and blind individuals in support of nearly $4 billion in government contracts.

The AbilityOne Program is first and foremost an employment program, but in order to maintain and increase job growth, NPAs must be able and willing to provide timely and professional contract performance. In most cases, the NPA is able to identify qualified workers from the pool of significantly disabled and blind individuals able and willing to work. Other times, however, it will need to engage one or more subcontractors to contribute niche, technical, or specialized skills to satisfy requirements under a Federal contract. Under the Commission's existing subcontracting regulation, NPAs are required to seek broad competition, inform the Commission through their CNA of multiyear subcontracts, and maximize the amount of subcontracting with other NPAs in the Program to further the Commission's mission. However, the Commission's current regulatory language regarding limitations on subcontracting to protect employment for individuals in the Program is vague and limited. For example, the existing regulatory language at subsection (c) allows NPAs to subcontract portions of production or services on the PL so long as the NPA's retained portion generates employment for individuals who are blind or are significantly disabled.[6] Currently, the only explicit limitations on subcontracting in the regulation are that (1) NPAs may not subcontract entire production for all or a portion of a contracting activity order without the Commission's approval and (2) NPAs must identify routine subcontracting that would be part of production of, or performance of, a PL requirement at the time the requirement is proposed for addition to the PL and subsequent Commission approval. This regulatory guidance has not been updated since 1997. In addition to the regulatory guidance, the Commission issued Operations Memorandum Number 21 in 2006 to clarify and provide some implementing guidance for approving an NPA's request to subcontract.[26]

II. Need for Rulemaking

A. 41 CFR 51–3.5 (Program Fee)

The Commission's use of a cooperative agreement as the written instrument between the Commission and the CNAs complies with the visibility and transparency the GAO recommended in 2013, and the elements required by Congress in the 2016 CAA and affirmed in the Further Appropriations Act of 2024.[27] Furthermore, the Commission's reliance on the regulatory framework of 2 CFR part 200 for the cooperative agreements more properly aligns the Commission's oversight role and the CNAs' responsibilities with the uniform administrative requirements, cost principles, commonality of terms, business processes, and audit requirements utilized across the Federal government. This proposed rulemaking consolidates and codifies existing guidance and formalizes the use of a ''cooperative agreement'' as the legal instrument to satisfy the ''written agreement'' mandate of the 2016 CAA. This rulemaking also makes it clear that although the Program Fee is collected from NPAs, it is also an allowable cost included in the Commission's Fair Market Price (FMP), and the final contract price.

B. 41 CFR 51–4.4 (Subcontracting)

Subcontracting will continue to be an integral part of the AbilityOne Program, but it should never be used in a manner that diminishes the employment goals of the Program. Instead, subcontracting should be used only when it complements the employment prospects of individuals who are blind or significantly disabled and/or enhances the capabilities of an NPA in furtherance of contract performance. The proposed rule is designed to clarify the distinction between prohibited and permissible subcontracting. This proposed rulemaking clearly defines what a subcontractor is and how to calculate the percentage of subcontracting for a given project. Lastly, the rulemaking will make it easier for NPAs to leverage subcontracting on a nonroutine basis when it makes sense to do so, without incurring unnecessary administrative burdens.

III. Specific Proposed Changes to 41 CFR Part 51

A. 41 CFR 51–3.5

The Commission is proposing to amend the regulation governing

[23] *Supra,* note 14.

[24] On July 1, 2013, National Industries for the Severely Handicapped (NISH) changed their name to SourceAmerica. From 2007 to 2020, the program fee was set at different rates from SourceAmerica and NIB.

[25] *See* FAR subpart 8.7.

[26] *See* Operations Memorandum No. 21: Guidance on Nonprofit Agency Establishment of Subcontract Relationships for Current or Potential Procurement List Projects.

[27] *Supra* note 5, 9, and 11; Further Appropriations Act of 2024, Public Law 118–47 (2024). The Further Appropriations Act affirmed the written agreement requirement in order for CNAs to perform requirements under the JWOD Act and to collect a fee as well as stating no less than $3,150,000 be available for the OIG office, an increase from the CAA 2016 level that insured funding was no less than $750,000.

program fee to include that the CNAs meet certain requirements prior to collecting a program fee from an NPA. Specifically, the proposed revision will require the CNAs to have a cooperative agreement with the Commission. Moreover, the cooperative agreement must be consistent with the framework of 2 CFR part 200, Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards.

Current Regulation: Under 41 CFR 51–3.5, CNAs may collect a fee from NPAs to subsidize the overall administration of the Program. The regulation provides that fees must be calculated based on NPA sales to the Federal customer and that the fees cannot exceed the limit approved by the Commission.

Rationale for Proposed Change: The proposed regulatory language revises the Commission's regulations regarding charging fees, which have not been substantively updated since its creation in 1991. The changes described here are meant to align the Commission's regulations with the controlling Federal statute, by mandating that the CNAs enter into a cooperative agreement with the Commission prior to collecting fees.

Under the first-generation cooperative agreements, only fragments of 2 CFR part 200 were incorporated in the agreement between the Commission and CNAs. The second-generation cooperative agreements focus on what the CNAs need to run the Program, projected expenses and sales, and adjust the fee to reflect these principles. Additionally, the second-generation cooperative agreement incorporates 2 CFR part 200 in its entirety with Commission determined exceptions, based on agency needs, requirements under federal law, and feedback from the relevant CNAs, in accordance with 2 CFR 200.102.[28] Some of the specific exceptions include: limiting advertising and public relations to the costs incurred to promote the Program generally and enhance awareness of AbilityOne initiatives across the Federal government and the capabilities of the NPAs and participating employees (2 CFR 200.421); bad debt incurred from an NPA's failure to remit the required program fee (2 CFR 200.426); and contributions that are financial assistance to the NPAs in support of specific Program objectives (2 CFR 200.434).[29]

The proposed regulatory language unambiguously states that the written instrument will be a ''cooperative agreement.'' As discussed above, 2 CFR part 200 is applicable to all cooperative agreements in its entirety, except where portions have been excepted by Federal statute, other regulations, or by the Commission in accordance with 2 CFR 200.102(c). The above language explicitly calls out the applicability of 2 CFR part 200 while also emphasizing that the Commission has the authority to except those parts of the regulation that conflict with how the program fee is used within the AbilityOne Program.[30]

These proposed regulatory changes emphasize the importance of having a cooperative agreement in place as a precondition for collecting a fee. However, it ensures that a CNA is properly compensated for expenses it incurred prior to the agreement ending and for performing Program responsibilities such as evaluating the qualifications and capabilities of the NPA and obtaining information from Federal contracting activities to help the Committee determine suitability for a requirement on the PL and establish fair market price (FMP), distributing orders from the contracting activities among its NPAs, and exploring new and emerging lines of business that will expand the Program and opportunities for individuals who are blind or significantly disabled.[31]

The primary purpose of the AbilityOne Program is to provide employment and career development opportunities for individuals that are blind or significantly disabled. CNAs are awarded a program fee based on a percentage of the sales the NPA receives from providing products or services to Federal agencies to the extent that CNAs are supporting the type of work that maximize opportunities for participating employees. The purpose of this language is to clarify that the CNA is entitled to collect fees only from the portion of the contract performed by the NPA, but not the portion that has been subcontracted to a for-profit entity. The Committee may make exceptions through policy and procedures for *de minimus* or *ad hoc* subcontracting or subcontracting opportunities that are specifically designed to support career development for NPA employees performing on AbilityOne contracts.

In some instances, it may be necessary for a CNA to serve as a prime contractor and distribute orders to an authorized NPA as a subcontractor.[32] Under that arrangement, the CNA would be permitted to collect a fee from the NPA subcontractor. This scenario would most likely occur when there are multiple NPAs supporting a single PL requirement, and the CNA is made prime to more easily manage orders from Federal agencies. Put another way, the NPAs are performing 100 percent of the work required under the contract, while the CNA is functionally a ''administrator,'' put in place to serve as a AbilityOne Program facilitator rather than as a typical prime contractor with affirmative responsibilities under the contract. There are other scenarios where the CNA may serve as prime, but has numerous responsibilities connected with contract management and performance. Under this scenario, the CNA would be responsible for negotiating its administrative expenses with the contracting activity, but it would not be permitted to collect a separate fee from NPAs serving as its subcontractors. Instead, it is assumed that the CNA has captured its administrative expenses through the course of normal contract negotiations, obviating the need to collect additional fees from the subcontracted NPAs.

Proposed Regulation: The proposed amendments to § 51–3.5 satisfy the written agreement mandate of the 2016 CAA for the CNA to collect a program fee and rules regarding cooperative agreements governed by 31 U.S.C. 63 and 2 CFR part 200. New subparagraph (a) makes it explicit that Program Fee is an allowable expense included in the fair market price approved by the Committee and the final contract price. Consistent with 2 CFR 200.102(c), that allows a Federal agency to except some requirements to 2 CFR part 200, new subparagraph (b) affirms the Commission's authority and flexibility to except subsections of 2 CFR part 200 that conflict with how the fee is used within the Program on a case-by-case basis. The proposed regulation also adds new subparagraphs (c), (d), and (e) that: prohibit collection of fees if a CNA's designation has been terminated or a cooperative agreement with the Commission expires but guarantees compensation for expenses incurred during a valid agreement by allowing for collection of fees for those expenses

[28] *See* Commission Policy 51.302, Attachment B.

[29] *Supra,* note 13 and 26. The full list of exceptions can be found in Commission Policy 51.302.

[30] During the second-generation cooperative agreements, the Commission worked with the CNAs in a collaborative manner to identify which portions of 2 CFR part 200 should be excepted or amended on a case-by-case basis. All exceptions took into account the unique nature of Program Fee and the relationship of the CNAs to the AbilityOne Commission.

[31] 41 CFR 51–3.2; Commission Policies 51.301 Procurement List and the NPA Selection Framework and 51.301–02 Publication, Evaluation, and the CNA Recommendations.

[32] *See* 41 CFR 51–3.2(k).

even after termination of an agreement (proposed § 51–3.5(c)); explain that the fee must be calculated based on actual sales of PL requirements to the Federal Government but not on any portion of work subcontracted, unless allowed by the Commission and clarify that the CNA is entitled to collect fees only from the portion of the contract performed by the NPA and not from any portion subcontracted to a for-profit entity (proposed § 51–3.5(d)); and allow the CNA to collect a fee when serving as the prime on a contract when an NPA serves as the source for the PL requirement, unless administrative or indirect costs have already been negotiated (proposed § 51–3.5(e)).

A. 41 CFR 51–4.4

Current Regulation: Under Commission regulation 41 CFR 51–4.4, subcontracting is generally permitted, but NPAs are required to select potential subcontractors through a competitive process. The regulation also requires that NPAs maximize subcontracting with other NPAs. The regulation also requires NPAs to notify the Commission of intention for routine subcontracting at the time of PL addition and requires Commission approval for any amount of subcontracting as well as any significant changes to subcontracting.

Rationale for Proposed Change: Subcontracting will continue to be an integral part of the AbilityOne Program, but the proposed changes are meant to better align its use with the employment goals of the Program. More specifically, subcontracting should be used only when it complements the employment prospects of significantly disabled or blind individuals and/or enhances the capabilities of a NPA in furtherance of contract performance.

While NPAs are subject to the FAR rules on subcontracting, currently, the only explicit limitations on subcontracting in the regulation are that NPAs may not subcontract entire production for all or a portion of a contract without the Commission's approval, and that NPAs must identify routine subcontracting that would be part of production of, or performance of, a PL requirement at the time it is proposed for addition to the PL, and subsequent changes to that subcontracting must have Commission approval.

The proposed regulatory language is designed to define subcontracting, clarify the distinction between prohibited and permissible subcontracting, address how subcontracting is measured, and make it easier for NPAs to leverage subcontracting on a nonroutine basis when it makes sense to do so, without incurring unnecessary administrative burdens. The proposed regulation still encourages NPAs to use competitive practices to the maximum extent practicable but removes the existing requirement for broad competition to allow NPAs to select subcontractors in a manner that is most consistent with meeting its performance objectives under the contract.

The proposed regulatory language also more clearly explains when subcontracting is expressly permissible and those circumstances where it is not. It also continues to emphasize the Commission's position that subcontracting should be used to facilitate the Program mission of employment of individuals who are blind or significantly disabled and that when subcontracting is necessary, NPAs should first look within the NPA community before considering for-profit sources.

Moreover, the existing regulation does not explicitly state how subcontracting is measured. Therefore, the proposed change is meant to explain how to do so in the case of services and products. To lessen the regulatory burdens on NPAs, the proposed rule amends the existing regulation to reduce when an NPA must notify or seek Commission approval to subcontract, limiting it to only when it exceeds certain thresholds.

As previously noted, the primary purpose of the AbilityOne Program is to provide employment opportunities for individuals who are blind or have significant disabilities. To ensure the Commission provides appropriate Program oversight while allowing NPAs to make prompt business decisions when a small amount of ad hoc subcontracting is needed, the proposed rule now emphasizes that the notice and approval requirements largely apply only to routine subcontracting and nonroutine subcontracting that exceeds defined thresholds of greater than twenty-five percent of the direct labor hours on a Government order for services and greater than ten percent of the total value earned from Government orders for commodities.

There are many instances where an NPA may serve as a subcontractor to another NPA or a for-profit prime contractor, but it is not technically an authorized NPA for that PL requirement. In those situations, the NPA's rights and obligations are limited to the contractual agreement binding the parties. However, when an NPA subcontractor is also an authorized source, it has both contractual and Program rights and obligations. For instance, if an NPA is an authorized source, it has the right to serve as a mandatory source and may not be replaced with another subcontractor without first coordinating with the CNA and the Commission. Therefore, the proposed rule reinforces the fact that the rights and obligations of a mandatory source flow through the Committee's authorization, rather than how it contracts with a Federal agency or a prime contractor.

Proposed Regulation: The proposed regulatory language addresses the following not currently included in the existing regulation: (1) the definition of subcontracting as assigning or outsourcing a portion of NPAs Federal contract work to another party, (2) acceptable and unacceptable types of subcontracting and how to measure it, (3) when the Commission must be notified and/or approve of subcontracting and subsequent changes, and (4) the rights and obligations of NPAs that serve as subcontractors on the furnishing of a requirement on the PL.

Specifically, proposed revisions to § 51–4.4(a) define subcontracting as assigning or outsourcing a portion of an NPA's Federal contract work to another party but excludes acquisition of raw or finished materials or ancillary products needed to produce or perform the PL requirement.

Proposed § 51–4.4(b) explicitly makes subcontracting permissible when it facilitates the career development or employment of individuals who are blind or have significant disabilities, and when it is used to meet niche or specialized contract requirements. It also more clearly states that the subcontracting may not be used to avoid the statutory required seventy-five percent direct labor hour ratio requirements.

The proposed rule replaces § 51–4.4(c) and (d) with more specific thresholds on subcontracting that would trigger Commission notification and approval. Specifically, the Commission proposes to establish a ''*de minimis*'' threshold at 10% of the government order for products and 25% of direct labor hours needed for services to for-profit entities. Any subcontracting to for-profit entities above those levels triggers a requirement for Commission notification and approval.

Proposed new § 51–4.4(e) specifies that when the amount of subcontracting to a for-profit entity exceeds a certain amount, the NPA must provide a good explanation for doing so and receive Commission approval before use of the amount of for-profit subcontracting is permitted. Moreover, the proposed rule specifies that when subcontracting with a for-profit entity is below a certain

amount (twenty-five percent for services and ten percent for products), the affected NPA need only notify the Commission that it is using a subcontractor for a new PL addition or it intends to increase the level of subcontracting for an ongoing effort (proposed § 51–4.4(e)). Additionally, if routine subcontracting is intended to be a part of a provision of a PL requirement at the levels that are below the threshold described above, proposed § 51–4.4(e) requires only notification to the Commission at the time of the requirement addition to the PL; and requires notifying the Commission before effectuation of the intent to increase the amount of subcontracting only if the increase does not exceed the *de minimis* levels described above. Lastly, proposed § 51–4.4(e) requires only notifying the Commission of routine subcontracting to other NPAs, and is subject to no *de minimis* limits.

The Commission further proposes to limit Commission notification and approval requirements by exempting any *ad hoc* or nonroutine subcontracting needed to supplement temporary workforce shortfalls or to meet a surge in government requirements, so long as it is below the *de minimis* levels described under proposed § 51–4.4(c) and (d) (proposed § 51–4.4(f)).

Finally, the Commission proposes to amend the regulation by affirming that an authorized NPA retains the same rights and obligations as any other Program mandatory source when directed to serve as a subcontractor to support a PL requirement (proposed § 51–4.4(g)).

IV. Executive Orders 12866 (Regulatory Planning and Review) and 13563 (Improving Regulation and Regulatory Review)

Executive Orders (E.O.) 12866 and 13563 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 (including potential economic, environmental, public health and safety effects, distributive impacts, and equity). E.O. 13563 emphasizes the importance of quantifying both costs and benefits, of reducing costs, of harmonizing rules, and of promoting flexibility. The Office of Information and Regulatory Affairs in the Office of Management and Budget has determined this to be a significant regulatory action and, therefore, was subject to review under section 6(b) of E.O. 12866, Regulatory Planning and Review, dated September 30, 1993.

A. Expected Impact of Proposed Rule

As discussed above, since 2016 the Commission and CNAs implemented the Congressional mandate for a written agreement in order for the CNAs to collect a fee. The Commission expects the proposed regulation to create no new administrative burden. As a result, the Commission does not anticipate increased burden or cost. Moreover, the proposed regulation will help to reduce confusion as to the applicability of Program Fee and permissible subcontracting within the Program. Secondly, the Commission believes that there are potential reductions in the overall administrative burden on the CNAs and the Commission by using a uniform regulatory framework rather than the parties using an ad hoc approach each time a new written agreement is negotiated. Furthermore, the proposed changes to formally codify the use of 2 CFR§ 200 will help to ensure the Commission's effective stewardship of the Program and prevent the perception of waste, fraud, and abuse as intended by Congress. Ultimately, the proposed changes to § 51–3.5 do not add any new administrative burden for the Commission or CNAs. This rule simply codifies in the Commission's regulation the existing Congressional requirement that the Commission and CNAs have been implementing since 2016.

Additionally, the proposed changes to § 51–4.4 will make it easier for NPAs to leverage subcontracting on a nonroutine basis when it makes sense to do so. As discussed above, under the current regulation, NPAs must notify the Commission or seek approval for all types of subcontracting. However, the proposed regulation reduces the requirements for NPAs to notify and seek Commission approval in part by eliminating the requirement for NPAs to seek Commission approval for all subcontracting. Instead, the proposed regulation reduces notification and Commission approval requirements for the NPAs to only when the subcontracting levels exceed a de minimis thresholds described above. The Commission expects this to significantly reduce the NPA's administrative burden and enable NPAs to make more efficient business decisions. The Commission does not anticipate any increased cost as a result of the proposed changes.

B. Executive Order 14192

This proposed rule, if finalized, is expected to be an E.O. 14192 deregulatory action, as described above.

C. Regulatory Flexibility Act

The Commission does not expect these proposed rules to have a significant economic impact on a substantial number of small entities within the meaning of the Regulatory Flexibility Act, at 5 U.S.C. 601, *et seq.* These changes do not include any new reporting, recordkeeping, or other compliance requirements for small entities. These proposed rules also do not duplicate, overlap, or conflict with any other Federal rules. However, it has not yet been certified as to whether it is subject to the Regulatory Flexibility Act (5 U.S.C. 601).

D. Paperwork Reduction Act

These proposed rules do not contain an information collection requirement subject to the Paperwork Reduction Act of 1995 (44 U.S.C. 3501 *et seq.*). Accordingly, it does not impose any burdens under the Paperwork Reduction Act and does not require further OMB approval.

List of Subjects in 41 CFR Parts 51–3 and 51–4

Government procurement, Individuals with disabilities.

The Executive Director of the Commission, Kimberly M. Zeich., having reviewed and approved this document, is delegating the authority to electronically sign this document to Michael R. Jurkowski, for purposes of publication in the **Federal Register**.

Michael R. Jurkowski,

Director, Business Operations.

For reasons discussed in the preamble, the Commission proposes to amend 41 CFR parts 51–3 and 51–4 as follows:

PART 51—COMMITTEE FOR PURCHASE FROM PEOPLE WHO ARE BLIND OR SEVERELY DISABLED

■ 1. The authority citation for parts 51–3 and 51–4 are revised to read as follows:

Authority: 41 U.S.C. 8501–8506.

■ 2. Amend § 51–3.5 by revising the existing text to be designated as paragraph (a); and adding paragraphs (b), (c), (d) and (e) to read as follows:

§ 51–3.5 Program Fees.

(a) A program fee is an allowable expense included in the Fair Market Price approved by the Committee and the final contract price with a federal agency. A central nonprofit agency may collect program fees from nonprofit agencies to facilitate its statutory

responsibilities set forth in the JWOD Act and Committee regulations.

(b) Program fees collected shall not exceed the ceiling set by the Committee pursuant to section 2.2(f) of this chapter. Prior to collecting program fees, a central nonprofit agency shall enter into a cooperative agreement with the Committee, which shall be governed by 31 U.S.C., chapter 63, and Subtitle A, Title 2 Part 200, Code of Federal Regulations, subject to any exceptions approved by the Committee in accordance with 2 CFR 200.102(c).

(c) Generally, program fees cannot be collected by a central nonprofit agency if its designation has been severed, or its cooperative agreement with the Commission expires. The central nonprofit agency may, however, collect program fees after the end of a designation or the expiration of an existing agreement if those program fees are accrued prior to the date of termination.

(d) Program fees designated under section 2.2(f) shall be calculated based on the dollar value of nonprofit agency sales of their commodities or services to the Federal Government under the AbilityOne Program, but sales of commodities and services shall not include the value or costs of the subcontracting of any part of the commodity or service, unless permitted by Committee policy or procedure.

(e) When serving as a prime contractor, the central nonprofit agency may collect a program fee from a nonprofit agency subcontractor serving as an authorized source for the underlying Procurement List requirement. It may not, however, collect a program fee if it has already negotiated general administrative and/or indirect expenses with the contracting activity for the prime contract.

■ 3. Amend § 51–4.4 by replacing paragraphs (a), (b), (c), and (d), and adding paragraphs (e), (f), and (g) to read as follows:

§ 51–4.4 Subcontracting.

(a) Subcontracting is the act of assigning or outsourcing a portion of the nonprofit agencies' obligations or tasks under a Federal contract to another party. Subcontracting does not include the acquisition of raw or finished materials to manufacture commodities or the purchase of any ancillary commodities needed to perform a service.

(b) Subcontracting is permissible when it facilitates the career development or employment of individuals who are blind or significantly disabled. It is also permissible when used to procure capabilities necessary to meet niche or specialized contract requirements. Subcontracting is not permissible when used to circumvent statutory direct labor hour ratio requirements or to outsource tasks that could otherwise be performed by significantly disabled or blind individuals. If the Committee approves subcontracting, each nonprofit agency shall accomplish the maximum amount of subcontracting with other nonprofit agencies before considering for-profit sources unless it is authorized to do so by Committee policy or procedures.

(c) *For Services.* Under no circumstances may a nonprofit agency subcontract to a for-profit entity at an amount greater than twenty-five percent of the direct labor hours needed to fulfill a government order without good cause and the Committee's prior approval. The percentage of subcontracting is determined by the number of direct labor hours performed by the subcontractor(s) in relation to the direct labor hours performed by the nonprofit agency serving as the prime contractor.

(d) *For Commodities.* Under no circumstances may a nonprofit agency subcontract to a for-profit entity at an amount greater than ten percent of the total value earned from the government order without good cause and the Committee's prior approval. The percentage of subcontracting is determined by the total contract value received by the subcontractor(s) in relation to the amount earned by the nonprofit agency serving as the prime contractor.

(e) *Notification.* Subcontracting intended to be a routine part of the production of a product or provision of a service, but less than the percentage thresholds at paragraphs (c) and (d), shall be identified to the Committee at the time the product or service is proposed for addition to the Procurement List. If a nonprofit agency intends to increase the amount of subcontracting after a requirement has been added to the Procurement List, but that amount is less than the percentage thresholds at paragraphs (c) and (d), it shall notify the Committee before the change can be effectuated. Routine subcontracting to other nonprofit agencies requires only Committee notice regardless of ratio or dollar amounts; therefore, this type of subcontracting is not subject to the conditions described at paragraphs (c) and (d).

(f) Ad hoc or nonroutine subcontracting needed to supplement temporary workforce shortfalls or to meet increased government requirements but accounting for less than the percentage thresholds at paragraphs (c) and (d) do not require prior Committee notification or approval.

(g) When a nonprofit agency, authorized in accordance with section 51–5.2(a), has been directed to serve as a subcontractor in support of a product or service on the Procurement List, it retains the same rights and obligations as any other AbilityOne mandatory source.

[FR Doc. 2026–08392 Filed 4–29–26; 8:45 am]

BILLING CODE 6353–01–P

LEGAL SERVICES CORPORATION

45 CFR Parts 1630 and 1631

Cost Standards and Procedures; Purchasing and Property Management

AGENCY: Legal Services Corporation.

ACTION: Notice of proposed rulemaking.

SUMMARY: This proposed rule revises the Legal Services Corporation's (LSC) regulations governing cost allowability, prior approval requirements, and property and procurement standards applicable to LSC recipients. Through these amendments, LSC seeks to clarify existing requirements, reduce administrative burden, promote consistent oversight and enforcement, and strengthen accountability in the use of federal funds.

DATES: Comments must be submitted by 11:59 p.m. Eastern on June 29, 2026.

ADDRESSES: You may submit comments by any of the following methods:

- *Email: lscrulemaking@lsc.gov.* Include ''Comments on Revisions to Parts 1630 and 1631'' in the subject line of the message.
- *Mail:* Brittany Sims Nwankwoala, Assistant General Counsel, Legal Services Corporation, 1825 I St. NW, Ste. 800, Washington, DC 20006, ATTN: Parts 1630 and 1631 Rulemaking.
- *Hand Delivery/Courier:* Brittany Sims Nwankwoala, Assistant General Counsel, Legal Services Corporation, 1825 I St. NW, Ste. 800, Washington, DC 20006, ATTN: Parts 1630 and 1631 Rulemaking.

Instructions: Electronic submissions are preferred via email with attachments in Acrobat PDF format. LSC will not consider written comments sent to any other address or received after the end of the comment period.

FOR FURTHER INFORMATION CONTACT: Brittany Sims Nwankwoala, Assistant General Counsel, Legal Services Corporation, 1825 I St. NW, Ste. 800, Washington, DC 20006; (202) 295–1599 (phone), or *nwankwoalab@lsc.gov.*

SUPPLEMENTARY INFORMATION:

I. Background

The Legal Services Corporation Act of 1974 authorizes LSC to establish regulations governing the use of grant funds and to ensure appropriate stewardship of Federal resources. See 42 U.S.C 2996g(e). LSC sets forth its cost standards and prior approval requirements in 45 CFR part 1630 and its procurement and property management requirements in part 1631.

In 2017, LSC revised part 1630 to provide uniform standards that require costs to be actually incurred, reasonable in amount, allocable to the grant, and consistent with generally accepted accounting principles and the recipient's accounting practices. Additionally, part 1630 establishes requirements for prior written approval and questioned cost proceedings to ensure fair and timely resolution of disputes over cost allowability. LSC also updated the prior approval threshold from $10,000 to $25,000 in response to requests from grantees to increase the threshold to account for inflation.

During the same rulemaking, LSC moved its property acquisition and management policies into the Code of Federal Regulations at 45 CFR part 1631. The purpose of the regulation is to ensure that property and service contracts funded in whole or in part by LSC grants are managed in accordance with standards that safeguard their use. This includes requirements for appropriate charging of goods or services to third parties that engage in activities restricted by the LSC Act. These provisions mirror long-standing federal procurement and property management principles and are designed to safeguard LSC's interests while still permitting grantees to efficiently deliver legal services.

In 2022, LSC conducted a retrospective review of its regulations to assess whether existing provisions were clear, effective, and aligned with current programmatic and compliance realities. That review identified several provisions in parts 1630 and 1631 that recipients and LSC staff have found difficult to administer consistently or that lack sufficient clarity for grantees and oversight staff. Subsequent discussions with the Office of Compliance and Enforcement (OCE), the Office of Inspector General (OIG), and other internal stakeholders confirmed those concerns. LSC is proposing to revise parts 1630 and 1631 to ameliorate these inconsistencies.

LSC believes regulatory action is justified at this time to address these ambiguities in its cost standards, prior approval requirements, and property and procurement regulations that have resulted in inconsistent interpretation and application by recipients and LSC oversight staff. Since LSC last substantively revised parts 1630 and 1631 in 2017, changes in recipient operations, procurement practices, and fiscal environments have exposed limitations in the current regulatory framework that guidance alone cannot resolve.

On January 22, 2026, the Operations and Regulations Committee (''Committee'') voted to recommend that the Board authorize LSC to engage in rulemaking on parts 1630 and 1631. The Board accepted the recommendation and voted on January 27, 2026, to authorize LSC to engage in rulemaking. On March 19, 2026, the Committee voted to recommend that the Board authorize publication of this NPRM for notice and comment. On March 23, the Board voted to authorize LSC to publish this NPRM for notice and comment.

II. Clarification of Prior Approval Requirements

LSC proposes to revise its prior approval framework to eliminate ambiguity regarding when recipients must seek approval to use LSC funds for purchases or procurements. Currently, some provisions require prior approval when recipients expend $25,000 or more of LSC funds, while related provisions require approval when recipients use more than $25,000 of LSC funds. Compare 45 CFR 1630.6(b)(1) (''Without LSC's prior written approval, a recipient may not expend $25,000 or more of LSC funds on any of the following[.]'') with 1631.8(a) (''As required by 45 CFR 1630.6 and 1631.3, a recipient using more than $25,000 of LSC funds to purchase or lease personal property or contract for services must request and receive LSC's prior approval.''). The language in the latter quote mirrors the language from the previous version of the prior approval rule and is the language that LSC intended to adopt in each provision applicable to the prior approval requirement.

The phrasing inconsistency between these provisions creates uncertainty about when a recipient must seek prior approval. LSC proposes to align these provisions and to clarify that recipients must obtain prior written approval before they incur a legal obligation to expend LSC funds in excess of the applicable threshold. This clarification reflects LSC's existing enforcement practice and will provide recipients with clearer guidance for procurement planning.

III. Increase in the Prior Approval Threshold

LSC also proposes to increase the monetary threshold that triggers the requirement to obtain prior written approval. The $25,000 threshold has remained unchanged since 2017, notwithstanding inflation, changes in procurement practices, and the increasing complexity of recipient operations. As a result, transactions that may once have warranted individualized review now routinely exceed the $25,000 threshold, potentially diverting staff resources from higher-risk matters without corresponding compliance benefits. By increasing the threshold, LSC seeks to focus oversight resources on higher-risk expenditures while reducing the administrative burden on recipients.

LSC also seeks comment on whether it should apply a higher threshold to contracts awarded under special grants. The Office of Program Performance (OPP) already reviews and approves special grant budgets that include information on proposed contracts and purchases and the related anticipated costs through the competitive grant process, potentially reducing the marginal value of additional prior approval under parts 1630 and 1631.

IV. Treatment of Fundraising Proceeds

LSC proposes to clarify how recipients must treat proceeds from fundraising activities that LSC funds support in whole or in part. In 2017, LSC added § 1630.5(i) to codify its longstanding policy permitting recipients to use LSC funds for allowable fundraising activities and to use funds raised to carry out the purposes of the LSC grant. The OIG has urged LSC to require recipients to treat fundraising proceeds as derivative income or, alternatively, to require recipients to reimburse the LSC account for allowable fundraising costs before allocating remaining proceeds to other accounts. After considering those recommendations, LSC Management is maintaining its position that fundraising proceeds do not constitute derivative income. The definition of derivative income adopted in the 1997 final rule limits that term to income generated by activities directly supported by Federal grant funds and excludes grants, contracts, or contributions from non-LSC sources.

Consistent with that framework, LSC proposes to state explicitly that fundraising income is not derivative but requires recipients to reimburse the LSC account from the proceeds of fundraising activities supported with

LSC funds in proportion to the amount of LSC funds used. This approach will ensure that recipients use LSC funds only for authorized purposes while preserving incentives for recipients to leverage LSC funding to generate additional resources for legal services.

V. Flexibility in Review Timelines for Prior Approval Requests

LSC proposes to revise part 1631 to allow LSC to extend review timelines for complex or atypical prior approval requests. Under the current regulations, fixed review periods limit LSC's ability to obtain and evaluate additional information necessary to assess unusual or nonstandard transactions. By clarifying its authority to adjust review timelines when circumstances warrant, LSC seeks to improve the quality of its reviews while maintaining transparency and accountability.

VI. Revision of Accounting Submission Deadlines

LSC proposes to revise the deadline for submission of required accountings under § 1631.19. The current regulation requires recipients to submit accountings ''no later than April 30,'' a fixed date that assumes a December 31 fiscal year-end. However, many recipients operate on fiscal years ending in June or September, and the fixed deadline has caused confusion and delayed submissions.

LSC proposes to replace the fixed date with an event-based deadline tied to the close of the recipient's fiscal year or the completion of the annual audit. This change will promote consistency, improve timeliness, and better accommodate recipients with varying fiscal calendars.

V. Proposed Changes

Part 1630—Cost Standards and Procedures

§ 1630.5 Standards Governing Allowability of Costs Under LSC Grants or Contracts

LSC proposes revising § 1630.5(i) to explicitly state that fundraising proceeds are not derivative income, and that grantees are required to reimburse the LSC account with allowable and allocable LSC costs from the fundraising proceeds.

§ 1630.6 Prior Approval

LSC proposes revising § 1630.6(b) to state that recipients may not expend more than the set amount without prior approval and to increase the prior approval threshold from $25,000 to $50,000. LSC also proposes to revise § 1630.6(b)(1) and (3) to state that the requirement applies when the cost allocated to the LSC fund is greater than $50,000. Furthermore, LSC proposes to clarify in § 1630.6(b)(5) that LSC prior approval is required before recipients incur a legal obligation to expend LSC funds in excess of this threshold.

Part 1631—Purchasing and Property Management

§ 1631.3 Prior Approval Process

LSC proposes to revise paragraphs (b)(1) and (b)(2) of § 1631.3 to clarify that LSC could need to request additional information to make decisions regarding prior approval of purchases or leases of personal property, contracts for services, capital improvements, and real estate to support a request outside of the 20-day required timeframe to initially inform a recipient whether more information is needed. LSC also proposes to revise § 1631.3(d)(1) by increasing the $25,000 prior approval threshold to $50,000.

§ 1631.8 Requests for Prior Approval

LSC proposes to revise § 1631.8(a) by increasing the prior approval threshold from $25,000 to $50,000. Additionally, LSC proposes to revise § paragraph (b)(3) to clarify that the requirement to provide ''[d]ocuments showing that a recipient followed its procurement policies and procedures in soliciting, reviewing, and approving the purchase, lease, or contract for services[,]'' refers to documentation a recipient has included in their procurement files to demonstrate adherence with a recipient's policies and procedures. This change is needed to address confusion over the type of supporting documentation needed and avoid the common need for recipients to supplement their requests after submission.

§ 1631.19 Accounting and Reporting to LSC

LSC proposes to revise § 1631.19 by changing the April 30 deadline for recipients to provide the accounting report to LSC. LSC proposes to require recipients to submit the report by the date recipients are required to submit their annual audited financial statements to LSC's Office of Inspector General. Additionally, LSC proposes to clarify that this accounting needs to reflect the cumulative amount of LSC funds used to pay for acquisition costs, financing, and capital improvement, rather than just the amount spent in the reporting year.

LSC also wishes to clarify the types of costs that should be included in the accounting under § 1631.19. In the preamble to the 2017 NPRM for part 1631, LSC stated that ''[c]osts that recipients should account for include, but are not limited to, acquisition costs in the year of purchase; mortgage payments; insurance, maintenance, and taxes; and costs associated with capital improvements made using LSC funds[.]'' Legal Services Corporation, Definitions; Cost Standards and Procedures; Purchasing and Property Management, 81 FR 75006 (Oct. 28, 2016). However, the rule text requires recipients to include only the amount of LSC funds used to pay for acquisition costs, financing, and capital improvements in the accounting. In the years since LSC promulgated part 1631, LSC has required grant recipients to include only the costs identified in the rule text. LSC uses this information to ensure accurate accounting of the amount of LSC funds a grant recipient invests in real property so that when the recipient sells the property, the amount of proceeds attributable to the investment of LSC funds is returned to LSC. LSC does not include the costs of insurance and maintenance in its assessment of LSC's interest in real estate purchased or improved using LSC funds. While the costs of insurance and maintenance allocated to the LSC grant need to be reasonable and necessary, LSC has determined that the costs associated with including those costs in the accounting required by this section exceed the benefit to LSC of including them.

List of Subjects

45 CFR Part 1630

Accounting, Government contracts, Grant programs—law, Hearing and appeal procedures, Legal services, Questioned costs.

45 CFR Part 1631

Government contracts, Grant programs—law, Legal services, Real property acquisition.

For the reasons set forth in the preamble, the Legal Services Corporation proposes to amend parts 1630 and 1631of title 45 of the Code of Federal Regulations as follows:

PART 1630—COST STANDARDS AND PROCEDURES

■ 1. The authority citation for part 1630 continues to read:

Authority: 42 U.S.C. 2996g(e).

■ 2. Amend § 1630.5 by revising paragraph (i) to read as follows:

§ 1630.5 Standards governing allowability of costs under LSC grants or contracts.

* * * * *

(i) *Fundraising.* (1) Costs associated with fundraising for the purpose of increasing recipient funds available to carry out the purposes of the LSC grant are allowable and allocable to the LSC grant if they meet the requirements of this section.

(2) A recipient that charges fundraising costs to the LSC grant shall reimburse its LSC account from the fundraising proceeds in an amount equal to the amount charged to the LSC grant.

(3) Fundraising proceeds are not derivative income within the meaning of §§ 1630.2(b) and 1630.17(c).

* * * * *

■ 3. Amend § 1630.6 by revising paragraphs (b)(1), (3) and (5) to read as follows:

§ 1630.6 Prior approval.

* * * * *

(b) Costs requiring prior approval.

(1) Without LSC's prior written approval, a recipient may not expend more than $50,000 of LSC funds on any of the following:

(2) * * *

(3) For costs apportioned between LSC funds and one or more other funding sources, this requirement applies when the cost allocable to LSC funds is greater than $50,000.

(4) * * *

(5) Recipients must obtain LSC's prior approval before incurring a legal obligation to expend LSC funds in excess of the applicable threshold.

* * * * *

PART 1631—PURCHASING AND PROPERTY MANAGEMENT

■ 1. The authority citation for part 1631 continues to read as follows:

Authority: 42 U.S.C. 2996g(e).

■ 2. Amend § 1631.3 by revising paragraphs (b)(1), (b)(2), and (d)(1) to read as follows:

§ 1631.3 Prior approval process.

* * * * *

(b)(1) For purchases or leases of personal property, contracts for services, and capital improvements, LSC will make a decision to approve or deny a request for prior approval within 30 days of receiving materials LSC deems sufficient to decide. LSC will inform a recipient within 20 days of receiving the prior approval request whether LSC needs additional information to make a decision and initiate the collection of this information.

(b)(2) For purchases of real estate, LSC will make a decision within 60 days of receiving materials LSC deems sufficient to decide. LSC will inform a recipient within 20 days of receiving the initial prior approval request whether LSC needs additional information to make a decision and re-initiate the collection of this information.

(3) * * *

(c) * * *

(d) Exigent circumstances. (1) A recipient may use more than $50,000 of LSC funds to purchase personal property or award a contract for services without seeking LSC's prior approval if the purchase or contract is necessary;

* * * * *

■ 3. Amend § 1631.8 by revising paragraphs (a) and (b) to read as follows:

§ 1631.8 Requests for prior approval.

(a) As required by 45 CFR 1630.6 and 1631.3, a recipient using more than $50,000 of LSC funds to purchase or lease personal property or contract for services must request and receive LSC's prior approval.

(b) * * *

(3) Documentation showing that the recipient followed its procurement policies and procedures in soliciting, reviewing, and approving the purchase, lease, or contract for services (*i.e.,* the documents recipients have in their procurement files to demonstrate adherence with the recipient's policies and procedures).

■ 4. Revise § 1631.19 to read as follows:

§ 1631.19 Accounting and reporting to LSC.

A recipient must maintain an accumulative accounting of the amount of LSC funds it uses to pay for acquisition, financing, and capital improvements costs for each of its LSC-funded properties. The recipient must provide the accounting to LSC annually by no later than the date recipients are required to submit their annual audited financial statements to LSC's Office of Inspector General.

Dated: April 27, 2026.

Stefanie K. Davis,

Deputy General Counsel and Ethics Officer, Legal Services Corporation.

[FR Doc. 2026–08387 Filed 4–29–26; 8:45 am]

BILLING CODE 7050–01–P

DEPARTMENT OF THE INTERIOR

Fish and Wildlife Service

50 CFR Part 17

[FWS–R6–ES–2023–0114; FXES1113090FEDR–267–FF09E22000]

RIN 1018–BH01

Endangered and Threatened Wildlife and Plants; Removal of the North Park Phacelia From the List of Endangered and Threatened Plants

AGENCY: Fish and Wildlife Service, Interior.

ACTION: Proposed rule; reopening of comment period.

SUMMARY: We, the U.S. Fish and Wildlife Service (Service), are reopening the comment period on our March 19, 2024, proposed rule to delist the North Park phacelia (*Phacelia formosula*), a plant found in the state of Colorado, from the Federal List of Endangered and Threatened Plants under the Endangered Species Act of 1973, as amended (Act). We are reopening the proposed rule's comment period for 30 days to give all interested parties an additional opportunity to comment on the proposed rule in consideration of the updated Species Status Assessment (SSA) report, which we revised based on new information from comments previously submitted, and based on peer review. Comments previously submitted will be fully considered in our final determination and do not need to be resubmitted.

DATES: The comment period on the proposed delisting rule published on March 19, 2024, at 89 FR 19546, is reopened. We will accept comments received or postmarked on or before June 1, 2026. Comments submitted electronically using the Federal eRulemaking Portal (see **ADDRESSES**, below) must be received by 11:59 p.m. eastern time on the closing date. We must receive requests for public hearings, in writing, at the address shown in **FOR FURTHER INFORMATION CONTACT** by June 1, 2026.

ADDRESSES:

Comment submission: You may submit comments by one of the following methods:

(1) *Electronically:* Go to the Federal eRulemaking Portal: *https://www.regulations.gov.* In the Search box, enter FWS–R6–ES–2023–0114, which is the docket number for the March 19, 2024, proposed rule and this document. Then click on the Search button. On the resulting page, in the Search panel on the left side of the screen, under the

Document Type heading, click on the Proposed Rule box to locate the correct document. You may submit a comment by clicking on ''Comment.''

(2) By hard copy: Submit by U.S. mail to: Public Comments Processing, Attn: FWS–R6–ES–2023–0114, U.S. Fish and Wildlife Service, MS: PRB/3W, 5275 Leesburg Pike, Falls Church, VA 22041–3803.

We request that you send comments only by the methods described above. We will post all comments on *https://www.regulations.gov.* This generally means that we will post any personal information you provide us (see Public Comments, below, for more information).

Document availability: The March 19, 2024, proposed rule and its supporting documents, including the revised SSA report, are available at *https://www.regulations.gov,* Docket No. FWS–R6–ES–2023–0114.

FOR FURTHER INFORMATION CONTACT: Nathan Darnall, Western Colorado Supervisor, U.S. Fish and Wildlife Service, Colorado Ecological Services Field Office; 970–238–3610; *Nathan_Darnall@fws.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. Please see Docket No. FWS–R6–ES–2023–0114 on *https://www.regulations.gov* for a document that summarizes the March 19, 2024, proposed rule (89 FR 19546).

SUPPLEMENTARY INFORMATION:

Background

On March 19, 2024, we published a proposed rule (89 FR 19546) to remove the North Park phacelia from the Federal List of Endangered and Threatened Plants under the Endangered Species Act (16 U.S.C. 1531 *et seq.*), based on its recovery. The proposed rule opened a 60-day comment period, ending May 20, 2024. On September 12, 2025, following the receipt of substantive new information about the species, we finalized updates to the North Park phacelia SSA Report Version 2.0, which included incorporating population trend data in our resiliency analysis, more thoroughly characterizing genetic diversity across North Park phacelia populations, and updating our future condition assessment. We are reopening the comment period to allow the public the opportunity to provide additional comments on the March 19, 2024, proposed rule based on the new information and analysis in the updated SSA report and previous comments received on the March 19, 2024, proposed rule (89 FR 19546). For a description of previous Federal actions concerning the North Park phacelia and information on the types of comments that would be helpful to us in making a final determination on our proposal, please refer to the March 19, 2024, proposed rule (89 FR 19546).

Public Comments

We will accept written comments and information during the reopened comment period on our March 19, 2024, proposed rule to delist the North Park phacelia (89 FR 19546). We will consider information and recommendations from all interested parties. We intend that any final action resulting from the proposed rule will be based on the best scientific and commercial data available and will be as accurate and as effective as possible. Our final determination will take into consideration all comments and any additional information we receive during both comment periods on the proposed rule.

Because we will consider all comments and information we receive during both open comment periods, our final determination may differ from our March 19, 2024, proposed rule (89 FR 19546). Based on the new information we receive (and, if relevant, any comments on that new information), we may conclude that the North Park phacelia is a threatened species or endangered species, or we may conclude that the species does not warrant listing as either an endangered species or a threatened species. In our final rule, we will clearly explain our rationale and the basis for our final decision, including why we made changes, if any, that differ from the March 19, 2024, proposed rule (89 FR 19546).

Authority

The Endangered Species Act of 1973, as amended (16 U.S.C. 1531 *et seq.*), is the authority for this action.

Brian R. Nesvik,

Director, U.S. Fish and Wildlife Service.

[FR Doc. 2026–08467 Filed 4–29–26; 8:45 am]

BILLING CODE 4333–15–P

Notices

Federal Register
Vol. 91, No. 83
Thursday, April 30, 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

Agricultural Marketing Service

[Doc. No. AMS–AMS–26–0364]

2026/2027 Rates Charged for AMS Services

AGENCY: Agricultural Marketing Service, USDA.

ACTION: Notice.

SUMMARY: The Agricultural Marketing Service (AMS or the Agency) is announcing the 2026/2027 rates it will charge for voluntary grading, inspection, certification, auditing, and laboratory services for a variety of agricultural commodities including meat and poultry, fruits and vegetables, eggs, dairy products, rice, and cotton and tobacco. The 2026/2027 regular, overtime, holiday, and laboratory services rates will be applied at the beginning of the crop year, fiscal year, or as required by law depending on the commodity. Other starting dates are added to this notice based on cotton industry practices. This action establishes the rates for user-funded programs based on costs incurred by AMS. This year, cost-based analyses indicated the need to increase certain user fee rates when current rates are insufficient to cover the costs of providing the service. While cost-saving measures have and will continue to be implemented, user fee rate increases are necessary to offset rising operational costs. In cases where current rates are sufficient to cover the costs of providing the service, user fee rates remain unchanged. Furthermore, AMS is announcing the fees it will charge warehouse operators for voluntary services associated with the administration of the United States Warehouse Act, including the license action fees, service license fees, inspection fees, and annual user fees for warehouse services for fiscal year 2027, which begins October 1, 2026; these fees remain unchanged from last year.

DATES: May 1, 2026.

FOR FURTHER INFORMATION CONTACT: Melissa Bailey, Associate Administrator, AMS, USDA, Room 2056–S, 1400 Independence Ave. SW, Washington, DC 20250; telephone: (202) 205–9356; or email: *melissa.bailey@usda.gov.*

SUPPLEMENTARY INFORMATION: The Agricultural Marketing Act of 1946 (AMA), as amended (7 U.S.C. 1621–1627), provides for the collection of fees to cover costs of various inspection, grading, certification, or auditing services covering many agricultural commodities and products. The AMA also provides for the recovery of costs incurred in providing laboratory services. The Cotton Statistics and Estimates Act (7 U.S.C. 471–476) and the U.S. Cotton Standards Act (7 U.S.C. 51–65) provide for classification of cotton and development of cotton standards materials necessary for cotton classification. The Cotton Futures Act (7 U.S.C. 15b) provides for futures certification services, and the Tobacco Inspection Act (7 U.S.C. 511–511s) provides for tobacco inspection and grading. Finally, the United States Warehouse Act (7 U.S.C. 241–256) provides for the licensing of public warehouse operators in the business of storing agricultural products and the examination of such federally licensed warehouses. These Acts also provide for the recovery of costs associated with these services.

I. Standardization of AMS Rates Calculations

On November 13, 2014, the U.S. Department of Agriculture (Department) published in the **Federal Register** a final rule that established standardized formulas for calculating the fees charged by AMS user-funded programs (79 FR 67313). On the basis of rates calculated using these formulas, AMS is to determine the fee rates necessary to sustain program services. Every year since then, the Department has published in the **Federal Register** a notice announcing the rates for its user-funded programs.

This notice announces the 2026/2027 fee rates for voluntary grading, inspection, certification, auditing, and laboratory services for a variety of agricultural commodities including meat and poultry, fruits and vegetables, eggs, dairy products, rice, and cotton and tobacco on a per-hour rate and, in some instances, the equivalent per-unit cost. The per-unit cost is provided to facilitate understanding of the costs associated with the service to the industries that historically used unit-cost basis for payment. Fee rates will be effective at the beginning of the fiscal year, crop year, or as required by specific laws.

Rates reflect direct and indirect costs of providing services. Direct costs include the cost of salaries, employee benefits, and, if applicable, travel and some operating costs. Indirect or overhead costs include the cost of program and Agency activities supporting the services provided to the industry. The formula used to calculate these rates also includes operating reserve, which may add to or draw upon the existing operating reserves.

These services include the grading, inspection, or certification of quality factors in accordance with established U.S. Grade Standards or other specifications; audits or accreditation according to International Organization for Standardization (ISO) standards and/or Hazard Analysis and Critical Control Point (HACCP) principles; and other marketing claims. The quality grades serve as a basis for market prices and reflect the value of agricultural commodities to both producers and consumers. AMS' grading and certification, audit and accreditation, plant process and equipment verification, and laboratory approval services are voluntary tools paid for by the users on a fee-for-service basis. The agriculture industry can use these tools to promote and communicate the quality of agricultural commodities to consumers. Laboratory services are provided for analytic testing, including but not limited to chemical, microbiological, biomolecular, and physical analyses. AMS is required by statute to recover the costs associated with these services.

As required by the Cotton Statistics and Estimates Act (7 U.S.C. 471–476), fees for the upcoming season must be announced by June 1 of year and consultations regarding the establishment of the fee for cotton classification are to be held with U.S. cotton industry representatives. Representatives of all segments of the cotton industry, including producers,

ginners, bale storage facility operators, merchants, cooperatives, and textile manufacturers were informed of general fees prior to this publication.

2026/2027 Rate Calculations

AMS calculated the rate for services, per hour per program employee, using the following formulas (a per-unit base is included for programs that charge for services on a per-unit basis):

(1) *Regular rate.* The total AMS grading, inspection, certification, classification, audit, or laboratory service program personnel direct pay divided by direct hours for the previous year, which is then multiplied by the next year's percentage of cost of living increase, plus the benefits rate, plus the operating rate, plus the allowance for bad debt rate. If applicable, travel expenses may also be added to the cost of providing the service.

(2) *Overtime rate.* The total AMS grading, inspection, certification, classification, audit, or laboratory service program personnel direct pay divided by direct hours, which is then multiplied by the next year's percentage of cost of living increase and then multiplied by 1.5, plus the benefits rate, plus the operating rate, plus an allowance for bad debt. If applicable, travel expenses may also be added to the cost of providing the service.

(3) *Holiday rate.* The total AMS grading, inspection, certification, classification, audit, or laboratory service program personnel direct pay divided by direct hours, which is then multiplied by the next year's percentage of cost of living increase and then multiplied by 2, plus the benefits rate, plus the operating rate, plus an allowance for bad debt. If applicable, travel expenses may also be added to the cost of providing the service.

All rates are per-hour except when a per-unit cost is noted. The specific amounts in each rate calculation are available upon request from the specific AMS program.

2026/2027 RATES

	Regular	Overtime	Holiday	Includes travel costs in rate	Start date
Cotton Fees					
7 CFR Part 27—Cotton Classification Under Cotton Futures Legislation Subpart A—Requirements; §§ 27.80–27.90 Costs of Classification and Micronaire					
Cotton Standardization:					
Certification for Futures Contract (Grading services for samples submitted by CCC-licensed samplers).	$4.75/bale			X	August 1, 2026.
Transfer of Certification Data to New Owner or Certified Warehouse (Electronic transfer performed).	$0.20/bale or $5.00 per page minimum			X	August 1, 2026.
7 CFR Part 28—Cotton Classing, Testing, and Standards Subpart A—Regulations Under the United States Cotton Standards Act; §§ 28.115–28.126 Fees and Costs Subpart D—Cotton Classification and Market News Service for Producers; § 28.909 Costs; § 28.910 Classification of Samples and Issuance of Classification Data; § 28.911 Review Classification					
Cotton Grading:					
Form 1: Grading Services for Producers (submitted by licensed sampler).	$3.05/bale			X	July 1, 2026.
Form 1 Review (new sample submitted by licensed sampler).	$3.15/bale			X	July 1, 2026.
Form A Determinations (sample submitted by licensed warehouse).	$3.15/bale			X	July 1, 2026.
Form C Determinations (sample submitted by non-licensed entity; bale sampled under USDA supervision).	$3.15/bale			X	July 1, 2026.
Form D Determination (sample submitted by owner or agent; classification represents sample only).	$3.15/bale			X	August 1, 2026.
Foreign Growth Classification (sample of foreign growth cotton submitted by owner or agent; classification represents sample only).	$6.00/sample			X	August 1, 2026.
Arbitration (comparison of a sample to the official standards or a sample type).	$6.00/sample			X	August 1, 2026.
Practical Cotton Classing Exam (for non-USDA employees) ..	Exam: $159/applicant; Reexamination: $138/applicant			X	August 1, 2026.
Special Sample Handling (return of samples per request)	$0.50/sample			X	July 1, 2026.

2026/2027 RATES—Continued

	Regular	Overtime	Holiday	Includes travel costs in rate	Start date
Electronic Copy of Classification Record	$0.05/bale ($5.00/month minimum with any records received)			X	July 1, 2026.
Form A Rewrite (reissuance of Form 1, Form A, or Futures Certification data or combination).	$0.15/bale or $5.00/page minimum			X	August 1, 2026.
Form R (reissuance of Form 1 classification only)	$0.15/bale or $5.00/page minimum			X	August 1, 2026.
International Instrument Level Assessment	$4.00/sample			X	August 1, 2026.
Dairy Fees					
7 CFR Part 58—Grading and Inspection, General Specifications for Approved Plants and Standards for Grades of Dairy Products Subpart A—Regulations Governing the Inspection and Grading Services of Manufactured or Processed Dairy Products; §§ 58.38–58.46 Fees and Charges					
Continuous Resident Grading Service	$95.00	$116.00	$137.00	X	Oct 1, 2026.
Continuous Resident Grading Service 6 p.m.–6 a.m.	$105.00	$128.00	$151.00	X	Oct 1, 2026.
Non-resident and Intermittent Grading Service; State Graders	$120.00	$155.00	$190.00	X	Oct 1, 2026.
Non-resident Services 6 p.m.–6 a.m.(10 percent night differential).	$132.00	$171.00	$190.00	X	Oct 1, 2026.
Export Certificate Services	$104.00/certificate			.....	Oct 1, 2026.
Equipment Review [1]	$135.00	$192.00	$249.00	.....	Oct 1, 2026.
Equipment Review 6 p.m.–6 a.m.[1]	$148.00	$211.00	$249.00	.....	Oct 1, 2026.
Audit Services	$135.00			X	Oct 1, 2026.
Special Handling	$52.00/certificate			.....	Oct 1, 2026.
Uncertified Copy of Certificate	$12.00/copy			.....	Oct 1, 2026.
Derogation Application	$125.00/application			.....	Oct 1, 2026.
Specialty Crops Fees					
7 CFR Part 51—Fresh Fruits, Vegetables and Other Products (Inspection, Certification, and Standards) Subpart A—Requirements; §§ 51.37–51.44 Schedule of Fees and Charges at Destination Markets § 51.45 Schedule of Fees and Charges at Shipping Point Areas					
Quality and Condition Inspections for Whole Lots	$267.00/lot			.....	Oct 1, 2026.
Quality and Condition Half Lot or Condition-Only Inspections for Whole Lots.	$220.00/lot			.....	Oct 1, 2026.
Condition—Half Lot	$204.00/lot			.....	Oct 1, 2026.
Quality and Condition or Condition-Only Inspections 50 Packages or Less.	$122.00/lot			.....	Oct 1, 2026.
Quality and Condition or Condition-Only Inspections for Additional Lots of the Same Product.	$122.00/lot			.....	Oct 1, 2026.
Dockside Inspections—Each package weighing <30 lbs.	$0.044/pkg.			.....	Oct 1, 2026.
Dockside Inspections—Each package weighing >30 lbs.	$0.068/pkg.			.....	Oct 1, 2026.
Charge per Individual Product for Dockside Inspection	$254.00/lot			.....	Oct 1, 2026.
Charge per Each Additional Lot of the Same Product	$122.00/lot			.....	Oct 1, 2026.
Inspections for All Hourly Work	$129.00	$169.00	$209.00	.....	Oct 1, 2026.
Section 8e—Quality and Condition Inspections	$0.006675/pound			.....	Oct 1, 2026.
Section 8e—Additional Lots of the Same Product	$61.00			.....	Oct 1, 2026.
Audit Services—Federal	$175.00			.....	Oct 1, 2026.

2026/2027 RATES—Continued

	Regular	Overtime	Holiday	Includes travel costs in rate	Start date
Audit Services—State	$175.00			.....	Oct 1, 2026.
GFSI Certification Fee [2]	$250.00/audit			.....	Oct 1, 2026.
7 CFR Part 52—Processed Fruits and Vegetables, Processed Products Thereof, and Other Processed Food Products Subpart A—Requirements Governing Inspection and Certification; §§ 52.41–52.51 Fees and Charges					
Lot Inspections	$99.00	$128.00	$157.00	.....	Oct 1, 2026.
In-plant Inspections Under Annual Contract (year-round)	$105.00	$128.00	$152.00	.....	Oct 1, 2026.
Additional Graders (in-plant) or Less Than Year-Round	$105.00	$141.00	$176.00	.....	Oct 1, 2026.
Audit Services—Federal	$175.00			.....	Oct 1, 2026.
Audit Services—State	$175.00			.....	Oct 1, 2026.
GFSI Certification Fee [2]	$250.00/audit			.....	Oct 1, 2026.
Meat Fees					
7 CFR Part 54—Meats, Prepared Meats, and Meat Products (Grading, Certification, and Standards) Subpart A—Grading of Meats, Prepared Meats, and Meat Products; §§ 54.27–54.28 Charges for Service					
Scheduled Grading	$101.00	$126.00	$152.00	X	Oct 1, 2026.
Unscheduled Grading	$127.00	$146.00	$171.00	.....	Oct 1, 2026.
Scheduled Night Differential (6 p.m.–6 a.m.)	$111.00	$139.00	$152.00	X	Oct 1, 2026.
7 CFR Part 62—Agricultural Marketing Service Audit Verification and Accreditation Programs (AVAAP) Subpart E—Fees § 62.300 Fees and Other Costs of Service					
Auditing Activities	$175.00	$244.00	$268.00	.....	Oct 1, 2026.
Poultry Fees					
7 CFR Part 56—Voluntary Grading of Shell Eggs Subpart A—Grading of Shell Eggs; §§ 56.45–56.54 Fees and Charges **7 CFR Part 70—Voluntary Grading of Poultry and Rabbit Products** Subpart A—Grading of Poultry and Rabbit Products; §§ 70.70–70.78 Fees and Charges					
Scheduled Grading	$81.00	$105.00	$127.00	X	Oct 1, 2026.
Scheduled, Night Differential (6 p.m.–6 a.m.)	$90.00	$117.00	$127.00	X	Oct 1, 2026.
Scheduled, Sunday Differential	$104.00	$134.00	N/A	X	Oct 1, 2026.
Scheduled, Sunday and Night Differential	$116.00	$148.00	N/A	X	Oct 1, 2026.
Unscheduled Grading	$118.00	$146.00	$175.00	.....	Oct 1, 2026.
Science and Technology Fees					
7 CFR Part 91—Services and General Information Subpart I—Fees and Charges; §§ 91.37–91.45					
Laboratory Testing Services	$128.00	$146.00	$164.00	.....	Oct 1, 2026.
Laboratory Approval Services [1]	$188.00	$218.00	$249.00	X	Jan 1, 2027.
7 CFR Part 75—Provisions for Inspection and Certification of Quality of Agricultural and Vegetable Seeds § 75.41 General					
Laboratory Testing	$82.00	$114.00	$146.00	.....	Oct 1, 2026.
Auditing Services	$164.00	$190.00	$215.00	.....	Oct 1, 2026.
Organization for Economic Cooperation and Development Seed Schemes for Corn Seeds.	$0.47/100 pounds			.....	July 1, 2026.
Organization for Economic Cooperation and Development Seed Schemes for Cotton, Soybeans, Sunflower, Sorghum, and Cereal Seeds.	$0.38/100 pounds			.....	July 1, 2026.
Organization for Economic Cooperation and Development Seed Schemes for Other Seeds.	$0.36/100 pounds			.....	July 1, 2026.

2026/2027 RATES—Continued

	Regular	Overtime	Holiday	Includes travel costs in rate	Start date
Tobacco Fees					
7 CFR Part 29—Tobacco Inspection Subpart A—Policy Statement and Regulations Governing the Extension of Tobacco Inspection and Price Support Services to New Markets and to Additional Sales on Designated Markets; Subpart B—Requirements; §§ 29.123–29.129 Fees and Charges; § 29.500 Fees and charges for inspection and acceptance of imported tobacco Subpart F—Policy Statement and Provisions Governing the Identification and Certification of Non-quota Tobacco Produced and Marketed in Quota Area; § 29.9251 Fees and Charges					
Domestic Permissive Inspection and Certification (re-grading of domestic tobacco for processing plants, retesting of imported tobacco, and grading tobacco for research stations.).	$55.00	$64.00	$72.00	.....	July 1, 2026.
Export Permissive Inspection and Certification (grading of domestic tobacco for manufacturers and dealers for duty drawback consideration).	$0.0025/pound			X	July 1, 2026.
Grading for Risk Management Agency (for Tobacco Crop Insurance Quality Adjustment determinations).	$0.015/pound			X	July 1, 2026.
Pesticide Test Sampling (collection of certified tobacco sample and shipment to AMS National Science Laboratory for testing).	$0.0065/kg or $0.0029/pound			X	July 1, 2026.
Pesticide Retest Sampling (collection of certified tobacco sample from a previously sampled lot for re-testing at the AMS National Science Laboratory; fee includes shipping).	$115.00/sample and $55.00/hour			X	July 1, 2026.
Standards Course (training by USDA-certified instructor on tobacco grading procedures).	$1,250.00/person			.....	July 1, 2026.
Import Inspection and Certification (grading of imported tobacco for manufacturers and. dealers)	$0.0170/kg or $0.0080/pound			X	July 1, 2026.
Rice Fees					
7 CFR Part 868—General Regulations and Standards for Certain Agricultural Commodities Subpart A—Regulations; §§ 868.91 Fees for certain Federal rice inspection services.					
Contract (per hour per Service representative) [3]	$79.30	$119.00	$158.60	.....	Oct 1, 2026.
Noncontract (per hour per Service representative) [3]	$99.10	$148.70	$198.30	.....	Oct 1, 2026.

[1] Travel costs outside the United States will be added to the fee, if applicable.
[2] Global Food Safety Initiative (GFSI) Certification Fee—$250 per GFSI audit to recoup the costs associated with attaining technical equivalency to the GFSI benchmarking requirements.
[3] Original and appeal inspection services include Sampling, grading, weighing, and other services requested by the applicant when performed at the applicant's facility.

II. The United States Warehouse Act Fees

The United States Warehouse Act (USWA) (7 U.S.C. 241–256) provides for the licensing of public warehouse operators in the business of storing agricultural products, examination of such federally licensed warehouses, and collection of fees to sustain the operation and administration of such efforts. Participation in USWA program is voluntary. Participants may choose to obtain licensing under USWA to meet State or other industry requirements. Warehouse examinations provided by AMS examine the financial status of the operation, the integrity of the commodities stored in licensed facilities, as well as the facilities themselves.

This notice announces the fees for licensing and examining warehouses storing export food aid commodities, grain, nuts, sweeteners, wool, cotton, cottonseed and dry beans. USWA fees will remain unchanged from last year.

Fees must cover all expenses for USWA administrative services including the maintenance of a sufficient operating reserve. The fees reflect direct and indirect costs of providing services. Direct costs include the cost of salaries, employee benefits, and, if applicable, travel and some operating costs. Indirect or overhead costs include the cost of AMS administrative activities supporting the services provided to the industry. Program costs also include maintaining an operating reserve and, depending on the balance in the reserve, may provide for adding to or drawing down the reserve to assure an appropriate balance is maintained.

Rates in this notice will be available at AMS' website, as required by 7 CFR 869.4. A schedule of fees may also be requested by contacting the Director,

Warehouse and Commodity Management Division, Fair Trade Practices Program, AMS, USDA at the following updated address: 805 Pennsylvania Avenue, Mail Stop 9148, Kansas City, Missouri 64105.

2026/2027 RATES

United States Warehouse Act Fees (effective October 1, 2026)

7 CFR Part 869—Regulations for the United States Warehouse Act
Subpart A—General Provisions
§ 869.4 Fees

Cotton	
License Action Fee	$95
Service License Fee	$42
Inspection Fee (for each 1,000 bales) [1]	$100
Min	$200
Max	$2,000
Annual User Fee for each warehouse location with a CCC storage agreement (licensed capacities in bales):	
1–20,000	$685
20,001–40,000	$903
40,001–60,000	$1,100
60,001–80,000	$1,307
80,001–100,000	$1,722
100,001–120,000	$2,056
120,001–140,000	$2,402
140,001–160,000	$2,747
160,001+	$2,747
Per 5,000 bale capacity above 160,000 bales, or fraction thereof.	$69
Annual User Fee for each warehouse location without a CCC storage agreement (licensed capacities in bales):	
1–20,000	$1,371
20,001–40,000	$1,807
40,001–60,000	$2,200
60,001–80,000	$2,614
80,001–100,000	$3,444
100,001–120,000	$4,113
120,001–140,000	$4,804
140,001–160,000	$5,495
160,001+	$5,495
Per 5,000 bale capacity above 160,000 bales, or fraction thereof.	$138
Cottonseed	
License Action Fee	$95
Service License Fee	$42
Inspection Fee (for each 1,000 short tons) [1]	$20
Min	$200
Max	$2,000
Annual User Fee (per 1,000 short tons, or fraction thereof)	$20
Min	$797
Dry Beans	
License Action Fee	$95
Service License Fee	$42
Inspection Fee (for each 1,000 hundred weight) [1]	$20
Min	$200
Max	$2,000
Annual User Fee (licensed capacity in hundredweight):	
100–90,000	$980
90,001–150,000	$1,371
150,001–300,000	$1,775
300,001–450,000	$2,168
450,001–600,000	$2,556
600,001–720,000	$2,939
720,001–900,000	$3,343
900,001–1,200,000	$3,741
1,200,001–1,500,000	$4,124
1,500,001–3,000,000	$4,512
3,000,001+	$4,700
Per 1,000 hundredweight above 3,000,000, or fraction thereof.	$1.55
Monthly Emergency Storage Fee per 10,000 Hundredweight [2]	$5
Export Food Aid Commodities	
Export food aid commodities License Action Fee	$116

2026/2027 RATES—Continued

Inspection Fee (per location)	$900
Annual User fee (per location)	$1,000
Grain	
License Action Fee	$95
Service License Fee	$42
Inspection Fee (for each 10,000 bushels) [1]	$20
Min	$200
Max	$2,000
Annual User Fee for each warehouse location with a CCC storage agreement (licensed capacities in bushels):	
1–150,000	$180
150,001–250,000	$361
250,001–500,000	$531
500,001–750,000	$717
750,001–1,000,000	$892
1,000,001–1,200,000	$1,073
1,200,001–1,500,000	$1,254
1,500,001–2,000,000	$1,424
2,000,001–2,500,000	$1,610
2,500,001–5,000,000	$1,785
5,000,001–7,500,000	$1,971
7,500,001–10,000,000	$2,152
10,000,001+	$2,152
Per million bushels above 10,000,000, or fraction thereof.	$58
Monthly Emergency Storage Fee per 50,000 Bushels. (Each warehouse location with a CCC storage agreement) [2]	$5
Annual Fee for each warehouse location without a CCC storage agreement (licensed capacities in bushels):	
1–150,000	$361
150,001–250,000	$722
250,001–500,000	$1,063
500,001–750,000	$1,435
750,001–1,000,000	$1,785
1,000,001–1,200,000	$2,147
1,200,001–1,500,000	$2,508
1,500,001–2,000,000	$2,848
2,000,001–2,500,000	$3,220
2,500,001–5,000,000	$3,571
5,000,001–7,500,000	$3,943
7,500,001–10,000,000	$4,305
10,000,001+	$4,305
Per million bushels above 10,000,000, or fraction thereof.	$111
Monthly Emergency Storage Fee per 50,000 Bushels. (Each warehouse location without a CCC storage agreement) [2]	$10
Nuts	
License Action Fee	$95
Service License Fee	$42
Inspection Fee [1]	
Per 100 short tons of peanuts	$9.90
Per 1,000 hundredweight	$18
Min	$200
Max	$2,000
Annual Fee for each warehouse location with a CCC storage agreement (licensed capacities in short tons):	
1–4,500	$292
4,501–7,500	$478
7,501–15,000	$680
15,001–22,500	$871
22,501–30,000	$1,057
30,001–36,000	$1,238
36,001–45,000	$1,424
45,001–60,000	$1,610
60,001–75,000	$1,796
75,001–150,000	$1,977
150,001–225,000	$2,152
225,001+	$2,250
Per 100 short tons capacity above 225,000 short tons, or fraction thereof.	$1
Annual Fee for each warehouse location without a CCC storage agreement (licensed capacities in short tons):	
1–4,500	$584
4,501–7,500	$956
7,501–15,000	$1,360
15,001–22,500	$1,743
22,501–30,000	$2,115
30,001–36,000	$2,476
36,001–45,000	$2,848

2026/2027 RATES—Continued

45,001–60,000	$3,220
60,001–75,000	$3,592
75,001–150,000	$3,954
150,001–225,000	$4,294
225,001+	$4,500
Per 100 short tons capacity above 225,000 short tons, or fraction thereof.	$2
Sweeteners	
License Action Fee	$95
Service License Fee	$42
Inspection Fee [1]	
Per 5,000 gallons of liquid	$7.50
Per 55,000 pounds of dry capacity	$7.50
Min	$200
Max	$2,000
Annual User Fee:	
Per 5,000 gallons of liquid, or fraction thereof	$7.50
Per 55,000 pounds of dry capacity, or fraction thereof	$7.50
Min	$797
Wool	
License Action Fee	$95
Service License Fee	$42
Inspection Fee (for each 100,000 pounds) [1]	$20
Min	$190
Max	$1,900
Annual User Fee (per 100,000 pounds, or fraction thereof):	$20
Min	$797

[1] Inspection Fees are charged by Functional Unit.
[2] The storage fee will be billed when the emergency storage action is closed or annually if the storage remains active that over a year.

Authority: 7 U.S.C. 15b; 7 U.S.C. 473a–b; 7 U.S.C. 55 and 61; 7 U.S.C. 51–65; 7 U.S.C. 471–476; 7 U.S.C. 511–511s; 7 U.S.C. 1621–1627 and 7 U.S.C. 241–256.

Melissa Bailey,

Associate Administrator, Agricultural Marketing Service.

[FR Doc. 2026–08399 Filed 4–29–26; 8:45 am]

BILLING CODE 3410–02–P

DEPARTMENT OF AGRICULTURE

Submission for OMB Review; Comment Request

The Department of Agriculture will submit the following information collection requirement(s) to OMB for review and clearance under the Paperwork Reduction Act of 1995, Public Law 104–13 on or after the date of publication of this notice. Comments are requested regarding: (1) whether the collection of information is necessary for the proper performance of the functions of the agency, including whether the information will have practical utility; (2) the accuracy of the agency's estimate of burden 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 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.

Comments regarding these information collections are best assured of having their full effect if received by June 1, 2026. Written comments and recommendations for the proposed information collection should be submitted within 30 days of the publication of this notice on the following website *www.reginfo.gov/public/do/PRAMain.* Find this particular information collection by selecting ''Currently under 30-day Review—Open for Public Comments'' or by using the search function.

An agency may not conduct or sponsor a collection of information unless the collection of information displays a currently valid OMB control number and the agency informs potential persons who are to respond to the collection of information that such persons are not required to respond to the collection of information unless it displays a currently valid OMB control number.

National Agricultural Statistics Service

Title: Agricultural Resource Management Phases 1 & 2 and Chemical Use Surveys.

OMB Control Number: 0535–0218.

Summary of Collection: The primary functions of the National Agricultural Statistics Service (NASS) are to prepare and issue State and national estimates of crop and livestock production, disposition, and prices and to collect information on related environmental and economic factors. Detailed economic and environmental data for various crops and livestock help to maintain a stable economic atmosphere and reduce the risk for production, marketing, and distribution operations. The Agricultural Resource Management Surveys (ARMS), are the primary source of information for the U.S. Department of Agriculture on a broad range of issues related to agricultural resource use, cost of production, and farm sector financial conditions. NASS uses a variety of survey instruments to collect the information in conjunction with these studies. General authority for these data collection activities is granted under U.S. Code Title 7, Section 2204.

This information collection request will focus on the Agricultural Resource Management Phases 1 and 2 as well as Chemical Use Surveys. The ARMS Phase 3 Cost and Returns Report will be submitted as a separate information collection request. The requests are being separated to better accommodate changes requested by data users and policy makers.

Need and Use of the Information: ARMS is the only annual source of whole farm information available for objective evaluation of many critical issues related to agriculture and the rural economy. The issues that will be addressed in this request are: input usage, production practices, and chemical use. Without these data, decision makers cannot analyze and report on critical issues that affect farms and farm households when pesticide regulatory actions are being considered.

Description of Respondents: Farms; Business or other for-profit.

Number of Respondents: An average of 116,583 annually.

Frequency of Responses: Reporting: Annually.

Total Burden Hours: An average of 51,364 annually.

Levi S. Harrell,

Departmental Information Collection Clearance Officer.

[FR Doc. 2026–08395 Filed 4–29–26; 8:45 am]

BILLING CODE 3410–20–P

DEPARTMENT OF AGRICULTURE

Animal and Plant Health Inspection Service

[Docket No. APHIS–2026–0331]

Notice of Request for Revision to and Extension of Approval of an Information Collection; Pale Cyst Nematode

AGENCY: Animal and Plant Health Inspection Service, USDA.

ACTION: Revision to and extension of approval of an information collection; comment request.

SUMMARY: In accordance with the Paperwork Reduction Act of 1995, this notice announces the Animal and Plant Health Inspection Service's intention to request revision to and extension of approval of an information collection associated with the regulations for the interstate movement of regulated articles to prevent the spread of pale cyst nematode to non-infested areas of the United States.

DATES: We will consider all comments that we receive on or before June 29, 2026.

ADDRESSES: You may submit comments by either of the following methods:

- *Federal eRulemaking Portal:* Go to *http://www.regulations.gov.* Enter APHIS–2026–0331 in the Search field. Select the Documents tab, then select the Comment button in the list of documents.
- *Postal Mail/Commercial Delivery:* Send your comment to Docket No. APHIS–2026–0331, Regulatory Analysis and Development, PPD, APHIS, 5601 Sunnyside Ave., #AP760, Beltsville, MD 20705.

Supporting documents and any comments we receive on this docket may be viewed at *http://www.regulations.gov* or in our reading room, which is in room 1620 of the USDA South Building, 14th Street and Independence Avenue SW, Washington, DC. Normal reading room hours are 8 a.m. to 4:30 p.m., Monday through Friday, except holidays. To be sure someone is there to help you, please call (202) 799–7039 before coming.

FOR FURTHER INFORMATION CONTACT: For information on the domestic regulations to control the spread of pale cyst nematode, contact Ms. Lynn Evans-Goldner, National Policy Manager, APHIS, PPQ, 3–WS–1308, 5601 Sunnyside Ave., Beltsville, MD 20705, *lynn.evans-goldner@usda.gov.* For more information on the information collection reporting process, contact Ms. Sheniqua Harris, APHIS' Paperwork Reduction Act Coordinator, at (301) 851-2528; *APHIS.PRA@usda.gov.*

SUPPLEMENTARY INFORMATION:

Title: Pale Cyst Nematode.

OMB Control Number: 0579–0322.

Type of Request: Revision to and extension of approval of an information collection.

Abstract: The Plant Protection Act (7 U.S.C. 7701 *et seq.*), authorizes the Secretary of Agriculture, among other things, to restrict the importation, entry, or interstate movement of plants, plant products, and other articles to prevent the introduction of plant pests into the United States or their dissemination within the United States.

In accordance with the regulations ''Subpart S-Pale Cyst Nematode'' (7 CFR 301.86 through 301.86–9), the Animal and Plant Health Inspection Service of the U.S. Department of Agriculture regulates the interstate movement of potatoes, soil, and other host material to help prevent the spread of pale cyst nematode, a major pest of potato crops, to non-infested areas of the United States.

The regulations involve information collection activities such as Self-Certification, Packing Facility Process Approval, Appeal of Withdrawn Certificate or Limited Permit, Appeal of Withdrawn Compliance Agreement, Labeling, and Cyst Nematode Survey.

We are asking the Office of Management and Budget (OMB) to approve our use of these information collection activities for an additional three years. APHIS has amended this information collection due to a decrease in the number of Responses and Total Burden Hours reported resulting from APHIS' removal of PPQ Form 519, PPQ Form 540, and PPQ Form 590 and moving these activities to the new Common Form Information Collection.

The purpose of this notice is to solicit comments from the public (as well as affected agencies) concerning our information collection. These comments will help us:

(1) Evaluate whether the collection of information is necessary for the proper performance of the Agency's functions, including whether the information will have practical utility;

(2) Evaluate the accuracy of our estimate of the burden of the 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, through the use, as appropriate, of automated, electronic, mechanical, and other collection technologies, *e.g.,* permitting electronic submission of responses.

Estimate of burden: The public burden for this collection of information is estimated to average 1.782 hours per response.

Respondents: U.S. potato producers, packers, processors, and handlers.

Estimated annual number of respondents: 74.

Estimated annual number of responses per respondent: 1.

Estimated annual number of responses: 78.

Estimated total annual burden on respondents: 139 hours. (Due to averaging, the total annual burden hours may not equal the product of the annual number of responses multiplied by the reporting burden per response.)

All responses to this notice will be summarized and included in the request for OMB approval. All comments will also become a matter of public record.

Done in Washington, DC, this 27th day of April 2026.

Kelly Moore,

Administrator, Animal and Plant Health Inspection Service.

[FR Doc. 2026–08418 Filed 4–29–26; 8:45 am]

BILLING CODE 3410–34–P

DEPARTMENT OF AGRICULTURE

Intent To Establish Secure Rural Schools Resource Advisory Committees and Solicitation of Nominations for Membership for Secure Rural Schools Resource Advisory Committees

AGENCY: Forest Service, Agriculture (USDA).

ACTION: Notice of intent to establish Secure Rural Schools Resource Advisory Committees and solicitation of nominations for membership.

SUMMARY: In accordance with the Secure Rural Schools and Community Self-Determination Act, and the Federal Advisory Committee Act (FACA), as amended, the United States Department of Agriculture announces its intent to establish 84 Secure Rural Schools Resource Advisory Committees (RACs). The Secure Rural Schools Resource Advisory Committees will advise the Secretary of the Department of Agriculture on proposed recommendations and other such matters as the Secretary determines. Secure Rural Schools Resource Advisory Committees will be governed by the provisions of FACA. Duration of the Secure Rural School Resource Advisory Committees is for two years unless renewed by the Secretary of Agriculture. This notice also solicits nominations for membership on the Secure Rural Schools Resource Advisory Committees.

DATES: Nominations must be submitted via email or postmarked by May 25, 2026.

ADDRESSES: Please submit nominations to the Secretary of Agriculture through the Secure Rural Schools Resource Advisory Committee (SRS RAC) Regional Coordinators. See **SUPPLEMENTARY INFORMATION** for the name and address of the SRS RAC Regional Coordinators accepting nominations.

FOR FURTHER INFORMATION CONTACT: Inquiries may be sent to, Brianna Gallegos, National Partnership Coordinator, National Partnership Office, USDA Forest Service, Yates Building, 1400 Independence Avenue, Mailstop 1158, Washington, DC 20250, or by email to *SM.FS.SRSInbox@usda.gov.* or phone 505–218–1535.

SUPPLEMENTARY INFORMATION:

Background

The Secure Rural Schools and Community Self-Determination Act of 2000 (Pub. L. 106–393) directs the Secretary of the United States Department of Agriculture to create Secure Rural Schools Resource Advisory Committees (SRS RACs) to provide advice and recommendations to the Forest Service concerning projects and funding consistent with SRS Title II of the Act. The duties of SRS RACs include monitoring projects, advising the Secretary on the progress and results of monitoring efforts, and making recommendations to the Forest Service for any appropriate changes or adjustments to the projects being monitored by the SRS RACs.

This charter renewal will establish two new committees as follows: Mineral and Missoula County (RAC) in Region 1 by consolidating the Mineral County and Missoula County RACs; Chugach (RAC) in Region 10 by consolidating the Prince William Sound RAC and the Kenai Peninsula-Anchorage Borough RAC. The SRS RACs will operate in compliance with the Federal Advisory Committee Act (FACA). The purpose of the SRS RACs is to improve collaborative relationships among people who use and care for national forests. The SRS RACs are statutory committees. Additional information on the SRS RACs can be found by visiting the (Committee) website at: *http://www.fs.usda.gov/pts.*

SRS RACs Membership

The SRS RACs will be comprised of 15 members approved by the Secretary of Agriculture (or designee) where each will serve a 4-year term. SRS RACs memberships will be balanced in terms of the points of view represented and functions to be performed. The SRS RACs shall include representation from the following interest areas:

(1) Five persons who represent:

(a) Organized labor or non-timber forest product harvester groups;

(b) Developed outdoor recreation, off-highway vehicle users, or commercial recreation activities;

(c) Energy and mineral development, or commercial or recreational fishing groups;

(d) Commercial timber industry; or

(e) Federal grazing permit or other land use permit holders, or representative of non-industrial private forest land owners, within the area for which the committee is organized.

(2) Five persons who represent:

(a) Nationally or regionally recognized environmental organizations;

(b) Regionally or locally recognized environmental organizations;

(c) Dispersed recreational activities;

(d) Archaeology and history; or

(e) Nationally or regionally recognized wild horse and burro interest, wildlife hunting organizations, or watershed associations.

(3) Five persons who represent:

(a) State elected office holder;

(b) County or local elected office holder;

(c) American Indian Tribes within or adjacent to the area for which the committee is organized;

(d) Are school officials or teachers; or

(e) Affected public-at-large.

If a vacancy arises, the Designated Federal Officer (DFO) may consider recommending to the Secretary (or designee) to fill the vacancy as soon as it occurs with a candidate from the applicant pool provided an appropriate candidate is available. In accordance with the Act, members of the SRS RAC shall serve without compensation. SRS RAC members and replacements may be allowed travel expenses and per diem for attendance at committee meetings, subject to approval of the DFO responsible for administrative support to the SRS RAC.

Any interested person or organization may nominate qualified individuals for membership. Interested candidates may nominate themselves. Individuals who wish to be considered for membership on the Secure Rural Schools Advisory Committee must submit a nomination with information, including a background disclosure form (Form AD–755 is available online at *https://www.usda.gov/sites/default/files/documents/ad-755-advisory-committee-commodity-board-background-information.pdf*). Nominations should be typed and include the following:

1. If nominating an individual, a brief summary, no more than two pages, explaining the nominee's qualifications to serve on the Secure Rural Schools Advisory Committee and addressing the membership composition and criteria described above.

2. A resume providing the nominee's background, experience, and educational qualifications.

3. A completed background disclosure form (Form AD–755) signed by the nominee.

4. Letters of endorsement are optional.

Northern Regional Office—Region 1

Helena-Lewis Clark RAC, Flathead RAC, Gallatin RAC, Idaho Panhandle RAC, Lincoln RAC, Mineral and Missoula County RAC, North Central Idaho RAC, Ravalli RAC, Sanders RAC, Southern Montana RAC, Southwest Montana RAC, Tri-County RAC

Melissa Simpson, Northern Regional Coordinator, Forest Service, 26 Fort Missoula Road, Missoula, Montana 59804, (406)–599–3954 or email *melissa.simpson@usda.gov.*

Rocky Mountain Regional Office—Region 2

Black Hills RAC and Greater Rocky Mountain RAC

Jace Ratzlaff, Rocky Mountain Regional Coordinator, Forest Service, 1617 Cole Blvd. Building 17, Lakewood, Colorado 80401, (719) 469–1254 or email *jace.ratzlaff@usda.gov.*

Southwestern Regional Office—Region 3

Coconino County RAC, Eastern Arizona RAC, Northern New Mexico RAC, Southern Arizona RAC, Southern New Mexico RAC, Yavapai RAC

Daniel Fredrickson, Southwestern Regional Coordinator, Forest Service, 333 Broadway SE, Albuquerque, New Mexico 87102, (505) 563–7939 or email *daniel.fredrickson@usda.gov.*

Intermountain Regional Office—Region 4

Southern Utah RAC, Alpine RAC, Bridger-Teton RAC, Central Idaho RAC, Eastern Idaho RAC, Nevada RAC, Northern Utah, South Central Idaho RAC, Southwest Idaho RAC

Hannah Lenkowski, Intermountain Regional Coordinator (Idaho, Utah, and Nevada), Forest Service, 324 25th Street, Ogden UT 84401 (385)–517–0972 or email *hannah.lenkowski@usda.gov.*

Pacific Southwest Regional Office—Region 5

Butte County RAC, Del Norte County RAC, El Dorado County RAC, Fresno County RAC, Glenn and Colusa Counties RAC, Humboldt County RAC, Kern and Tulare Counties RAC, Lassen County RAC, Mendo-Lake County RAC, Modoc County RAC, Nevada and Placer Counties RAC, Plumas County RAC, Shasta County RAC, Sierra County RAC, Siskiyou County RAC, Tehama RAC, Trinity County RAC, Tuolumne and Mariposa Counties RAC

Paul Wade, Pacific Southwest Regional Coordinator, Forest Service, 1323 Club Drive, Vallejo, California 94592, (707) 562–9010 or email *paul.r.wade@usda.gov.*

Pacific Northwest Regional Office—6

Colville RAC, Deschutes and Ochoco RAC, Fremont and Winema RAC, Hood and Willamette RAC, Gifford Pinchot RAC, Northeast Oregon Forests RAC, Olympic Peninsula RAC, Rogue and Umpqua RAC, Siskiyou (OR) RAC, Siuslaw RAC, Mt. Baker Snoqualmie National Forest RAC, Wenatchee-Okanogan RAC, Umatilla Washington RAC

Paul Wade, Pacific Northwest Regional Coordinator, Forest Service, 1323 Club Drive, Vallejo, California 94592, (707) 562–9010 or email *paul.r.wade@usda.gov.*

Southern Regional Office—Region 8

Alabama RAC, Cherokee RAC, Daniel Boone RAC, Davy Crockett RAC, Florida National Forests RAC, Francis Marion-Sumter RAC, Kisatchie RAC, Ozark-Ouachita RAC, Sabine-Angelina RAC, National Forest in Mississippi RAC, Virginia RAC, El Yunque RAC

Brianna Gallegos, National Partnership Coordinator, National Partnership Office, USDA Forest Service, Yates Building, 1400 Independence Avenue, Mailstop #1158, Washington, DC 20250, (505)–218–1535 or email *SM.FS.SRSInbox@usda.gov.*

Eastern Regional Office—Region 9

Allegheny RAC, Chippewa National Forest RAC, Eleven Point RAC, Hiawatha RAC, Huron-Manistee RAC, North Wisconsin RAC, Ottawa, Superior RAC, West Virginia RAC

Tiffany Benna, Eastern Regional Coordinator, Forest Service, 71 White Mountain Drive, Campton, New Hampshire 03223, (603)–348–0078 or email *tiffany.benna@usda.gov.*

Alaska Regional Office—Region 10

Chugach RAC, North Tongass RAC, South Tongass RAC

Tanya Zastrow, Alaska Regional Coordinator, Forest Service, 612 Second Street Cordova, Alaska 99574, (907) 424–4722 or email *tanya.zastrow@usda.gov.*

Equal opportunity practices, in accordance with USDA policies, will be followed in all membership appointments to the Committee.

In accordance with Federal civil rights law and U.S. Department of Agriculture (USDA) civil rights regulations and policies, the USDA, its Agencies, offices, and employees, and institutions participating in or administering USDA programs are prohibited from discriminating based on race, color, national origin, religion, sex, disability, age, marital status, family/parental status, income derived from a public assistance program, political beliefs, or reprisal or retaliation for prior civil rights activity, in any program or activity conducted or funded by USDA (not all bases apply to all programs). Remedies and complaint filing deadlines vary by program or incident.

Persons with disabilities who require alternative means for communication of program information (Braille, large print, audiotape, etc.) should contact USDA's TARGET center at (202) 720–2600 (voice and TDD).

To file a program discrimination complaint, complete the USDA Program Discrimination Complaint Form, AD–3027, found online at How to File a Program Discrimination Complaint and at any USDA office or write a letter addressed to USDA and provide in the letter all of the information requested in the form. To request a copy of the complaint form, call (866) 632–9992. Submit your completed form or letter to USDA by: (1) mail: U.S. Department of Agriculture, Office of the Assistant Secretary for Civil Rights, 1400 Independence Avenue SW, Mail Stop 9410, Washington, DC 20250–9410; (2) fax: (202) 690–7442; or (3) email: *program.intake@usda.gov.*

USDA is an equal opportunity provider, employer, and lender.

Dated: April 28, 2026.

Cikena Reid,

USDA Committee Management Officer.

[FR Doc. 2026–08443 Filed 4–29–26; 8:45 am]

BILLING CODE 3411–15–P

COMMISSION ON CIVIL RIGHTS

Notice of Public Meeting of the Tennessee Advisory Committee

AGENCY: U.S. Commission on Civil Rights.

ACTION: Announcement of virtual business meeting.

SUMMARY: Notice is hereby given, pursuant to the provisions of the rules and regulations of the U.S. Commission on Civil Rights (Commission) and the Federal Advisory Committee Act (FACA) that the Tennessee Advisory Committee to the U.S. Commission on Civil Rights will hold a virtual business meetings via Zoom on Wednesday, May 13, 2026; Tuesday, June 9, 2026 and Tuesday, July 14, 2026, from 3:00 p.m.–4:00 p.m. CT. For the purpose of discussing ideas for their first project.

DATES: The meetings will take place on:

Wednesday, May 13th From 3:00 p.m.–4:00 p.m. CT

- *Registration Link (Audio/Visual): https://www.zoomgov.com/webinar/register/WN_vj81S8FeTP2-TVjHrVGhxQ.*
- *Join by Phone (Audio Only):* 1–833–435–1820 USA Toll Free; Webinar ID: #161 949 5312.

Tuesday, June 9th From 3:00 p.m.–4:00 p.m. CT

- *Registration Link (Audio/Visual): https://www.zoomgov.com/webinar/register/WN_SA9gfT7hT0OQGHR7FinU6w.*
- *Join by Phone (Audio Only):* 1–833–435–1820 USA Toll Free; Webinar ID: #161–204–5226.

Tuesday, July 14th From 3:00 p.m.–4:00 p.m. CT

- *Registration Link (Audio/Visual): https://www.zoomgov.com/webinar/register/WN_Dm3q8nzTRkqGiWs9IZvm7w.*
- *Join by Phone (Audio Only):* 1–833–435–1820 USA Toll Free; Webinar ID: #161 922 4526.

Agendas: (*note: final meeting agendas will be available prior to the meeting dates*).

- 5/13/26 *https://usccr.box.com/s/zpuieiboasm6g5mz6ptwt8ir350h35ri.*
- 6/09/26 *https://usccr.box.com/s/pev2chlrv8ajrvm06k1l5zsf6j9y7n5l.*
- 7/14/26 *https://usccr.box.com/s/7vc9buork7401m0d4i1owzyrv8z37nh1.*

FOR FURTHER INFORMATION CONTACT: Brooke Peery, Designated Federal Officer (DFO) at *bpeery@usccr.gov* or by phone at (202) 701–1376.

SUPPLEMENTARY INFORMATION: Committee meetings are available to the public through the videoconference link above. Any interested member of the public may listen to the meeting. An open comment period will be provided to allow members of the public to make a statement 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. Closed captioning will be available for individuals who are deaf, hard of hearing, or who have certain cognitive or learning impairments. To request additional accommodations, please email Corrine Sanders, Support Services Specialist, *csanders@usccr.gov* at least 10 business days prior to the meeting.

Members of the public are entitled to make comments during the open period at the end of the meeting. Members of the public may also submit written comments; the comments must be received in the Regional Programs Unit within 30 days following the meeting. Written comments can be sent via email to Brooke Peery (DFO) at *bpeery@usccr.gov.*

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 *www.facadatabase.gov* under the Commission on Civil Rights, Tennessee Advisory Committee link. Persons interested in the work of this Committee are directed to the Commission's website, *http://www.usccr.gov,* or may contact the Regional Programs Coordination Unit at *csanders@usccr.gov.*

Dated: April 28, 2026.

David Mussatt,

Supervisory Chief, Regional Programs Unit.

[FR Doc. 2026–08410 Filed 4–29–26; 8:45 am]

BILLING CODE P

COMMISSION ON CIVIL RIGHTS

Notice of Public Meeting of the Alaska Advisory Committee to the U.S. Commission on Civil Rights; Cancellation

AGENCY: U.S. Commission on Civil Rights.

ACTION: Notice; cancellation of meeting.

SUMMARY: The U.S. Commission on Civil Rights published a notice in the **Federal Register** concerning a meeting of the Alaska Advisory Committee. The meeting scheduled for Wednesday, April 29, 2026, at 11:00 a.m. Alaska Standard Time, has been cancelled. The notice is in the **Federal Register** on Thursday, April 16, 2026, in FR Document Number 2026–07414 on pages 20399 and 20400.

FOR FURTHER INFORMATION CONTACT: Kayla Fajota, Designated Federal Officer, at *kfajota@usccr.gov* or (434) 515–2395.

Dated: April 28, 2026.

David Mussatt,

Supervisory Chief, Regional Programs Unit.

[FR Doc. 2026–08412 Filed 4–29–26; 8:45 am]

BILLING CODE P

COMMISSION ON CIVIL RIGHTS

Notice of Public Meeting of the Oregon 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 Oregon Advisory Committee to the Commission will hold a series of public business meeting via Zoom. The purpose of the meetings is to vote on narrowing the project scope and discuss the project proposal.

DATES: Tuesday, May 5, 2026, from 2:30 p.m.–3:30 p.m. Pacific Time.

Friday, May 29, 2026, from 12:30 p.m.–2:00 p.m. Pacific Time.

ADDRESSES: The meeting will be held via Zoom.

May 5th—Registration Link (Audio/Visual): https://www.zoomgov.com/j/1614314594.

Join by Phone (Audio Only): 1–833 435 1820 USA Toll Free; Webinar ID: 161 431 4594.

May 29th—Registration Link (Audio/Visual): https://www.zoomgov.com/j/1609019891.

Join by Phone (Audio Only): 1–833 435 1820 USA Toll Free; Webinar ID: 160 901 9891.

Agenda: https://usccr.box.com/s/2x0rmdx2coz4x2g83zq9j9obgwbcl9oc (note: a final meeting agenda will be available prior to the meeting date).

FOR FURTHER INFORMATION CONTACT: Kayla Fajota, Designated Federal Officer 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/271061562007?s=r6h92j9j27b78vvft9voq7b6kzdphlbl* 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 28, 2026.

David Mussatt,

Supervisory Chief, Regional Programs Unit.

[FR Doc. 2026–08411 Filed 4–29–26; 8:45 am]

BILLING CODE P

COMMISSION ON CIVIL RIGHTS

Notice of Public Meeting of the Rhode Island Advisory Committee to the U.S. Commission on Civil Rights

AGENCY: Commission on Civil Rights.

ACTION: Announcement of 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 (FACA), that a meeting of the Rhode Island Advisory Committee to the Commission will hold a public meeting via Zoom. The purpose of the meeting is to continue to hear topic presentations as part of the concept stage.

DATES: Tuesday, May 5, 2026; 4:00 p.m. Eastern Time

ADDRESSES: The meeting will be held via Zoom.

Registration Link (Audio/Visual): https://www.zoomgov.com/webinar/register/WN_hU3nVbeVS16nUyrYXmQhKQ.

Join by Phone (Audio Only): 1–833 435 1820 USA Toll Free; Webinar ID: 160 608 7073 #.

Agenda: https://usccr.box.com/s/utfbp80xzddqbw9o61doonq3jmqjaney (note: a final meeting agenda will be available prior to the meeting date).

FOR FURTHER INFORMATION CONTACT: Victoria Moreno, Designated Federal Officer, at *vmoreno@usccr.gov* or 1–434–515–0204.

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 *ebohor@usccr.gov* at least 10 business days prior to the meeting.

Members of the public are entitled to submit written comments; the comments must be received in the regional office within 30 days following the meeting. Written comments may be emailed to Evelyn Bohor, *ebohor@usccr.gov.* Persons who desire additional information may contact the Regional Programs Coordination Unit at (202) 809–9618.

Records generated from this meeting may be inspected and reproduced at the Regional Programs Coordination Unit Office, as they become available, both before and after the meeting. Records of the meetings will be available via the file sharing website: *https://usccr.box.com/s/kreey9srm7ofl9catdbnn2oj7ntx6lf8* 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 *ebohor@usccr.gov.*

Dated: April 28, 2026.

David Mussatt,

Supervisory Chief, Regional Programs Unit.

[FR Doc. 2026–08414 Filed 4–29–26; 8:45 am]

BILLING CODE P

COMMISSION ON CIVIL RIGHTS

Notice of Public Meeting of the South Carolina Advisory Committee to the U.S. Commission on Civil Rights

AGENCY: U.S. Commission on Civil Rights.

ACTION: Notice of virtual business meeting.

SUMMARY: Notice is hereby given, pursuant to the provisions of the rules and regulations of the U.S. Commission on Civil Rights (Commission) and the Federal Advisory Committee Act, that the South Carolina Advisory Committee (Committee) to the U.S. Commission on Civil Rights will hold a public meeting via Zoom. The purpose of the meeting is for the Committee to discuss panelist nominations as part of the Implementation Stage for their study on Occupational Licensing.

DATES: Wednesday, May 13, 2026, from 1:30 p.m.–3:00 p.m. Eastern Time

ADDRESSES: The meeting will be held via Zoom.

Registration Link (Audio/Visual): https://www.zoomgov.com/webinar/register/WN_q0DTWDzXRmmJ_pxKXwqi5A.

Join by Phone (Audio Only): 1–833–435–1820 USA Toll Free; Webinar ID: 160 755 7474#.

FOR FURTHER INFORMATION CONTACT: Victoria Moreno, Designated Federal Officer, at *vmoreno@usccr.gov* or (434) 515–0204.

SUPPLEMENTARY INFORMATION: This Committee meeting is available to the public through the registration link above. Any interested members of the public may attend this meeting. An open comment period will be provided to allow members of the public to make oral comments as time allows. Pursuant to the Federal Advisory Committee Act, public minutes of the meeting will include a list of persons who are present at the meeting. If joining via phone, callers can expect to incur regular charges for calls they initiate over wireless lines, according to their wireless plan. The Commission will not refund any incurred charges. Callers will incur no charge for calls they initiate over land-line connections to the toll-free telephone number. Closed captioning is available by selecting ''CC'' in the meeting platform. To

request additional accommodations, please email *csanders@usccr.gov* at least 10 business days prior to the meeting.

Members of the public are entitled to submit written comments; the comments must be received in the regional office within 30 days following the scheduled meeting. Written comments may be submitted via the following form: *https://wkf.ms/4n7DKT3.* Persons who desire additional information may contact the Regional Programs Coordination Unit at (434) 515–0204.

Records generated from this meeting may be inspected and reproduced at the Regional Programs Coordination Unit Office, as they become available, both before and after the meeting. Records of the meetings will be available via the file sharing website, *https://usccr.box.com/s/uc7rr59hi2y8p1uapgemt6y1opr61zyv.* Persons interested in the work of this Committee are directed to the Commission's website, *http://www.usccr.gov,* or may contact the Regional Programs Coordination Unit at *csanders@usccr.gov.*

Agenda: Will be available at the following link in advance of the meeting date—*https:/usccr.box.com/s/w2xitfqx1ksxpnb2tx4nfkldbek3m9cp.*

Dated: April 28, 2026.

David Mussatt,

Supervisory Chief, Regional Programs Unit.

[FR Doc. 2026–08413 Filed 4–29–26; 8:45 am]

BILLING CODE; P

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

[RTID 0648–XF695]

New England Fishery Management Council; Public Meeting

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

ACTION: Notice of public meeting.

SUMMARY: The New England Fishery Management Council (Council) is scheduling a public meeting of its Enforcement Committee via webinar to consider actions affecting New England fisheries in the exclusive economic zone (EEZ). Recommendations from this group will be brought to the full Council for formal consideration and action, if appropriate.

DATES: This meeting will be held on Thursday, May 14, 2026, at 9 a.m. Webinar registration URL information: *https://nefmc-org.zoom.us/webinar/register/WN_ptXhN9gkSdGXf60oHt0RiQ.*

ADDRESSES: *Council address:* New England Fishery Management Council, 50 Water Street, Mill 2, Newburyport, MA 01950.

FOR FURTHER INFORMATION CONTACT: Cate O'Keefe, Ph.D., Executive Director, New England Fishery Management Council; telephone: (978) 465–0492.

SUPPLEMENTARY INFORMATION:

Agenda

The Enforcement Committee will meet to discuss introductions, Chair/Vice-Chair election and the function of the new Committee as well as any Enforcement updates. The Committee will have a discussion of this year's Northern Gulf of Maine scallop fishery as well as mesh size enforcement in the redfish exemption program. They will also have a discussion of potential gear conflict issues in scallop closed area two. Other business will be discussed, if necessary.

Although non-emergency issues not contained on the agenda may come before this Council for discussion, those issues may not be the subject of formal action during this meeting. Council action will be restricted to those issues specifically listed in this notice and any issues arising after publication of this notice that require emergency action under section 305(c) of the Magnuson-Stevens Act, provided the public has been notified of the Council's intent to take final action to address the emergency. The public also should be aware that the meeting will be recorded. Consistent with 16 U.S.C. 1852, a copy of the recording is available upon request.

Special Accommodations

This meeting is physically accessible to people with disabilities. Requests for sign language interpretation or other auxiliary aids should be directed to Cate O'Keefe, Ph.D., Executive Director, at (978) 465–0492, at least 5 days prior to the meeting date.

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

Dated: April 28, 2026.

Rey Israel Marquez,

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

[FR Doc. 2026–08454 Filed 4–29–26; 8:45 am]

BILLING CODE 3510–22–P

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

[RTID 0648–XF575]

New England Fishery Management Council; Public Meeting

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

ACTION: Notice of public meeting.

SUMMARY: The New England Fishery Management Council (Council) is scheduling a public meeting of its Joint Whiting Committee and Advisory Panel to consider actions affecting New England fisheries in the exclusive economic zone (EEZ). This meeting will be held in-person with a webinar option. Recommendations from this group will be brought to the full Council for formal consideration and action, if appropriate.

DATES: This webinar will be held on Tuesday, May 19, 2026, at 9 a.m. Webinar registration URL information: *https://nefmc-org.zoom.us/meeting/register/poeUJMm8TwuT6DjY5r6u6Q.*

ADDRESSES: This meeting will be held at DoubleTree by Hilton, 2081 Post Road, Warwick, RI, 02886; Phone (401) 739–3000.

Council address: New England Fishery Management Council, 50 Water Street, Mill 2, Newburyport, MA 01950.

FOR FURTHER INFORMATION CONTACT: Cate O'Keefe, Ph.D., Executive Director, New England Fishery Management Council; telephone: (978) 465–0492.

SUPPLEMENTARY INFORMATION:

Agenda

The Whiting Committee and Advisory Panel will meet to discuss the work plan for 2026 management action, including plans for assessment update and risk policy factor scoring. They will also discuss the summary of the April 1 data workshop meeting with the Advisory Panel, including comments on recent fishery performance. They will discuss the analyses of exemption area performance, red hake discard characteristics, and factors affecting whiting price. The Committee and Advisory Panel will discuss recommendations for management alternatives to be considered in a specifications document or framework adjustment. Other business will be discussed, if necessary.

Although non-emergency issues not contained on the agenda may come before this Council for discussion, those

issues may not be the subject of formal action during this meeting. Council action will be restricted to those issues specifically listed in this notice and any issues arising after publication of this notice that require emergency action under section 305(c) of the Magnuson-Stevens Act, provided the public has been notified of the Council's intent to take final action to address the emergency. The public also should be aware that the meeting will be recorded. Consistent with 16 U.S.C. 1852, a copy of the recording is available upon request.

Special Accommodations

This meeting is physically accessible to people with disabilities. Requests for sign language interpretation or other auxiliary aids should be directed to Cate O'Keefe, Ph.D., Executive Director, at (978) 465–0492, at least 5 days prior to the meeting date.

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

Dated: April 28, 2026.

Rey Israel Marquez,

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

[FR Doc. 2026–08446 Filed 4–29–26; 8:45 am]

BILLING CODE 3510–22–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 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 30, 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 51–5.3(b), the Committee intends to add this services requirement 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 production by the nonprofit agencies listed:

Services(s)

Service Type: Lawn care
Mandatory for: NOAA, Atlantic Oceanographic & Meteorological Laboratory, Miami, FL, 4301 Rickenbacker Causeway, Miami, FL
Authorized Source of Supply: Goodwill Industries of South Florida, Inc., Miami, FL
Contracting Activity: Department of Commerce, Dept. of Commerce NOAA

Deletions

The following service(s) are proposed for deletion to the Procurement List:

Services(s)

Service Type: Custodial and Related Services
Mandatory for: GSA PBS Region 9, U.S. Geological Survey Campus, Menlo Park, CA, 345 Middlefield Road, Menlo Park, CA
Authorized Source of Supply: Hope Services, San Jose, CA
Contracting Activity: General Services Administration, PBS R9 AMD Services Contracting Branch
Service Type: Grounds Maintenance
Mandatory for: GSA PBS Region 9, U.S. Geological Survey Campus, Menlo Park, CA, 345 Middlefield Road, Menlo Park, CA
Authorized Source of Supply: North Bay Rehabilitation Services, Inc., Rohnert Park, CA
Contracting Activity: General Services Administration, PBS R9 AMD Services Contracting Branch

Michael R. Jurkowski,

Director, Business Operations.

[FR Doc. 2026–08394 Filed 4–29–26; 8:45 am]

BILLING CODE 6353–01–P

COMMITTEE FOR PURCHASE FROM PEOPLE WHO ARE BLIND OR SEVERELY DISABLED

Procurement List; 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) and service(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 30, 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 26, 2026 (91 FR 14684) 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) and service(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) and service(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) and service(s) deleted from the Procurement List.

End of Certification

Accordingly, the following product(s) and service(s) are deleted from the Procurement List:

Product(s)

NSN(s)—Product Name(s)
5340–00–894–9542—Strap, Webbing, 84″ x 1″
5340–00–715–3854—Strap, Webbing, 54″ length, 1″ wide
5340–00–020–5067—Strap, Webbing, 120″ x 1″, Steel Buckle
Authorized Source of Supply: The Charles Lea Center, Inc., Spartanburg, SC
Mandatory for: Dept of Defense
Contracting Activity: Dept of Defense, DLA Land and Maritime

NSN(s)—Product Name(s)
2350–01–394–2531—Combat Identification Kit, M88, Brown
2350–01–398–5171—Combat Identification Panel Kit, M993 MLRS Platform, Brown
2350–01–398–5168—Combat Identification Kit, JCIMS, Brown
2320–01–398–5163—Combat Identification Panel Kit, FLU 419 SEE Platform, Brown
2590–01–399–6774—Combat Identification Kit, M9 Ace, Brown
2590–01–400–1809—Combat Identification Kit, D5B Dozer Platform, Brown
2590–01–392–0288—Combat Identification Assembly, M60 AVLB Platform, Front, Brown
2590–01–392–0290—Combat Identification Assembly, M60 AVLB Platform, Rear, Brown
2590–01–392–0291—Combat Identification Assembly, M60 AVLB Platform, Side, Brown
2590–01–392–0292—Combat Identification Assembly, M60 AVLB Platform, Top, Brown
2590–01–394–5639—Combat Identification Assembly, M88A1 Platform, Front, Brown
2590–01–394–5640—Combat Identification Assembly, M88A1 Platform, Side, Brown
2590–01–398–3835—Combat Identification Assembly, FLU419 SEE Platform, Side, Brown
2590–01–398–3837—Combat Identification Assembly, FLU419 SEE Platform, Front, Brown
2590–01–398–3840—Combat Identification Assembly, FLU419 SEE Platform, Rear, Brown
2590–01–398–3842—Combat Identification Assembly, M113 Series of Platforms, Front, Brown
2590–01–398–3845—Combat Identification Assembly, M2/3A2/A3 Platform, Right Turret, Brown
2590–01–398–3847—Combat Identification Assembly, M270A1 MLRS Platform, Front, Brown
2590–01–398–6719—Combat Identification Assembly, Multiple Platform Use, # 2, Side, Brown
2590–01–398–6722—Combat Identification Assembly, M2/3A2/A3 Platform, Right Rear, Brown
2590–01–398–6725—Combat Identification Assembly, M2/3 A2/A3 Platform, Left Rear, Brown
2590–01–398–6726—Combat Identification Assembly, M2/3 A2/A3 Platform, Left Turret, Brown
2590–01–398–6727—Combat Identification Assembly, M992 A1/A2 FAASV & M109 A5/A6 PALADIN Platforms, Front, Brown
2590–01–398–6728—Combat Identification Assembly, M93A1 NBCRS (Fox) Platform, Right Side, Brown
2590–01–398–6739—Combat Identification Assembly, M93A1 NBCRS (Fox) Platform, Front, Brown
Authorized Source of Supply: Crossroads Rehabilitation Center, Inc., Indianapolis, IN
Mandatory For: Dept of Defense
Contracting Activity: Dept of Defense, W4GG HQ US Army TACOM

NSN(s)—Product Name(s)
2590–01–472–5892—Combat Identification Assembly, Multiple Platform Use, Side, Brown
Authorized Source of Supply: Crossroads Rehabilitation Center, Inc., Indianapolis, IN
Mandatory For: Dept of Defense
Contracting Activity: Dept of the Army, W4GG HQ US Army TACOM

NSN(s)—Product Name(s)
7520–01–357–6846—Stamp, Custom-made, Self-inking, 1″ x 1½″
7520–01–357–6847—Stamp, Custom-made, Self-inking, 1½″ x 3″
7520–01–381–7993—Stamp, Custom-made, Self-inking, ½″ x 2⅛″
7520–01–381–7995—Stamp, Custom-made, Self-inking, ⅝″ x 1½″
7520–01–381–8017—Stamp, Custom-made, Self-inking, ⅞″ x 2¼″
7520–01–419–6740—Stamp, Custom-made, Pre-inked, W/Logo
7520–01–419–6744—Stamp, Custom-made, Pre-inked, W/Signature
Authorized Source of Supply: LC Industries, Inc., Durham, NC
Mandatory For: Total Government Requirement
Contracting Activity: General Services Administration, GSA/FAS Admin Svcs Acquisition BR(2

NSN(s)—Product Name(s)
7360–00–139–0480—Disposable Dinnerware Kit
Mandatory For: Dept of Defense
Contracting Activity: Dept of Defense, DLA Troop Support

NSN(s)—Product Name(s)
5925–01–651–2037—Kit, Lockout, Electrical/Valve with AC Sensor
Authorized Source of Supply: Goodwill Vision Enterprises, Rochester, NY
Mandatory For: Broad Government Requirement
Contracting Activity: Dept of Defense, DLA Troop Support

NSN(s)—Product Name(s)
1005–01–083–8113—Sling, Small Arm
Authorized Source of Supply: Envision, Inc., Wichita, KS
Mandatory For: Dept of Defense
Contracting Activity: Dept of Defense, DLA Land and Maritime

NSN(s)—Product Name(s)
6850–01–598–1946—Ice Melt/De-Icer, 10 lbs.
Authorized Source of Supply: BOSMA Enterprises, Indianapolis, IN
Mandatory For: Broad Government Requirement
Contracting Activity: Dept of Defense, DLA Aviation

NSN(s)—Product Name(s)
7910–00–685–3912—Pad, Machine, Scrubbing, Floor, 14″ x ¼″
7910–00–685–4240—Pad, Machine, Stripping, Floor, 13″ x ¼″
7910–00–685–4241—Pad, Machine, Stripping, Floor, 16″ x ¼″
7910–00–685–4242—Pad, Machine, Stripping, Floor, 14″ x ¼″
7910–00–685–4243—Pad, Machine, Stripping, Floor, 15″ x ¼″
7910–00–685–4244—Pad, Machine, Stripping, Floor, 17″ x ¼″
7910–00–685–4245—Pad, Machine, Stripping, Floor, 18″ x ¼″
Authorized Source of Supply: Beacon Lighthouse, Inc., Wichita Falls, TX
Mandatory For: Broad Government Requirement
Contracting Activity: General Services Administration, GSA/FSS Greater Southwest Acquisiti

NSN(s)—Product Name(s)
8415–00–NSH–0600—Pocket, Magazine, M–4, Double, CQB
8415–00–NSH–0602—Pocket, Magazine, .45 ACP Single, CQB
8415–00–NSH–0616—Sling, M–240, Padded, Quick Release Weapon/General
Authorized Source of Supply: Chautauqua County Chapter, NYSARC, Jamestown, NY
Mandatory For: Dept of Defense
Contracting Activity: Dept of the Army, W6QK ACC–APG NATICK

Services(s)

Service Type: Shelf Stocking, Custodial & Warehousing
Mandatory for: Defense Commissary Agency, Naval Air Station (NAS) North Island Commissary, San Diego, CA, 2017 Colorado Street, San Diego, CA, Defense Commissary Agency, Miramar Marine Corps Air Station Commissary, San Diego, CA, 2661 MCAS Miramar, San Diego, CA
Designated Source of Supply: Job Options, Inc., San Diego, CA
Contracting Activity: Dept of Defense, Defense Commissary Agency (DECA)

Michael R. Jurkowski,

Director, Business Operations.

[FR Doc. 2026–08393 Filed 4–29–26; 8:45 am]

BILLING CODE 6353–01–P

DEPARTMENT OF DEFENSE

Department of the Army

[Docket ID: USA–2025–HQ–0169]

Submission for OMB Review; Comment Request

AGENCY: Department of the Army, Department of Defense (DoD).

ACTION: 30-Day information collection notice.

SUMMARY: The DoD has submitted to OMB for clearance the following proposal for collection of information under the provisions of the Paperwork Reduction Act.

DATES: Consideration will be given to all comments received by June 1, 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: Reginald Lucas, (571) 372–7574, *whs.mc-alex.esd.mbx.dd-dod-information-collections@mail.mil.*

SUPPLEMENTARY INFORMATION:

Title; Associated Form; and OMB Number: Exchange Employee Travel Files; OMB Control Number 0702–0131.

Type of Request: Reinstatement.

Number of Respondents: 250.

Responses per Respondent: 1.

Annual Responses: 250.

Average Burden per Response: 30 minutes.

Annual Burden Hours: 125.

Needs and Uses: The Army and Air Force Exchange Service (Exchange), a Nonappropriated Fund (NAF) Instrumentality of the United States, requires this information collection to process all official Permanent Change of Station (PCS) travel for its employees and their dependents. This collection is necessary for the Exchange Human Resources (HR) Travel personnel to determine an employee's eligibility to travel, obtain necessary documents such as passports and visas, and authorize any travel expense reimbursements. This process supports the Exchange's enduring mission to provide quality goods and services to military members and generate earnings for Morale, Welfare, and Recreation (MWR) programs.

The information is used by employees selected for an official PCS or by new hires requiring relocation. Employees submit relocation requests and related forms through an internal secure portal. The data collected, which includes employee, dependent, and shipment information, is used by the HR travel team to create official PCS orders, arrange for the movement of household goods, and process financial reimbursements. The electronically stored information allows for efficient verification with financial institutions, the Internal Revenue Service, and insurance providers as needed to facilitate the relocation.

This collection is authorized by Title 10 U.S.C. 7013, Secretary of the Army; Title 10 U.S.C. 9013, Secretary of the Air Force; Army Regulation 215–8/DAFI 34–110(I), Army and Air Force Exchange Service Operations; and Executive Order 9397 (SSN), as amended.

Affected Public: Individuals or households.

Frequency: On occasion.

Respondent's Obligation: Voluntary.

DOD Clearance Officer: Mr. Reginald Lucas.

Dated: April 28, 2026.

Aaron T. Siegel,

Alternate OSD Federal Register Liaison Officer, Department of Defense.

[FR Doc. 2026–08440 Filed 4–29–26; 8:45 am]

BILLING CODE 6001–FR–P

DEPARTMENT OF DEFENSE

Department of the Navy

[Docket ID: USN–2026–HQ–0265]

Privacy Act of 1974; System of Records

AGENCY: Department of Navy, Department of Defense (DoD).

ACTION: Notice of a modified system of records.

SUMMARY: In accordance with the Privacy Act of 1974, the Department of the Navy is modifying and reissuing a current system of records titled, ''Millennium Cohort Study, N06500–1. This system of records was originally established to collect and maintain records on service members and veterans who have, or have not, deployed overseas so that various longitudinal health and research studies may be conducted over a 67-year period. This system of records notice (SORN) is being updated to change the system name and system ID, expand the ''Purpose'' section, and to incorporate the DoD standard routine uses and support additional information sharing of these records outside of the Department. The Navy is also modifying various other sections within the SORN to improve clarity or update information that has changed.

DATES: This system of records is effective upon publication; however, comments on the Routine Uses will be accepted on or before June 1, 2026. The Routine Uses are effective at the close of the comment period, unless comments have been received from interested members of the public that require modification and republication of the notice.

ADDRESSES: You may submit comments, identified by docket number and title, by either of the following methods:

* *Federal Rulemaking Portal: https://www.regulations.gov.* Follow the instructions for submitting comments.

* *Mail:* Department of Defense, Office of the Director of Administration and Management, Privacy, Civil Liberties, and Transparency Directorate, Regulatory Division, 4800 Mark Center Drive, Attn: Mailbox #24, Suite 05F16, Alexandria, VA 22350–1700.

Instructions: All submissions received must include the agency name and docket number for this **Federal Register** document. The general policy for comments and other submissions from members of the public is to make these submissions available for public viewing on the internet at *https://www.regulations.gov* as they are received without change, including any personal identifiers or contact information.

FOR FURTHER INFORMATION CONTACT: Mr. Gregory M. Cason, Director (Acting), Department of the Navy FOIA/Privacy Act Program Office, 2000 Navy Pentagon, Washington, DC 20350–2000, (202) 685–6533.

SUPPLEMENTARY INFORMATION:

I. Background

The Millennium Cohort Program (MCP) is a DoD program of research supported by the Defense Health Agency, Department of Veterans Affairs, and Military Community and Family Policy including three major research efforts: The Millennium Cohort Study (MCS), Family Cohort Study (FCS); and Millennium Cohort Study of Adolescent Resilience (SOAR). The overarching goal of the MCP is to evaluate the impact of military service, including deployments and other occupational exposures, on the long-term health and wellbeing of service members, veterans, and their families. MCS was initiated in 2001 prior to the events of 9/11 and the subsequent large-scale military operations, including Operation Enduring Freedom and Operation Iraqi Freedom. Participants of MCS are enrolled while serving in the military and then surveyed every 3 to 5 years over their life course (*i.e.,* through 2068), both during service and after military separation. Since the first panel of service members was enrolled in 2001, additional panels were enrolled in 2004, 2007, 2011, and 2020. There are over 260,000 study volunteers

participating in these five panels, representing all service branches and components, making it the largest and longest ongoing prospective cohort study of U.S. military personnel. Over the past 20 years, the study has conducted extensive longitudinal research evaluating the effects of deployments and other aspects of military service on service members and their families.

The FCS was launched in 2011 as a component of the Millennium Cohort program of research and it is currently the only ongoing DoD study of the health and relationship well-being of military families. FCS comprises data from both service personnel and their married partners. Participants volunteer to complete a self-report survey every three years for up to 21 years. Because the influence of military life can be long-lasting, spouses are followed even if their service member partner separates from service or their marital relationship changes. In 2011, FCS enrolled one panel of almost 10,000 spouses, and in 2020 enrolled another panel of over 18,000 spouses. Analyzing dyadic data from both spouses and service members, FCS seeks to understand the impact of military life on the health and well-being of military family members, as well as their relationship adjustment. The study further evaluates the role of family life on service members' readiness, retention, recovery, and resilience.

SOAR is a research study of military-connected adolescents and their parents utilizing online survey data merged with medical data and other military and civilian records for those participants who volunteer to join the study. The study enrolls military-connected adolescents (11–17 years old) of parents already enrolled in the MCS of service members and veterans, representing all armed service branches and active duty, Reserve, and National Guard components. This study will assist the DoD in outlining future strategic goals for programs and services to address the needs of military-connected adolescents and their families, as well as provide data to better understand the health and well-being of the next generation of potential service members.

Subject to public comment, the Department of the Navy is updating this SORN to change the system name from ''Millennium Cohort Study'' to ''Millennium Cohort Program Records,'' expand the Purpose section to clarify the scope of the collection, and to incorporate the DoD standard routine uses (routine uses A through I) and to change an existing routine use disclosure outside DoD related to the purpose of this system of records. Additionally, the following sections of this SORN are modified as follows: (1) to the System section to reflect the locations in which the system may reside; (2) to the System Manager section to update the contact information; (3) to the Authority for Maintenance section to update citations and add additional authorities; (4) to the Categories of Individuals section to expand the individuals covered; (5) to the Categories of Records section to clarify how the records relate to the revised Category of Individuals; (6) to the Authority for Maintenance of the System section to expand on the controls used to safeguard the systems; (7) to the Record Sources section to add and update sources; (8) to the Record Retrieval section to clarify means of storage, as well as identifying personal identifiers that may be used for retrieval purposes; (9) to the Record Access Procedures section to reflect the need for individuals to identify the appropriate office to which their request should be directed; (10) to the Contesting Records and Notification Procedures sections to update the appropriate citation.

DoD SORNs have been published in the **Federal Register** and are available from the address in **FOR FURTHER INFORMATION CONTACT** or at the Privacy, Civil Liberties, and Transparency Directorate website at *https://pclt.defense.gov/DIRECTORATES/Privacy-and-Civil-Liberties-Directorate/Privacy/SORNs/*.

II. Privacy Act

Under the Privacy Act, a ''system of records'' is a group of records under the control of an agency from which information is retrieved by the name of an individual or by some identifying number, symbol, or other identifying particular assigned to the individual. In the Privacy Act, an individual is defined as a U.S. citizen or lawful permanent resident.

In accordance with 5 U.S.C. 552a(r) and Office of Management and Budget (OMB) Circular No. A–108, DoD has provided a report of this system of records to the OMB and to Congress.

Dated: April 28, 2026.

Aaron T. Siegel,

Alternate OSD Federal Register Liaison Officer, Department of Defense.

SYSTEM NAME AND NUMBER:

Millennium Cohort Program Records, N06500–1.

SECURITY CLASSIFICATION:

Unclassified.

SYSTEM LOCATION:

Naval Health Research Center, Deployment Health Research Department, 140 Sylvester Road, San Diego, CA 92106–3521.

SYSTEM MANAGER(S):

The system managers for this system are as follows:

A. Policy Official: Commanding Officer, Naval Health Research Center, 140 Sylvester Rd., San Diego, CA 92106–3521; (619) 553–8428.

B. Record Holder: Principal Investigator(s), The Millennium Cohort Program, Naval Health Research Center, Deployment Health Research Department, 140 Sylvester Rd., San Diego, CA 92106–3521, *DoD.MillenniumCohortPI@mail.mil,* DSN 553–7465.

AUTHORITY FOR MAINTENANCE OF THE SYSTEM:

10 U.S.C. Chapter 55, Medical and Dental Care; 10 U.S.C. 136, Under Secretary of Defense for Personnel and Readiness; 10 U.S.C. 7013, Secretary of the Army; 10 U.S.C. 8013, Secretary of the Navy; 10 U.S.C. 9013, Secretary of the Air Force; DoD Manual (DoDM) 6025.18, Implementation of the Health Insurance Portability and Accountability Act (HIPAA) Privacy Rule in DOD Health Care Programs; DoD Instruction (DoDI) 6490.04, Mental Health Evaluations of Members of the Military Services; DoDI 6490.08, Command Notification Requirements to Dispel Stigma in Providing Mental Health Care to Service Members; DoDI 6490.16, Defense Suicide Prevention Program; DoDD 5136.01, Assistant Secretary of Defense for Health Affairs (ASD(HA)); DoDD 6490.02E, Comprehensive Health Surveillance; and E.O. 9397 (SSN), as amended.

PURPOSE(S) OF THE SYSTEM:

A. To develop a long-term profile of health change among current and former members of the Armed Forces, especially in relation to individual deployment experience.

B. To better define the nature of risk factors for the development of post-Defense illness among U.S. military personnel.

C. To assess the impact of military service, including deployments, on the health and well-being of the family.

D. To examine the relationships between the family members and the Service member.

E. To assess the associations of military service on the health and well-being of military families (including children and non-spousal partners), and to compare the adjusted probabilities of new onset diseases and conditions among military spouses.

F. To assess the impact of military-connected academic achievement and educational/career aspirations as major outcomes among adolescent children of Service members and veterans.

CATEGORIES OF INDIVIDUALS COVERED BY THE SYSTEM:

The initial MCS study population is a probability-based, cross-sectional sample of U.S. Armed Forces personnel (active-duty Army, Navy, Marine Corps, Coast Guard, Air Force, and Reserve/National Guard, and veterans), as of October 2000, that will be followed prospectively by postal or web surveys every 3 years over at least a 67-year period. This initial sample comprised of 77,047 service members including individuals who have been deployed to Southwest Asia, Bosnia, or Kosovo since August 1997. In October 2004 and October 2007, samples of 31,110 and 43,440, respectively, of new Armed Forces personnel were added to the Cohort. In May 2011, a sample of 50,052 new Armed Forces personnel was added to the MCS. These individuals will be followed until at least the year 2068, even if they retire or separate. The FCS will also evaluate families of service members where spouses complete a survey about themselves and their children. In May 2011, a sample of 9,872 spouses of Armed Forces personnel were added to the FCS and will be followed until at least 2032. In August 2021, 58,609 new Armed Forces personnel were added to the MCS and 18,223 spouses of Armed Forces personnel were added to the FCS. SOAR enrollment is ongoing, but approximately 5,000 adolescents and 9,000 parents are expected to enroll. The MCS and FCS expect to enroll new participants into their respective studies approximately every six (6) years.

CATEGORIES OF RECORDS IN THE SYSTEM:

For each Cohort study group listed, the system of records is likely to include personal information such as, name, Social Security number (SSN), DoD ID number, date of birth, sex, race and ethnic, a randomly generated subject identification number (SID).

Millennium Cohort Study: Military service information on current service members and veterans, including enlistment/appointment details, rank, occupational specialty, branch, and duty status, assignment and deployment history, including dates, locations, and unit; separation date and reason; pay grade, allowances, and special pay like imminent danger or hardship duty pay, and contact/mortality data; combat zone tax benefits; home of record; and military experiences, exposures, and sentiments about service.

Health information, includes physical, mental, and emotional health issues; health-related behaviors such as smoking and drinking; healthcare records from Defense Health Agency (DHA) and the Department of Veterans Affairs (DVA), to include diagnoses, procedures, test results, vaccinations, and pharmacy records; receipt of DVA benefits; results from lab, genetic, and drug tests; physical functioning ability; women's health information; and reports of physical or sexual abuse.

Service members' educational and training history; law enforcement information regarding illicit substance use, incarcerations, and firearms; and employment and economic data, including government benefits (such as unemployment, food stamps, disability) and income.

Family Cohort Study: Includes service members/veterans, spouses, and child dependents.

Military information for service member and spouse such as career experiences, training, pay history, deployments, benefits utilization, residential history, dependent information, and contact/mortality data.

Health and Support Services: Records from the Defense Health Agency (DHA) and Department of Veterans Affairs (DVA), including medical, dental, and pharmacy care. This also covers non-medical counseling and program use for issues like military transition, family needs, substance use, suicide prevention, and family violence.

Educational and training information for service members/veterans, spouses, and child dependents such as degree seeking, certifications, scholarships, and other specialty programs.

Law Enforcement information for service members/veterans and spouses to include both military and non-military reports and investigations.

Employment and economic information for service members/veterans and spouses such as government benefits such as unemployment, food stamps, and disability.

Millennium Cohort Study of Adolescent Resilience: Includes service members/veterans, parents of focal child, and focal children.

Military information for service members such as career experiences, assessments, trainings, pay trajectory information, deployment history documentation, benefits and program utilization, residential history, dependent information, and contact/mortality data.

Health and Support Services: Records from the Defense Health Agency (DHA) and Department of Veterans Affairs (DVA), including medical, dental, and pharmacy care. This also covers non-medical counseling and program use for issues like military transition, family needs, substance use, suicide prevention, and family violence.

Educational and training information for service members/veterans, parents of focal child, and focal children such as degree seeking, certifications, scholarships, and other specialty programs.

Law Enforcement information for service members/veterans, parents of focal child, and focal children to include both military and non-military reports and investigations.

Employment and economic information for service members/veterans and spouses such as government benefits such as unemployment, food stamps, and disability.

Tracking information for service members/veterans, parents of focal child, and focal children such as mortality data, postal and email addresses.

RECORD SOURCE CATEGORIES:

Records and information stored in this system of records are obtained from:

A. The individual, surveys, interviews, educational and financial certificates records, military transition and veteran records, substance abuse and law enforcement systems.

B. Health assessments, patient management systems (including lab, pharmacy, and medical records, and serum and biospecimens); mortality, suicide, and state and territorial cancer registries and records such as the National Death Index (NDI) and Virtual Pooled Registry.

C. DHA and DoD databases, such as: Corporate Executive Information Systems, Defense Manpower Data Center (DMDC), Defense Enrollment Eligibility Reporting System (DEERS), Civilian Health and Medical Program of the Uniformed Services, Army Medical Surveillance Activity (AMSA), Joint Theater Trauma Registry (JTTR), Individual Longitudinal Exposure Record (ILER), Defense Occupational and Environmental Health Readiness System (DOEHRS), or other DHA and DoD systems documenting information within the categories of records to be included in this system as described above.

D. Other Federal agencies such as, the Department of Veterans Affairs, United States Census Bureau, the United States Department of Agriculture, the

Department of Labor, the Department of Education, and the National Institute for Occupational Safety and Health (NIOSH).

E. State, non-governmental, and commercially available records or databases, such as TransUnion and LexisNexis.

ROUTINE USES OF RECORDS MAINTAINED IN THE SYSTEM, INCLUDING CATEGORIES OF USERS AND PURPOSES OF SUCH USES:

In addition to those disclosures generally permitted under 5 U.S.C. 552a(b) of the Privacy Act of 1974, as amended, all or a portion of the records or information contained herein may specifically be disclosed outside the DoD as a routine use pursuant to 5 U.S.C. 552a(b)(3) as follows:

A. To contractors, grantees, experts, consultants, students, and others performing or working on a contract, service, grant, cooperative agreement, or other assignment for the Federal Government when necessary to accomplish an agency function related to this system of records.

B. To the appropriate Federal, State, local, territorial, tribal, foreign, or international law enforcement authority or other appropriate entity where a record, either alone or in conjunction with other information, indicates a violation or potential violation of law, whether criminal, civil, or regulatory in nature.

C. To any component of the Department of Justice for the purpose of representing the DoD, or its components, officers, employees, or members in pending or potential litigation to which the record is pertinent.

D. In an appropriate proceeding before a court, grand jury, or administrative or adjudicative body or official, when the DoD or other Agency representing the DoD determines that the records are relevant and necessary to the proceeding; or in an appropriate proceeding before an administrative or adjudicative body when the adjudicator determines the records to be relevant to the proceeding.

E. To the National Archives and Records Administration for the purpose of records management inspections conducted under the authority of 44 U.S.C. 2904 and 2906.

F. To a Member of Congress or staff acting upon the Member's behalf when the Member or staff requests the information on behalf of, and at the request of, the individual who is the subject of the record.

G. To appropriate agencies, entities, and persons when (1) the DoD suspects or confirms a breach of the system of records; (2) the DoD determines as a result of the suspected or confirmed breach there is a risk of harm to individuals, the DoD (including its information systems, programs, and operations), the Federal Government, or national security; and (3) the disclosure made to such agencies, entities, and persons is reasonably necessary to assist in connection with the DoD's efforts to respond to the suspected or confirmed breach or to prevent, minimize, or remedy such harm.

H. To another Federal agency or Federal entity, when the DoD determines that information from this system of records is reasonably necessary to assist the recipient agency or entity in (1) responding to a suspected or confirmed breach or (2) preventing, minimizing, or remedying the risk of harm to individuals, the recipient agency or entity (including its information systems, programs and operations), the Federal Government, or national security, resulting from a suspected or confirmed breach.

I. To another Federal, State or local agency for the purpose of comparing to the agency's system of records or to non-Federal records, in coordination with an Office of Inspector General in conducting an audit, investigation, inspection, evaluation, or some other review as authorized by the Inspector General Act of 1987, as amended.

J. To such recipients under such circumstances and procedures as are mandated by Federal statute or treaty.

K. To the DVA, the Department of Health and Human Services (HHS), and the Centers for Disease Control and Prevention (CDC), for use in scientific, medical and other analysis regarding health outcomes research associated with military service.

Note 1: All disclosures to the DVA and HHS/CDC must have prior approval of the Naval Health Research Center (NHRC) Institutional Review Board (IRB) and a Memorandum of Understanding must be entered into to ensure the rights and obligations of the signatories are clear. Access to data (1) is permitted on a need-to-know basis only; (2) must adhere to the rule of minimization in that only information necessary to accomplish the purpose for which the disclosure is being made is releasable; (3) must adhere to the privacy and security requirements applicable to protected health information under 45 CFR parts 160 and 164, Health Insurance Portability and Accountability Act (HIPAA) Privacy, Security and Breach Notification Rules, (4) must adhere to privacy requirements applicable to personally identifiable information under the Privacy Act of 1974 in accordance with DoD guidance; and (5) must follow strict guidelines established in the Memorandum of Understanding.

Note 2: This system of records contains protected health information (PHI). The DoD's implementation of HIPAA Rule compliance is prescribed in DoD Manual 6025.18, ''Implementation of the Health Information Portability and Accountability Act (HIPAA) Privacy Rule in DoD Health Care Programs.'' Additional requirements on the use and disclosure of PHI are detailed in the Manual.

POLICIES AND PRACTICES FOR STORAGE OF RECORDS:

Records may be stored electronically or on paper in secure facilities in a locked drawer behind a locked door.

POLICIES AND PRACTICES FOR RETRIEVAL OF RECORDS:

Records may be retrieved primarily by individual's name, SSN, DoD ID number, and/or the individual's subject identification number.

POLICIES AND PRACTICES FOR RETENTION AND DISPOSAL OF RECORDS:

Electronic records and signed original paper consent forms are permanent records and are transferred to the nearest Federal Records Center (FRC) when 5 years old and then transferred to National Archives and Records Administration (NARA) when 20 years old. Temporary supporting records (to include paper records) are transferred to the nearest FRC when 5 years old and destroyed when 10 years old. Temporary non-record files (to include paper records or to include paper copies of the surveys) will be destroyed when 5 years old or on completion/termination of project.

ADMINISTRATIVE, TECHNICAL, AND PHYSICAL SAFEGUARDS:

Access to data is provided on a need-to-know basis only. A written accounting of PII/PHI disclosures and data access is maintained. This log includes the date of access, the name of the person accessing the data, the purpose, and a description of the data provided. Records and computer files are maintained securely in accordance with current DoD regulations. Electronic records are accessed by authorized personnel using a Common Access Card (CAC) and a personal identification number (PIN). Data is stored on a secure server in access-controlled folders, only accessible by approved staff. Sensitive information is transmitted via encrypted Secure Sockets Layer (SSL) technology. Randomly generated subject identification numbers are used as the

primary identifier instead of individual names. Access to areas where records are maintained is limited to authorized personnel through access control devices during work hours and intrusion alarm devices during non-duty hours. Paper records are stored in locked file cabinets.

RECORD ACCESS PROCEDURES:

Individuals seeking access to their records should address written inquiries to the Principal Investigator, The Millennium Cohort Program, Naval Health Research Center, Deployment Health Research Department, 140 Sylvester Rd., San Diego, CA 92106–3521, *usn.nhrc-MillenniumCohortPI@health.mil.* Signed written requests should contain the name and number of this system of records notice along with full name, last four of SSN, DoD ID number, date of birth, email address, phone number, or mailing address, and SID (if known). In addition, the requester must provide either a notarized statement or an unsworn declaration made in accordance with 28 U.S.C. 1746, in the appropriate format:

If executed outside the United States: ''I declare (or certify, verify, or state) under penalty of perjury under the laws of the United States of America that the foregoing is true and correct. Executed on (date). (Signature).''

If executed within the United States, its territories, possessions, or commonwealths: ''I declare (or certify, verify, or state) under penalty of perjury that the foregoing is true and correct. Executed on (date). (Signature).''

CONTESTING RECORD PROCEDURES:

The DoD rules for accessing records, contesting contents, and appealing initial Component determinations are contained in 32 CFR part 310, or may be obtained from the system manager.

NOTIFICATION PROCEDURES:

Individuals seeking to determine whether information about themselves is contained in this system of records should follow the instructions for Record Access Procedures above.

EXEMPTIONS PROMULGATED FOR THE SYSTEM:

None.

HISTORY:

June 16, 2003, 68 FR 35664; November 14, 2014, 79 FR 68225.

[FR Doc. 2026–08431 Filed 4–29–26; 8:45 am]

BILLING CODE 6001–FR–P

DEPARTMENT OF EDUCATION

[Docket No.: ED–2026–SCC–0331]

Agency Information Collection Activities; Submission to the Office of Management and Budget for Review and Approval; Comment Request; State Educational Agency, Local Educational Agency, and School Data Collection and Reporting Under ESEA, Title I, Part A

AGENCY: Office of Elementary and Secondary Education (OESE), Department of Education (ED).

ACTION: Notice.

SUMMARY: In accordance with the Paperwork Reduction Act (PRA) of 1995, the Department is proposing an extension without change of a previously approved information collection request (ICR).

DATES: Interested persons are invited to submit comments on or before June 1, 2026.

ADDRESSES: Written comments and recommendations for proposed information collection requests should be submitted within 30 days of publication of this notice. Click on this link *www.reginfo.gov/public/do/PRAMain* to access the site. Find this information collection request (ICR) by selecting ''Department of Education'' under ''Currently Under Review,'' then check the ''Only Show ICR for Public Comment'' checkbox. *Reginfo.gov* provides two links to view documents related to this information collection request. Information collection forms and instructions may be found by clicking on the ''View Information Collection (IC) List'' link. Supporting statements and other supporting documentation may be found by clicking on the ''View Supporting Statement and Other Documents'' link.

FOR FURTHER INFORMATION CONTACT: For specific questions related to collection activities, please contact Melissa Siry, 202–987–1724.

SUPPLEMENTARY INFORMATION: 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: State Educational Agency, Local Educational Agency, and School Data Collection and Reporting under ESEA, Title I, Part A.

OMB Control Number: 1810–0581.

Type of Review: Extension without change of a currently approved ICR.

Respondents/Affected Public: State, Local, and Tribal Governments.

Total Estimated Number of Annual Responses: 17,022.

Total Estimated Number of Annual Burden Hours: 293,152.

Abstract: Title I, Part A (Title I) of the Elementary and Secondary Education Act of 1965 (ESEA), as amended by the Every Student Succeeds Act of 2015 (ESSA), contains several provisions that require State educational agencies (SEAs), local educational agencies (LEAs), and schools to collect and disseminate information. Thus, SEAs, LEAs, and schools collect and disseminate the information to carry out these reporting requirements. The collected information facilitates compliance with statutory requirements and provides information to school communities (including parents), LEAs, SEAs and the U.S. Department of Education (the Department) regarding activities required under Title I of the ESEA. The Paperwork Reduction Act (PRA) covers these activities. However, the present information collection authorization is due to expire. Therefore, the Department requests an extension of the currently approved information collection (1810–0581).

Ross Santy,

Chief Data Officer, Office of Planning, Evaluation and Policy Development.

[FR Doc. 2026–08437 Filed 4–29–26; 8:45 am]

BILLING CODE 4000–01–P

DEPARTMENT OF EDUCATION

[Docket No.: ED–2026–SCC–0397]

Agency Information Collection Activities; Submission to the Office of Management and Budget for Review and Approval; Comment Request; U.S. Department of Education Supplemental Information for the SF–424 Form

AGENCY: Office of the Secretary (OS), Department of Education (ED).

ACTION: Notice.

SUMMARY: In accordance with the Paperwork Reduction Act (PRA) of 1995, the Department is proposing an extension without change of a currently approved information collection request (ICR).

DATES: Interested persons are invited to submit comments on or before June 1, 2026.

ADDRESSES: Written comments and recommendations for proposed information collection requests should be submitted within 30 days of publication of this notice. Click on this link *www.reginfo.gov/public/do/PRAMain* to access the site. Find this information collection request (ICR) by selecting ''Department of Education'' under ''Currently Under Review,'' then check the ''Only Show ICR for Public Comment'' checkbox. Reginfo.gov provides two links to view documents related to this information collection request. Information collection forms and instructions may be found by clicking on the ''View Information Collection (IC) List'' link. Supporting statements and other supporting documentation may be found by clicking on the ''View Supporting Statement and Other Documents'' link.

FOR FURTHER INFORMATION CONTACT: For specific questions related to collection activities, please contact Kelly Terpak, 202–205–5231.

SUPPLEMENTARY INFORMATION: 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: U.S. Department of Education Supplemental Information for the SF–424 Form.

OMB Control Number: 1894–0007.

Type of Review: Extension without change of a currently approved ICR.

Respondents/Affected Public: State, Local, and Tribal Governments.

Total Estimated Number of Annual Responses: 5,976.

Total Estimated Number of Annual Burden Hours: 2,271.

Abstract: The U.S. Department of Education Supplemental Information form for the SF–424 is used together with the SF–424, Application for Federal Assistance. Several years ago ED made a decision to switch from the Application for Federal Education Assistance or ED 424 (1890–0017) collection (now 1894–0007) to the SF–424, in order to adhere with Federal-wide forms standardization and streamlining efforts, especially with widespread agency use of *Grants.gov*. There were several data elements/questions on the ED 424 that were required for applicants and were not included on the SF–424. Therefore, ED put these questions that were already cleared as part of the 1894–0007 collection on a form entitled the, U.S. Department of Education Supplemental Information for the SF–424. The questions on this form deal with the following areas: Project Director identifying and contact information; General Education Provision Act Section 427 Assurance; New Potential Grantee; Human Subjects Research; and Infrastructure Programs and Build America, Buy America Act Applicability (BABAA). The ED supplemental information form can be used with any of the SF–424 forms in the SF–424 forms family, as applicable.

Ross Santy,

Chief Data Officer, Office of Planning, Evaluation and Policy Development.

[FR Doc. 2026–08436 Filed 4–29–26; 8:45 am]

BILLING CODE 4000–01–P

DEPARTMENT OF EDUCATION

Notice Announcing State Tribal Education Partnerships Program Competition

AGENCY: Department of Education, Department of the Interior.

ACTION: Notice.

SUMMARY: The Bureau of Indian Education at the U.S. Department of the Interior (DOI) is soliciting applications in support of the administration of the Fiscal Year (FY) 2026 for the State Tribal Education Partnerships (STEP) program, Assistance Listing Number (ALN) 84.415A, on behalf of the U.S. Department of Education (ED).

DATES: Complete proposals must be submitted electronically through the *Grants.gov* ''APPLY'' function by 11:59 p.m. Eastern time June 11, 2026.

FOR FURTHER INFORMATION CONTACT: Linda Brake. Telephone: 202–987–0796. Email: *linda.brake@ed.gov.*

SUPPLEMENTARY INFORMATION: The STEP program promotes Tribal self-determination in education; supports improvement in the academic achievement of Indian children and youth; and promotes the coordination and collaboration between Tribal Educational Agencies (TEAs), State Educational Agencies, and Local Educational Agencies. The FY 2026 competition includes priorities, selection criteria, and requirements. The absolute priorities are: Creating a TEA and Expanding the Capacity of Early TEAs.

Eligible Applicants: Indian tribes, Tribal organization approved by an Indian Tribe, TEAs, or a consortium of eligible applicants.

Program Authority: Section 6132 of the ESEA (20 U.S.C. 7452).

To Apply: The complete funding opportunity announcement and all information needed to apply, including the priorities and program requirements, are available on ED's website at *https://www.ed.gov/grants-and-programs/grants-special-populations/grants-native-americans-alaskan-natives-and-pacific-islanders/state-tribal-education-partnership-step,* on DOI's website at *https://www.bia.gov/atc,* and on *Grants.gov* at *https://www.grants.gov/search-results-detail/362076.* The application notice and instructions on *Grants.gov* is the official document governing the grant competition.

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: William Henry Kirkland, III signs this notice in furtherance of DOI's role in providing support to ED.

Kirsten Baesler,

Assistant Secretary, Office of Elementary and Secondary Education, Department of Education.

In concurrence

William Henry Kirkland, III,

Assistant Secretary, Indian Affairs, Department of the Interior.

[FR Doc. 2026–08420 Filed 4–29–26; 8:45 am]

BILLING CODE 4000–01–P

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

Combined Notice of Filings #1

Take notice that the Commission received the following electric corporate filings:

Docket Numbers: EC26–77–000.

Applicants: EEC Skyhawk Lessee LLC, Faraday Solar B LLC, TN Solar 1, LLC, White Creek Wind I, LLC.

Description: Errata to 03/24/2026, Joint Application for Authorization Under Section 203 of the Federal Power Act of EEC Skyhawk Lessee LLC, et al.

Filed Date: 4/21/26.

Accession Number: 20260421–5244.

Comment Date: 5 p.m. ET 5/1/26.

Take notice that the Commission received the following exempt wholesale generator filings:

Docket Numbers: EG26–219–000.
Applicants: Soltage Maspeth ESS, LLC.
Description: Soltage Maspeth ESS, LLC submits Notice of Self–Certification of Exempt Wholesale Generator Status.
Filed Date: 4/24/26.
Accession Number: 20260424–5109.
Comment Date: 5 p.m. ET 5/15/26.

Take notice that the Commission received the following electric rate filings:

Docket Numbers: ER25–951–004.
Applicants: PacifiCorp.
Description: Compliance filing: Compliance Filing to Set Effective Date (ER25–951) to be effective 5/1/2026.
Filed Date: 4/24/26.
Accession Number: 20260424–5141.
Comment Date: 5 p.m. ET 5/15/26.

Docket Numbers: ER25–2637–001.
Applicants: California Independent System Operator Corporation.
Description: Compliance filing: 2026–04–24 Compliance Filing of Eff. Date—Congestion Rev. Allocation in EDAM to be effective 5/1/2026.
Filed Date: 4/24/26.
Accession Number: 20260424–5201.
Comment Date: 5 p.m. ET 5/15/26.

Docket Numbers: ER25–3070–005.
Applicants: Midcontinent Independent System Operator, Inc., Indianapolis Power & Light Company.
Description: Tariff Amendment: Indianapolis Power & Light Company submits tariff filing per 35.17(b): 2026–04–24_5th Amendment IPL dba AES Transition to Forward Looking Rate to be effective 1/1/2026.
Filed Date: 4/24/26.
Accession Number: 20260424–5153.
Comment Date: 5 p.m. ET 5/15/26.

Docket Numbers: ER26–265–001.
Applicants: PacifiCorp.
Description: Compliance filing: Compliance Filing to Set Effective Date (ER26–265) to be effective 5/1/2026.
Filed Date: 4/24/26.
Accession Number: 20260424–5149.
Comment Date: 5 p.m. ET 5/15/26.

Docket Numbers: ER26–1150–002.
Applicants: Tri-State Generation and Transmission Association, Inc., Southwest Power Pool, Inc.
Description: Compliance filing: Southwest Power Pool, Inc. submits tariff filing per 35: Compliance Filing in Response to Order issued in ER26–1150 to be effective 4/1/2026.
Filed Date: 4/24/26.
Accession Number: 20260424–5071.
Comment Date: 5 p.m. ET 5/15/26.

Docket Numbers: ER26–1197–002.
Applicants: Public Service Company of Oklahoma.
Description: Tariff Amendment: Response to March 27, 2026 Deficiency Letter to be effective 4/1/2026.
Filed Date: 4/24/26.
Accession Number: 20260424–5167.
Comment Date: 5 p.m. ET 5/15/26.

Docket Numbers: ER26–1247–001.
Applicants: PacifiCorp.
Description: Compliance filing: Compliance Filing to Set Effective Date (ER26–1247) to be effective 5/1/2026.
Filed Date: 4/24/26.
Accession Number: 20260424–5144.
Comment Date: 5 p.m. ET 5/15/26.

Docket Numbers: ER26–1281–001.
Applicants: Southwestern Public Service Company.
Description: Tariff Amendment: 2026.04.24—Amended Removal of 2026 Generation to be effective 4/1/2026.
Filed Date: 4/24/26.
Accession Number: 20260424–5116.
Comment Date: 5 p.m. ET 5/15/26.

Docket Numbers: ER26–1294–001.
Applicants: California Independent System Operator Corporation.
Description: Compliance filing: 2026–04–24 Compliance Filing of Eff. Date—Amdt to Support DAME/EDAM to be effective 5/1/2026.
Filed Date: 4/24/26.
Accession Number: 20260424–5223.
Comment Date: 5 p.m. ET 5/15/26.

Docket Numbers: ER26–1390–001.
Applicants: Eagle Creek Solar Park LLC.
Description: Tariff Amendment: Response to Deficiency Letter to be effective 4/15/2026.
Filed Date: 4/24/26.
Accession Number: 20260424–5124.
Comment Date: 5 p.m. ET 5/15/26.

Docket Numbers: ER26–1392–001.
Applicants: EDPR CA Solar Park VI LLC.
Description: Tariff Amendment: Response to Deficiency Letter to be effective 4/15/2026.
Filed Date: 4/24/26.
Accession Number: 20260424–5125.
Comment Date: 5 p.m. ET 5/15/26.

Docket Numbers: ER26–1393–001.
Applicants: EDPR Scarlet III LLC.
Description: Tariff Amendment: Response to Deficiency Letter to be effective 4/15/2026.
Filed Date: 4/24/26.
Accession Number: 20260424–5129.
Comment Date: 5 p.m. ET 5/15/26.

Docket Numbers: ER26–1394–001.
Applicants: Sonrisa BESS LLC.
Description: Tariff Amendment: Response to Deficiency Letter to be effective 4/15/2026.
Filed Date: 4/24/26.
Accession Number: 20260424–5130.
Comment Date: 5 p.m. ET 5/15/26.

Docket Numbers: ER26–1557–001.
Applicants: PacifiCorp.
Description: Compliance filing: Compliance Filing to Set Effective Date (ER26–1557) to be effective 5/1/2026.
Filed Date: 4/24/26.
Accession Number: 20260424–5146.
Comment Date: 5 p.m. ET 5/15/26.

Docket Numbers: ER26–2295–000.
Applicants: Lansing Board of Water and Light.
Description: Request for Limited and Prospective Waiver, et al. of Lansing Board of Water and Light.
Filed Date: 4/23/26.
Accession Number: 20260423–5161.
Comment Date: 5 p.m. ET 5/1/26.

Docket Numbers: ER26–2296–000.
Applicants: Midcontinent Independent System Operator, Inc., Ameren Illinois Company.
Description: 205(d) Rate Filing: Ameren Illinois Company submits tariff filing per 35.13(a)(2)(iii: 2026–04–24_SA 4747 Ameren IL–PPI Reimbursement Agmt (Kilbourne Saidora) to be effective 6/24/2026.
Filed Date: 4/24/26.
Accession Number: 20260424–5002.
Comment Date: 5 p.m. ET 5/15/26.

Docket Numbers: ER26–2297–000.
Applicants: Midcontinent Independent System Operator, Inc., Ameren Illinois Company.
Description: 205(d) Rate Filing: Ameren Illinois Company submits tariff filing per 35.13(a)(2)(iii: 2026–04–24_SA 2880 Att A Proj Spec No. 14 WVPA-Covia to be effective 6/24/2026.
Filed Date: 4/24/26.
Accession Number: 20260424–5004.
Comment Date: 5 p.m. ET 5/15/26.

Docket Numbers: ER26–2298–000.
Applicants: Unitil Power Corp.
Description: Unitil Power Corp. submits Statement of all billing transactions under the Amended Unitil System Agreement for the period 01/01/2025, to 12/31/2025.
Filed Date: 4/22/26.
Accession Number: 20260422–5206.
Comment Date: 5 p.m. ET 5/13/26.

Docket Numbers: ER26–2299–000.
Applicants: American Transmission Systems, Incorporated.
Description: 205(d) Rate Filing: ATSI submits a new Construction Agmt—SA No. 7502 to be effective 6/24/2026.
Filed Date: 4/24/26.
Accession Number: 20260424–5006.
Comment Date: 5 p.m. ET 5/15/26.

Docket Numbers: ER26–2300–000.
Applicants: American Transmission Systems, Incorporated.
Description: 205(d) Rate Filing: ATSI submits a new Construction Agmt—SA No. 7350 to be effective 6/24/2026.

Filed Date: 4/24/26.
Accession Number: 20260424–5030.
Comment Date: 5 p.m. ET 5/15/26.
Docket Numbers: ER26–2301–000.
Applicants: Superior Water Light & Power, Midcontinent Independent System Operator, Inc.
Description: 205(d) Rate Filing: Superior Water Light & Power submits tariff filing per 35.13(a)(2)(iii: 2026–04–24_SA 4742 SWLP-Enbridge Energy E&P (L011) to be effective 3/27/2026.
Filed Date: 4/24/26.
Accession Number: 20260424–5047.
Comment Date: 5 p.m. ET 5/15/26.
Docket Numbers: ER26–2302–000.
Applicants: AEP Texas Inc.
Description: 205(d) Rate Filing: AEPTX–CTT Interconnection Agreement to be effective 3/27/2026.
Filed Date: 4/24/26.
Accession Number: 20260424–5111.
Comment Date: 5 p.m. ET 5/15/26.
Docket Numbers: ER26–2303–000.
Applicants: The Dayton Power and Light Company.
Description: 205(d) Rate Filing: Construction Service Agreement with Amazon, Sidney OH to be effective 4/23/2026.
Filed Date: 4/24/26.
Accession Number: 20260424–5179.
Comment Date: 5 p.m. ET 5/15/26.
Docket Numbers: ER26–2304–000.
Applicants: Guess & Co. Power, Inc.
Description: Initial Rate Filing: Baseline new to be effective 6/24/2026.
Filed Date: 4/24/26.
Accession Number: 20260424–5243.
Comment Date: 5 p.m. ET 5/15/26.

The filings are accessible in the Commission's eLibrary system (*https://elibrary.ferc.gov/idmws/search/fercgensearch.asp*) by querying the docket number.

Any person desiring to intervene, to protest, or to answer a complaint in any of the above proceedings must file in accordance with Rules 211, 214, or 206 of the Commission's Regulations (18 CFR 385.211, 385.214, or 385.206) on or before 5:00 p.m. Eastern time on the specified comment date. Protests may be considered, but intervention is necessary to become a party to the proceeding.

eFiling is encouraged. More detailed information relating to filing requirements, interventions, protests, service, and qualifying facilities filings can be found at: *http://www.ferc.gov/docs-filing/efiling/filing-req.pdf.* For other information, call (866) 208–3676 (toll free). For TTY, call (202) 502–8659.

For public inquiries and assistance with making filings such as interventions, comments, or requests for rehearing, contact the Office of Public Participation at (202) 502–6595 or *OPP@ferc.gov.*

Dated: April 24, 2026.

Debbie-Anne A. Reese,

Secretary.

[FR Doc. 2026–08356 Filed 4–29–26; 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: RP26-777–000.
Applicants: Gillis Hub Pipeline, LLC.
Description: Annual Operational Transactions Report of Gillis Hub Pipeline, LLC.
Filed Date: 4/23/26.
Accession Number: 20260423–5127.
Comment Date: 5 p.m. ET 5/5/26.
Docket Numbers: RP26-778–000.
Applicants: Eastern Gas Transmission and Storage, Inc.
Description: § 4(d) Rate Filing: EGTS–26.04.24 Negotiated and Nonconforming Agreements to be effective 5/1/2026.
Filed Date: 4/24/26.
Accession Number: 20260424–5019.
Comment Date: 5 p.m. ET 5/6/26.
Docket Numbers: RP26-779–000.
Applicants: Eastern Gas Transmission and Storage, Inc.
Description: § 4(d) Rate Filing: EGTS-26.04.24 Administrative Update to be effective 6/1/2026.
Filed Date: 4/24/26.
Accession Number: 20260424–5025.
Comment Date: 5 p.m. ET 5/6/26.
Docket Numbers: RP26-780–000.
Applicants: Iroquois Gas Transmission System, L.P.
Description: § 4(d) Rate Filing: 4.24.26 Negotiated Rates—DTE Energy Trading, Inc. R-1830–14 to be effective 5/1/2026.
Filed Date: 4/24/26.
Accession Number: 20260424–5049.
Comment Date: 5 p.m. ET 5/6/26.
Docket Numbers: RP26-781–000.
Applicants: El Paso Natural Gas Company, L.L.C.
Description: Compliance filing: Penalty Crediting Report for 2025 to be effective N/A.
Filed Date: 4/24/26.
Accession Number: 20260424–5123.
Comment Date: 5 p.m. ET 5/6/26.

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 24, 2026.

Debbie-Anne A. Reese,

Secretary.

[FR Doc. 2026–08355 Filed 4–29–26; 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 corporate filings:

Docket Numbers: EC26–90–000.
Applicants: Sycamore Riverside Energy LLC, Indiana Michigan Power Company, AEP Generation Resources Inc.
Description: Joint Application for Authorization Under Section 203 of the Federal Power Act of Sycamore Riverside Energy LLC, et al.
Filed Date: 4/23/26.
Accession Number: 20260423–5218.
Comment Date: 5 p.m. ET 6/22/26.

Take notice that the Commission received the following exempt wholesale generator filings:

Docket Numbers: EG26–220–000.
Applicants: RE Cobalt LLC.
Description: RE Cobalt LLC submits Notice of Self-Certification of Exempt Wholesale Generator Status.
Filed Date: 4/27/26.
Accession Number: 20260427–5137.
Comment Date: 5 p.m. ET 5/18/26.

Take notice that the Commission received the following electric rate filings:

Docket Numbers: ER19–1865–005; ER19–2142–006; ER19–2143–006; ER19–1866–005; ER19–2148–007; ER19–1867–005; ER19–2147–006; ER19–2141–006; ER19–1868–005; ER19–1869–005; ER19–2145–006; ER19–2144–006; ER19–1870–005; ER19–2140–006; ER19–1871–005; ER19–1872–005; ER19–2146–006.

Applicants: Warren Generation, LLC, Tolna Power, LLC, Titus Power, LLC, Shawville Power, LLC, Shawnee Power, LLC, Sayreville Power, LLC, Portland Power, LLC, Orrtanna Power, LLC, Niles Power, LLC, New Castle Power, LLC, Mountain Power, LLC, Hunterstown Power, LLC, Heritage Power Marketing, LLC, Hamilton Power, LLC, Gilbert Power, LLC, Brunot Island Power, LLC, Blossburg Power, LLC.

Description: Notice of Change in Status of Blossburg Power, LLC, et al.

Filed Date: 4/24/26.

Accession Number: 20260424–5326.

Comment Date: 5 p.m. ET 5/15/26.

Docket Numbers: ER26–2305–000.

Applicants: PJM Interconnection, L.L.C.

Description: 205(d) Rate Filing: Amendment to ISA, SA No. 2301; Queue No. AA1–079 to be effective 6/1/2026.

Filed Date: 4/24/26.

Accession Number: 20260424–5265.

Comment Date: 5 p.m. ET 5/15/26.

Docket Numbers: ER26–2307–000.

Applicants: PJM Interconnection, L.L.C.

Description: 205(d) Rate Filing: Amendment of GIA SA No. 7645; Project Identifier AC2–123/AE2–326 to be effective 6/27/2026.

Filed Date: 4/27/26.

Accession Number: 20260427–5012.

Comment Date: 5 p.m. ET 5/18/26.

Docket Numbers: ER26–2308–000.

Applicants: PJM Interconnection, L.L.C.

Description: 205(d) Rate Filing: Amendment to ISA No. 6480; Queue No. AC2–154/AD2–060 to be effective 6/27/2026.

Filed Date: 4/27/26.

Accession Number: 20260427–5016.

Comment Date: 5 p.m. ET 5/18/26.

Docket Numbers: ER26–2309–000.

Applicants: PJM Interconnection, L.L.C.

Description: 205(d) Rate Filing: Amended WMPA, Service Agreement No. 5856; AF2–379 to be effective 6/27/2026.

Filed Date: 4/27/26.

Accession Number: 20260427–5021.

Comment Date: 5 p.m. ET 5/18/26.

Docket Numbers: ER26–2310–000.

Applicants: City of Anaheim, California.

Description: 205(d) Rate Filing: City of Anaheim TO Tariff EDAM Revisions and Appendix II Revisions to be effective 5/1/2026.

Filed Date: 4/27/26.

Accession Number: 20260427–5058.

Comment Date: 5 p.m. ET 5/18/26.

Docket Numbers: ER26–2311–000.

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: 2026–04–27_SA 3028 Ameren IL-Prairie Power Project #46 Colmar Del Pt to be effective 6/27/2026.

Filed Date: 4/27/26.

Accession Number: 20260427–5079.

Comment Date: 5 p.m. ET 5/18/26.

Docket Numbers: ER26–2312–000.

Applicants: City of Azusa, California.

Description: 205(d) Rate Filing: City of Azusa TO Tariff EDAM Revisions and Appendix II Revisions to be effective 5/1/2026.

Filed Date: 4/27/26.

Accession Number: 20260427–5097.

Comment Date: 5 p.m. ET 5/18/26.

Docket Numbers: ER26–2313–000.

Applicants: Ameren Transmission Company of Illinois.

Description: 205(d) Rate Filing: Submission of a Fiber License Agreement (RS No. 12) to be effective 6/27/2026.

Filed Date: 4/27/26.

Accession Number: 20260427–5116.

Comment Date: 5 p.m. ET 5/18/26.

Docket Numbers: ER26–2314–000.

Applicants: Orange and Rockland Utilities, Inc.

Description: 205(d) Rate Filing: Orange and Rockland Undergrounding 2026 to be effective 4/1/2026.

Filed Date: 4/27/26.

Accession Number: 20260427–5172.

Comment Date: 5 p.m. ET 5/18/26.

Docket Numbers: ER26–2315–000.

Applicants: Massachusetts Electric Company.

Description: 205(d) Rate Filing: 4/27/26 Rate Updates Filing for Massachusetts Electric Borderline Sales Tariff to be effective 3/31/2025.

Filed Date: 4/27/26.

Accession Number: 20260427–5188.

Comment Date: 5 p.m. ET 5/18/26.

Docket Numbers: ER26–2316–000.

Applicants: ER Nava Storage, LLC.

Description: 205(d) Rate Filing: Revised Market-Based Rate Tariff to be effective 4/28/2026.

Filed Date: 4/27/26.

Accession Number: 20260427–5191.

Comment Date: 5 p.m. ET 5/18/26.

Docket Numbers: ER26–2317–000.

Applicants: ER South Street Storage, LLC.

Description: 205(d) Rate Filing: Revised Market-Based Rate Tariff to be effective 4/28/2026.

Filed Date: 4/27/26.

Accession Number: 20260427–5193.

Comment Date: 5 p.m. ET 5/18/26.

Take notice that the Commission received the following electric securities filings:

Docket Numbers: ES26–39–000.

Applicants: PacifiCorp.

Description: Application Under Section 204 of the Federal Power Act for Authorization to Issue Securities of PacifiCorp.

Filed Date: 4/23/26.

Accession Number: 20260423–5217.

Comment Date: 5 p.m. ET 5/14/26.

Docket Numbers: ES26–40–000.

Applicants: Louisville Gas and Electric Company.

Description: Application Under Section 204 of the Federal Power Act for Authorization to Issue Securities of Louisville Gas and Electric Company.

Filed Date: 4/24/26.

Accession Number: 20260424–5314.

Comment Date: 5 p.m. ET 5/15/26.

Docket Numbers: ES26–41–000.

Applicants: Kentucky Utilities Company.

Description: Application Under Section 204 of the Federal Power Act for Authorization to Issue Securities of Kentucky Utilities Company.

Filed Date: 4/24/26.

Accession Number: 20260424–5315.

Comment Date: 5 p.m. ET 5/15/26.

Take notice that the Commission received the following qualifying facility filings:

Docket Numbers: QF26–754–000.

Applicants: Louis Dreyfus Company Grand Junction LLC.

Description: Form 556 of Louis Dreyfus Company Grand Junction LLC.

Filed Date: 4/2/26.

Accession Number: 20260402–5339.

Comment Date: 5 p.m. ET 4/23/26.

The filings are accessible in the Commission's eLibrary system (*https://elibrary.ferc.gov/idmws/search/fercgensearch.asp*) by querying the docket number.

Any person desiring to intervene, to protest, or to answer a complaint in any of the above proceedings must file in accordance with Rules 211, 214, or 206 of the Commission's Regulations (18 CFR 385.211, 385.214, or 385.206) on or before 5:00 p.m. Eastern time on the specified comment date. Protests may be

considered, but intervention is necessary to become a party to the proceeding.

eFiling is encouraged. More detailed information relating to filing requirements, interventions, protests, service, and qualifying facilities filings can be found at: *http://www.ferc.gov/docs-filing/efiling/filing-req.pdf.* For other information, call (866) 208–3676 (toll free). For TTY, call (202) 502–8659.

For public inquiries and assistance with making filings such as interventions, comments, or requests for rehearing, contact the Office of Public Participation at (202) 502–6595 or *OPP@ferc.gov.*

Dated: April 27, 2026.

Carlos D. Clay,

Deputy Secretary.

[FR Doc. 2026–08396 Filed 4–29–26; 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: RP26–782–000.

Applicants: Transcontinental Gas Pipe Line Company, LLC.

Description: 4(d) Rate Filing: Non-Conforming—MBS II—Tampa Electric—Amendment to be effective 5/1/2026.

Filed Date: 4/24/26.

Accession Number: 20260424–5213.

Comment Date: 5 p.m. ET 5/6/26.

Docket Numbers: RP26–783–000.

Applicants: Basin Electric Power Cooperative, DAKOTA GASIFICATION COMPANY.

Description: Joint Petition for Limited Waiver of Capacity Release Regulations, et al. of Basin Electric Power Cooperative, et al.

Filed Date: 4/24/26.

Accession Number: 20260424–5244.

Comment Date: 5 p.m. ET 5/6/26.

Docket Numbers: RP26–784–000.

Applicants: Transcontinental Gas Pipe Line Company, LLC.

Description: 4(d) Rate Filing: Negotiated Rates—Mobile Bay South II—Duke Energy Florida to be effective 5/1/2026.

Filed Date: 4/24/26.

Accession Number: 20260424–5257.

Comment Date: 5 p.m. ET 5/6/26.

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.

Filings in Existing Proceedings

Docket Numbers: PR25–52–004.

Applicants: Consumers Energy Company.

Description: 284.123(g) Rate Filing: Supplemental Compliance Filing and Updated SOC to be effective 6/1/2025.

Filed Date: 4/27/26.

Accession Number: 20260427–5146.

Comment Date: 5 p.m. ET 5/18/26.

Any person desiring to protest in any the above proceedings must file in accordance with Rule 211 of the Commission's Regulations (18 CFR 385.211) on or before 5:00 p.m. Eastern time on the specified comment date.

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 27, 2026.

Carlos D. Clay,

Deputy Secretary.

[FR Doc. 2026–08397 Filed 4–29–26; 8:45 am]

BILLING CODE 6717–01–P

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Docket No. ID–10574–000]

Smith, Philip C.; Notice of Filing

Take notice that on March 5, 2026, Philip C. Smith submitted for filing, application for authority to hold interlocking positions, pursuant to section 305(b) of the Federal Power Act, 16 U.S.C. 825d (b) and Part 45.8 of the Federal Energy Regulatory Commission's (Commission) Rules of Practice and Procedure, 18 CFR part 45.8.

Any person desiring to intervene or to protest this filing must file in accordance with Rules 211 and 214 of the Commission's Rules of Practice and Procedure (18 CFR 385.211, 385.214). Protests will be considered by the Commission in determining the appropriate action to be taken but will not serve to make protestants parties to the proceeding. Any person wishing to become a party must file a notice of intervention or motion to intervene, as appropriate. Such notices, motions, or protests must be filed on or before the comment date. On or before the comment date, it is not necessary to serve motions to intervene or protests on persons other than the Applicant.

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.*

The Commission strongly encourages electronic filings of comments, protests and interventions in lieu of paper using the ''eFiling'' link at *http://www.ferc.gov.* Persons unable to file electronically may mail similar pleadings to the Federal Energy Regulatory Commission, 888 First Street NE, Washington, DC 20426. Hand delivered submissions in docketed proceedings should be delivered to Health and Human Services, 12225 Wilkins Avenue, Rockville, Maryland 20852.

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.*

Comment Date: 5:00 p.m. Eastern Time on April 29, 2026.

(Authority: 18 CFR 2.1.)

Dated: April 27, 2026.

Carlos D. Clay,

Deputy Secretary.

[FR Doc. 2026–08398 Filed 4–29–26; 8:45 am]

BILLING CODE 6717–01–P

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Project No. 906–044]

Cushaw Hydro, LLC; Notice of Application for Non-Capacity License Amendment Accepted for Filing, Soliciting Comments, Motions To Intervene, Protests, Recommendations, Terms and Conditions, and Fishway Prescriptions

Take notice that the following hydroelectric application has been filed with the Commission and is available for public inspection:

a. *Application Type:* Non-Capacity Amendment of License.

b. *Project No:* 906–044.

c. *Date Filed:* September 30, 2025, as supplemented on November 12, 2025.

d. *Applicant:* Cushaw Hydro, LLC (licensee).

e. *Name of Project:* Cushaw Hydroelectric Project.

f. *Location:* The project is located on the James River, in Bedford and Amherst counties, Virginia. The project occupies federal lands administered by the U.S. Forest Service.

g. *Filed Pursuant to:* Federal Power Act, 16 U.S.C. 791a–825r.

h. *Applicant Contact:* Mark Fendig, Managing Partner, Cushaw Hydro, LLC, P.O. Box 113, Coleman Falls, VA 24536, (540) 320–6762, *mfendig@aisva.net.*

i. *FERC Contact:* Chris Chaney, (202) 502–6778, *christopher.chaney@ferc.gov*.

j. *Cooperating agencies:* With this notice, the Commission is inviting federal, state, local, and Tribal agencies with jurisdiction and/or special expertise with respect to environmental issues affected by the proposal, that wish to cooperate in the preparation of any environmental document, if applicable, to follow the instructions for filing such requests described in item l below. Cooperating agencies should note the Commission's policy that agencies that cooperate in the preparation of any environmental document cannot also intervene. *See* 94 FERC ¶ 61,076 (2001).

k. *Water Quality Certification:* A water quality certificate under section 401 of the Clean Water Act is required for this proposal from the Virginia Department of Environmental Quality (Virginia DEQ). The applicant must file no later than 60 days following the date of issuance of this notice either: (1) a copy of the request for water quality certification submitted to the Virginia DEQ; or (2) a copy of the water quality certification or evidence of waiver of water quality certification.

l. *Deadline for filing comments, motions to intervene, and protests:* June 23, 2026 5:00 p.m. Eastern Time; reply comments are due August 7, 2026 5:00 p.m. Eastern Time.

The Commission strongly encourages electronic filing. Please file comments, motions to intervene, and protests using the Commission's eFiling system at *http://www.ferc.gov/docs-filing/efiling.asp*. Commenters can submit brief comments up to 6,000 characters, without prior registration, using the eComment system at *http://www.ferc.gov/docs-filing/ecomment.asp*. You must include your name and contact information at the end of your comments. For assistance, please contact FERC Online Support at *FERCOnlineSupport@ferc.gov,* (866) 208–3676 (toll free), or (202) 502–8659 (TTY). In lieu of electronic filing, you may submit a paper copy. Submissions sent via the U.S. Postal Service must be addressed to: Debbie-Anne A. Reese, Secretary, Federal Energy Regulatory Commission, 888 First Street NE, Room 1A, Washington, DC 20426. Submissions sent via any other carrier must be addressed to: Debbie-Anne A. Reese, Secretary, Federal Energy Regulatory Commission, 12225 Wilkins Avenue, Rockville, MD 20852. The first page of any filing should include the docket number P–906–044. Comments emailed to Commission staff are not considered part of the Commission record.

The Commission's Rules of Practice and Procedure require all intervenors filing documents with the Commission to serve a copy of that document on each person whose name appears on the official service list for the project. Further, if an intervenor files comments or documents with the Commission relating to the merits of an issue that may affect the responsibilities of a particular resource agency, they must also serve a copy of the document on that resource agency.

m. *Description of Request:* The licensee proposes to: (1) install a siphon over the western end of the dam to pass the minimum flow to the bypassed reach; (2) reduce the normal impoundment elevation to prevent flows over the spillway during normal operations; (3) change from a run-of-river mode of operation to unit cycling during normal operations utilizing a 6-inch impoundment elevation range (*i.e.,* between 656 and 655.5 feet mean sea level (msl)) and; and (4) implement peaking operations utilizing an 18-inch impoundment elevation range (*i.e.,* between 656 and 654.5 feet msl) for up to 2 hours on up to 10 days per year.

n. *Locations of the Application:* This filing may be viewed on the Commission's website at *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. You may also register online at *http://www.ferc.gov/docs-filing/esubscription.asp* to be notified via email of new filings and issuances related to this or other pending projects. For assistance, call 1–866–208–3676 or email *FERCOnlineSupport@ferc.gov,* for TTY, call (202) 502–8659. Agencies may obtain copies of the application directly from the applicant.

o. Individuals desiring to be included on the Commission's mailing list should so indicate by writing to the Secretary of the Commission.

p. *Comments, Protests, or Motions to Intervene:* Anyone may submit comments, a protest, or a motion to intervene in accordance with the requirements of Rules of Practice and Procedure, 18 CFR 385.210, .211, .214, respectively. In determining the appropriate action to take, the Commission will consider all protests or other comments filed, but only those who file a motion to intervene in accordance with the Commission's Rules may become a party to the proceeding. Any comments, protests, or motions to intervene must be received on or before the specified comment date for the particular application.

q. *Filing and Service of Documents:* Any filing must (1) bear in all capital letters the title ''COMMENTS'', ''PROTEST'', ''MOTION TO INTERVENE'', ''TERMS AND CONDITIONS'', or ''FISHWAY PRESCRIPTIONS'', as applicable; (2) set forth in the heading the name of the applicant and the project number of the application to which the filing responds; (3) furnish the name, address, and telephone number of the person commenting, protesting or intervening; and (4) otherwise comply with the requirements of 18 CFR 385.2001 through 385.2005. All comments, motions to intervene, or protests should relate to project works which are the subject of the amendment. Agencies may obtain copies of the application directly from the applicant. A copy of

any protest or motion to intervene must be served upon each representative of the applicant specified in the particular application. If an intervener files comments or documents with the Commission relating to the merits of an issue that may affect the responsibilities of a particular resource agency, they must also serve a copy of the document on that resource agency. A copy of all other filings in reference to this application must be accompanied by proof of service on all persons listed in the service list prepared by the Commission in this proceeding, in accordance with 18 CFR 4.34(b) and 385.2010.

r. 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 24, 2026.

Debbie-Anne A. Reese,

Secretary.

[FR Doc. 2026–08352 Filed 4–29–26; 8:45 am]

BILLING CODE 6717–01–P

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Docket No. CP26–218–000]

Transcontinental Gas Pipe Line Company, LLC; Notice of Request Under Blanket Authorization and Establishing Intervention and Protest Deadline

Take notice that on April 15, 2026, Transcontinental Gas Pipe Line Company, LLC (Transco), Post Office Box 1396, Houston, Texas 77251, filed in the above referenced docket, a prior notice request pursuant to sections 157.205, 157.208, 157.210, and 157.211of the Commission's regulations under the Natural Gas Act (NGA), and Transco's blanket certificate issued in Docket No. CP82–426–000,[1] for authorization to: (1) install three new delivery meter stations and modify Transco's Station 35 located in Harris County, Texas; and (2) expand the existing Louisiana Southwest LW269 Valve Site located in Beauregard and Allen Parishes, Louisiana (Gillis West Expansion Project). The project will enable Transco to provide an incremental 115,000 dekatherms per day of firm transportation capacity from the existing Transco mainline in Beauregard Parish, Louisiana to the three proposed delivery points located in Harris County, Texas.[2] The estimated cost for the project is $28,697,634, 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 Travis Beach, P.O. Box 1396, Houston, Texas 77251, by phone at (346) 439–0447, by toll-free telephone number at (877) 660–0556, or by email at *PipelineExpansion@williams.com.*

Public Participation

There are three ways to become involved in the Commission's review of this project: you can file a protest to the project, you can file a motion to intervene in the proceeding, and you can file comments on the project. There is no fee or cost for filing protests, motions to intervene, or comments. The deadline for filing protests, motions to intervene, and comments is 5:00 p.m. Eastern Time on June 26, 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,[3] any person [4] 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,[5] and must be submitted by the protest deadline, which is 5:00 p.m. Eastern Time on June 26, 2026. A protest may also serve as a motion to intervene so long as the protestor states it also seeks to be an intervenor.

Interventions

Any person has the option to file a motion to intervene in this proceeding. Only intervenors have the right to request rehearing of Commission orders issued in this proceeding and to subsequently challenge the Commission's orders in the U.S. Circuit Courts of Appeal.

To intervene, you must submit a motion to intervene to the Commission in accordance with Rule 214 of the Commission's Rules of Practice and Procedure [6] and the regulations under the NGA [7] by the intervention deadline for the project, which is 5:00 p.m. Eastern Time on June 26, 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

[1] *Transcontinental Gas Pipe Line Corporation,* 20 FERC ¶ 62,420 (1982).

[2] Firm transportation service under the Project will be rendered by Transco pursuant to Rate Schedule FT of Transco's FERC Gas Tariff and Transco's blanket certificate under Part 284(G) of the Commission's regulations.

[3] 18 CFR 157.205.

[4] Persons include individuals, organizations, businesses, municipalities, and other entities. 18 CFR 385.102(d).

[5] 18 CFR 157.205(e).

[6] 18 CFR 385.214.

[7] 18 CFR 157.10.

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 26, 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 CP26–218–000 in your submission.

(1) You may file your protest, motion to intervene, and comments by using the Commission's eFiling feature, which is located on the Commission's website (*www.ferc.gov*) under the link to Documents and Filings. New eFiling users must first create an account by clicking on ''eRegister.'' You will be asked to select the type of filing you are making; first select ''General'' and then select ''Protest'', ''Intervention'', or ''Comment on a Filing''; or [8]

(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 CP26–218–000.

To file via USPS: Debbie-Anne A. Reese, Secretary, Federal Energy Regulatory Commission, 888 First Street NE, Washington, DC 20426.

To file via any other method: Debbie-Anne A. Reese, Secretary, Federal Energy Regulatory Commission, 12225 Wilkins Avenue, Rockville, Maryland 20852.

The Commission encourages electronic filing of submissions (option 1 above) and has eFiling staff available to assist you at (202) 502–8258 or *FercOnlineSupport@ferc.gov.*

Protests and motions to intervene must be served on the applicant either by mail at: Travis Beach, by phone at (346) 439–0447, or by email (with a link to the document) at *PipelineExpansion@williams.com.*

Any subsequent submissions by an intervenor must be served on the applicant and all other parties to the proceeding. Contact information for parties can be downloaded from the service list at the eService link on FERC Online.

Tracking the Proceeding

Throughout the proceeding, additional information about the project will be available from OPP at (202) 502–6595 or on the FERC website at *www.ferc.gov* using the ''eLibrary'' link as described above. The eLibrary link also provides access to the texts of all formal documents issued by the Commission, such as orders, notices, and rulemakings.

In addition, the Commission offers a free service called eSubscription which allows you to keep track of all formal issuances and submittals in specific dockets. This can reduce the amount of time you spend researching proceedings by automatically providing you with notification of these filings, document summaries, and direct links to the documents. For more information and to register, go to *www.ferc.gov/docs-filing/esubscription.asp.*

(Authority: 18 CFR 2.1)

Dated: April 27, 2026.

Carlos D. Clay,

Deputy Secretary.

[FR Doc. 2026–08457 Filed 4–29–26; 8:45 am]

BILLING CODE 6717–01–P

[8] Additionally, you may file your comments electronically by using the eComment feature, which is located on the Commission's website at *www.ferc.gov* under the link to Documents and Filings. Using eComment is an easy method for interested persons to submit brief, text-only comments on a project.

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Docket No. DI26–4–000]

Chugach Electric Association, Inc.; Notice Reopening Comment Period

On February 17, 2026, the Chugach Electric Association, Inc. filed a declaration of intention to develop the Caribou Creek Hydropower Project. The proposed project would be located on Caribou Creek, in the town of Glacier View, in Matanuska-Susitna Borough, Alaska. The project would not occupy federal land. All lands associated with the proposed project are owned by the state of Alaska or Cook Inlet Region, Inc.

On March 19, 2026, Commission staff issued public notice of the application and requested comments, motions to intervene, and protests, and established a due date for any responses to be filed by April 20, 2026.

Commenters stated that they encountered difficulties filing comments using the Commission's eFiling system, and the Chickaloon Native Village filed a request to extend the comment period to ensure that stakeholders have an opportunity to provide information. The Chickaloon Native Village requests that the comment period be extended until May 20, 2026.

Commission staff have reviewed the docket and the Chickaloon Native Village's request and, due to the difficulties that commenters experienced using the Commission's eFiling system, we are reopening the comment period. The deadline for filing comments, interventions, and protests is May 8, 2026, 5:00 p.m. Eastern Time. The Commission's eComment system is not available for Declaration of Intention (or DI) dockets. Accordingly, individuals intending to file comments must use the Commission's eFiling system at *http://www.ferc.gov/docs-filing/efiling.asp.* In order to access the Commission's eFiling system, commenters must eRegister prior to using eFiling. For assistance using the eFiling system, here is a link to the eFiling User Guide: *https://www.ferc.gov/ferc-online/overview,* or please contact FERC Online Support.

The Commission strongly encourages electronic filing. In lieu of electronic filing, you may submit a paper copy. Submissions sent via the U.S. Postal Service must be addressed to: Debbie-Anne A. Reese, Secretary, Federal Energy Regulatory Commission, 888 First Street NE, Room 1A, Washington, DC 20426. Submissions sent via any other carrier must be addressed to: Debbie-Anne A. Reese, Secretary, Federal Energy Regulatory Commission, 12225 Wilkins Avenue, Rockville, Maryland 20852. The first page of any filing should include docket number DI26–4–000.

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.*

For further information, contact Rebecca Martin, (202) 502–6012, or *rebecca.martin@ferc.gov.*

(Authority: 18 CFR 2.1)

Dated: April 24, 2026.

Debbie-Anne A. Reese,

Secretary.

[FR Doc. 2026–08353 Filed 4–29–26; 8:45 am]

BILLING CODE 6717–01–P

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Docket No. PF26–5–000]

Great Basin Gas Transmission Company

Notice of Scoping Period Requesting Comments on Environmental Issues for the Planned 2028 Expansion Project, and Notice of Public Scoping Sessions

The staff of the Federal Energy Regulatory Commission (FERC or Commission) will prepare an environmental document that will discuss the environmental impacts of the 2028 Expansion Project involving the construction and operation of new facilities and abandonment of existing facilities by Great Basin Gas Transmission Company (Great Basin) in Churchill, Humboldt, Lyon, Pershing, Storey, and Washoe counties, Nevada. 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 that 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. 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 27, 2026. Comments may be submitted in written or oral 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 or oral 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 January 20, 2026, you will need to file those comments in Docket No. PF26–5–000 to ensure they are considered.

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 planned 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 planned 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.

A fact sheet prepared by the FERC entitled ''An Interstate Natural Gas Facility On My Land? What Do I Need To Know?'' addresses typically asked questions, including 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 four 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 also on the Commission's website (*www.ferc.gov*) under the link to FERC Online. With eFiling, you can provide comments in a variety of formats by attaching them as a file with your submission. New eFiling users must first create an account by clicking on ''eRegister.'' You will be asked to select the type of filing you are making; a comment on a particular project is considered a ''Comment on a Filing;'' or

(3) You can file a paper copy of your comments by mailing them to the Commission. Be sure to reference the project docket number (PF26–5–000) 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.

(4) In lieu of sending written comments, the Commission invites you to attend one of the public scoping sessions its staff will conduct in the project area, scheduled as follows:

Date and time	Location
Monday, May 18, 2026, 5:00 p.m.–7:00 p.m. PDT	Winnemucca Convention Center, 50 West Winnemucca Boulevard, Winnemucca, NV 89445.

Date and time	Location
Tuesday, May 19, 2026, 5:00 p.m.–7:00 p.m. PDT	Best Western SureStay, 1420 Cornell Avenue, Lovelock, NV 89419.
Wednesday, May 20, 2026, 5:00 p.m.–7:00 p.m. PDT	Courtyard by Marriot Reno Sparks, 505 USA Parkway, Sparks, NV 89437.
Thursday, May 21, 2026, 6:00 p.m.–8:00 p.m. PDT	Fernley Senior Center, 105 Lois Lane, Fernley, NV 89408.

The primary goal of these scoping sessions is to have you identify the specific environmental issues and concerns that should be considered in the environmental document. Individual oral comments will be taken on a one-on-one basis with a court reporter. This format is designed to receive the maximum number of oral comments in a convenient way during the timeframe allotted.

The scoping sessions on May 18, 19, and 20, 2026, are scheduled from 5:00 p.m. to 7:00 p.m. Pacific Time; the scoping session on May 21, 2026 is scheduled from 6:00 p.m. to 8:00 p.m. Pacific Time. You may arrive at any time after 5:00 p.m. (6:00 p.m. on May 21). There will not be a formal presentation by Commission staff when the session opens. If you wish to speak, Commission staff will hand out numbers in the order of your arrival. Comments will be taken until 7:00 p.m. (8:00 p.m. on May 21). However, if no additional numbers have been handed out and all individuals who wish to provide comments have had an opportunity to do so, staff may conclude the session 30 minutes prior to the announced closing time. Please see Appendix 1 for additional information on the session format and conduct.[1]

Your scoping comments will be recorded by a court reporter (with FERC staff or representative present) and become part of the public record for this proceeding. Transcripts will be publicly available on FERC's eLibrary system (see the last page of this notice for instructions on using eLibrary). If a significant number of people are interested in providing oral comments in the one-on-one settings, a time limit of 5 minutes may be implemented for each commentor.

It is important to note that the Commission provides equal consideration to all comments received, whether filed in written form or provided orally at a scoping session. Although there will not be a formal presentation, Commission staff will be available throughout the scoping session to answer your questions about the environmental review process. Representatives from Great Basin will also be present to answer project-specific questions.

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 Planned Project

Great Basin plans to construct and operate natural gas pipeline facilities in Churchill, Humboldt, Lyon, Pershing, Storey, and Washoe counties, Nevada. The 2028 Expansion Project would consist of approximately 195 miles of new 42-inch-diameter pipeline and approximately 15 miles of new 24-inch-diameter lateral pipelines. As part of the project, Great Basin would also construct and operate the new Jungo Road Compressor Station in Humboldt County; a new receipt point adjacent to Great Basin's existing Opal Valley Receipt Point; and new delivery points, meter stations, pressure limiting stations, and other associated appurtenant facilities. The project includes the planned abandonment of approximately 142 miles of existing, mostly 1960s-era, 8- and 16-inch-diameter pipeline and the existing Rye Patch and Lovelock Compressor Stations.

The general location of the planned project facilities is shown in Appendix 2.

Land Requirements for Construction

Construction of the planned facilities and abandonment of existing facilities would disturb a preliminarily estimated 4,500 acres of land. Following construction, it is estimated that Great Basin would maintain about 1,500 acres for permanent operation of the project's facilities; the remaining acreage would be restored and revert to former uses. A majority of the pipeline facilities would be collocated with existing pipeline, utility, and road rights-of-way.

NEPA Process and the Environmental Document

Any environmental document issued by Commission staff will discuss impacts that could occur as a result of the construction and operation of the planned 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;
- socioeconomics;
- air quality and noise; and
- reliability and safety.

Commission staff have already identified several issues that deserve attention based on a preliminary review of the planned facilities and the environmental information provided by Great Basin. This preliminary list of issues may change based on your comments and our analysis:

- public land crossings and recreational land use;
- California National Historic Trail;
- protected species;
- air quality, noise, and visual impacts associated with proposed new aboveground facilities;
- waterbody crossings, including the Humbolt River and various canals; and
- the proposed abandonment of an older pipeline in place.

Commission staff will also evaluate reasonable alternatives to the planned 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.

Although no formal application has been filed, Commission staff have already initiated a NEPA review under the Commission's pre-filing process.

[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.

The purpose of the pre-filing process is to encourage early involvement of interested stakeholders and to identify and resolve issues before the Commission receives an application. As part of the pre-filing review, Commission staff will contact federal and state agencies to discuss their involvement in the scoping process and the preparation of the environmental document.

If a formal application is filed, Commission staff will then 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 environmental 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 determination on the proposed project. If Commission staff prepares an EIS, a *Notice of Intent to Prepare an EIS/ Notice of Schedule* will be issued once an application is filed, which will open an additional public comment period. Staff will then prepare a draft EIS that will be issued for public comment. Commission staff will consider all timely comments received during the comment period on the draft EIS, and revise the document, as necessary, before issuing a final EIS. Any EA or draft and final EIS will be available in electronic format in the public record through eLibrary [2] 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 related to 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. Currently, the U.S. Bureau of Land Management has expressed its intention to participate as a cooperating agency in the preparation of the environmental document to satisfy its NEPA responsibilities related to this project.

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 potential effects on historic properties.[4] The environmental document for this project will document our findings on the impacts on historic properties and summarize the status of consultations under Section 106. Currently, the U.S. Bureau of Reclamation has expressed interest in being a consulting party for 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 planned 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 PF26–5–000 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 3).

Becoming an Intervenor

Once Great Basin files its application with the Commission, you may want to become an ''intervenor'' which is an official party to the Commission's proceeding. Only intervenors have the right to seek rehearing of the Commission's decision and be heard by the courts if they choose to appeal the Commission's final ruling. An intervenor formally participates in the proceeding by filing a request to intervene pursuant to Rule 214 of the Commission's Rules of Practice and Procedures (18 CFR 385.214). Motions to intervene are more fully described at *https://www.ferc.gov/how-intervene.* Please note that the Commission will not accept requests for intervenor status at this time. You must wait until the Commission receives a formal application for the project, after which the Commission will issue a public notice that establishes an intervention deadline.

Additional Information

Additional information about the project is available from the Commission's Office of External Affairs, at (866) 208–FERC, or on the FERC website *(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 toll free at (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)

[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. Code 4336(a)(3)).

[4] The Advisory Council on Historic Preservation 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.

Dated: April 27, 2026.

Carlos D. Clay,

Deputy Secretary.

[FR Doc. 2026–08459 Filed 4–29–26; 8:45 am]

BILLING CODE 6717–01–P

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Docket No. IC26–6–000]

Commission Information Collection Activities (FERC–515) Comment Request; Extension

AGENCY: Federal Energy Regulatory Commission.

ACTION: Notice of information collection and request for comments.

SUMMARY: In compliance with the requirements of the Paperwork Reduction Act of 1995, 44 U.S.C. 3507(a)(1)(D), the Federal Energy Regulatory Commission (Commission or FERC) is submitting its information collection FERC–515: Declaration of Intention to the Office of Management and Budget (OMB) for review of the information collection requirements. There are no proposed changes to this collection.

DATES: Comments on the collection of information are due June 1, 2026.

ADDRESSES: Send written comments on FERC–515 to OMB through *https://www.reginfo.gov/public/do/PRA/icrPublicCommentRequest?ref_nbr=202602-1902-002.* You can also visit *https://www.reginfo.gov/public/do/PRAMain* and use the drop-down under ''Currently under Review'' to select the ''Federal Energy Regulatory Commission'' where you can see the open opportunities to provide comments. Comments should be sent within 30 days of publication of this notice.

Please submit a copy of your comments to the Commission via email to *DataClearance@FERC.gov.* You must specify the Docket No. (IC26–6–000) and the FERC Information Collection number (FERC–515) in your email. If you are unable to file electronically, comments may be filed by USPS mail or by hand (including courier) delivery:

- *Mail via U.S. Postal Service Only:* Federal Energy Regulatory Commission, Secretary of the Commission, 888 First Street NE, Washington, DC 20426.
- *All Other Delivery Methods:* Federal Energy Regulatory Commission, Secretary of the Commission, 12225 Wilkins Avenue, Rockville, MD 20852.

Docket: To view comments and issuances in this docket, please visit *https://elibrary.ferc.gov/eLibrary/search.*

FOR FURTHER INFORMATION CONTACT: Kayla Williams, (202) 502–6468. *DataClearance@FERC.gov*

SUPPLEMENTARY INFORMATION:

Title: FERC–515 (Declaration of Intention).

OMB Control No.: 1902–0079.

Type of Request: Three-year extension of the FERC–515 information collection requirements with no changes to the current reporting requirements.

Abstract: The purpose of FERC–515 is to implement the information collections pursuant to Section 24 of the Federal Power Act (FPA). This statute authorizes the Commission to make a determination as to whether it has jurisdiction over a proposed water project pursuant to section 23(b) of the FPA. Entities intending to construct project works on certain waters must file a Declaration of Intention with the Commission. The information provided in the Declaration of Intention includes a written application, containing sufficient details to allow the Commission staff to research the jurisdictional aspects of the project. Commission staff will review maps, land ownership records, and other related information to establish whether or not there is Federal jurisdiction over the lands and waters affected by the project. A finding that the project is non-jurisdictional by the Commission eliminates a substantial paperwork burden for the applicant who might otherwise have to file for a license or exemption application. FERC received no comments in response to the 60-day **Federal Register** Notice.

Type of Respondents: Persons intending to construct project works on certain waters.

Estimate of Annual Burden.[1] The Commission estimates the annual public reporting burden and cost [2] for the information collection as:

Number of respondents	Annual number of responses per respondent	Total number of responses	Average burden hours & cost ($) per response	Total annual burden hours & total annual cost ($)	Cost per respondent ($)
(1)	(2)	(1) * (2) = (3)	(4)	(3) * (4) = (5)	(5) ÷ (1)
4	1	4	80 hrs.; $8,240	320 hrs.; $32,960	$8,240

Comments: Comments are invited on: (1) whether the collection of information is necessary for the proper performance of the functions of the Commission, including whether the information will have practical utility; (2) the accuracy of the agency's estimate of the burden and cost of the collection of information, including the validity of the methodology and assumptions used; (3) ways to enhance the quality, utility and clarity of the information collection; and (4) ways to minimize the burden of the collection of information on those who are to respond, including the use of automated collection techniques or other forms of information technology.

Dated: April 27, 2026.

Carlos D. Clay,

Deputy Secretary.

[FR Doc. 2026–08458 Filed 4–29–26; 8:45 am]

BILLING CODE 6717–01–P

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Docket No. DI26–3–000]

Chugach Electric Association, Inc.; Notice Reopening Comment Period

On February 17, 2026, the Chugach Electric Association, Inc. filed a declaration of intention to develop the Boulder Creek Hydropower Project. The proposed project would be located on

[1] Burden is defined as the total time, effort, or financial resources expended by persons to generate, maintain, retain, or disclose or provide information to or for a federal agency. See 5 CFR 1320 (2025) for additional information on the definition of information collection burden.

[2] Commission staff estimates that industry is similarly situated in terms of hourly cost (for wages plus benefits). Based on the Commission's FY (Fiscal Year) 2025 average cost (for wages plus benefits), $103/hour is used.

Boulder Creek, in Matanuska-Susitna Borough, Alaska. The project would not occupy federal land. All lands associated with the proposed project are owned by the state of Alaska, Cook Inlet Region, Inc., or Chickaloon-Moses Creek Native Association Lands.

On March 19, 2026, Commission staff issued public notice of the application and requested comments, motions to intervene, and protests, and established a due date for any responses to be filed by April 20, 2026.

Commenters stated that they encountered difficulties filing comments using the Commission's eFiling system, and the Chickaloon Native Village filed a request to extend the comment period to ensure that stakeholders have an opportunity to provide information. The Chickaloon Native Village requests that the comment period be extended until May 20, 2026.

Commission staff have reviewed the docket and the Chickaloon Native Village's request and, due to the difficulties that commenters experienced using the Commission's eFiling system, we are reopening the comment period. The deadline for filing comments, interventions, and protests is May 8, 2026, 5:00 p.m. Eastern Time. The Commission's eComment system is not available for Declaration of Intention (or DI) dockets. Accordingly, individuals intending to file comments must use the Commission's eFiling system at *http://www.ferc.gov/docs-filing/efiling.asp.* In order to access the Commission's eFiling system, commenters must eRegister prior to using eFiling. For assistance using the eFiling system, here is a link to the eFiling User Guide: *https://www.ferc.gov/ferc-online/overview,* or please contact FERC Online Support.

The Commission strongly encourages electronic filing. In lieu of electronic filing, you may submit a paper copy. Submissions sent via the U.S. Postal Service must be addressed to: Debbie-Anne A. Reese, Secretary, Federal Energy Regulatory Commission, 888 First Street NE, Room 1A, Washington, DC 20426. Submissions sent via any other carrier must be addressed to: Debbie-Anne A. Reese, Secretary, Federal Energy Regulatory Commission, 12225 Wilkins Avenue, Rockville, Maryland 20852. The first page of any filing should include docket number DI26–3–000.

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.*

For further information, contact Rebecca Martin, (202) 502–6012, or *rebecca.martin@ferc.gov.*

(Authority: 18 CFR 2.1)

Dated: April 24, 2026.

Debbie-Anne A. Reese,

Secretary.

[FR Doc. 2026–08354 Filed 4–29–26; 8:45 am]

BILLING CODE 6717–01–P

ENVIRONMENTAL PROTECTION AGENCY

[FRL–13178–01–OCFO]

Environmental Protection Agency Draft Fiscal Year 2027 Evidence Plan

AGENCY: Environmental Protection Agency (EPA).

ACTION: Notice of availability; request for public comments.

SUMMARY: As required by the Foundations for Evidence-Based Policymaking Act of 2018, the U.S. Environmental Protection Agency (EPA) is announcing the availability of the draft Fiscal Year (FY) 2027 Evidence Plan to support the Agency's Learning Agenda for public review and comment. The Agency anticipates the submission of this document to the Office of Management and Budget (OMB) in June 2026. The draft FY 2027 Evidence Plan to support the Agency's Learning Agenda can be accessed on the EPA's website at: *https://www.epa.gov/evaluate/evidence-act.* The EPA seeks comments from individual citizens, states, Tribes, local governments, industry, the academic community, non-governmental organizations, and all other interested parties.

DATES: The comment period will commence April 30, 2026. Comments must be received on or before May 14, 2026.

ADDRESSES: Submit your comments to *EvidenceAndEvaluation@epa.gov.* Once submitted, comments cannot be edited or withdrawn. Do not submit electronically any information you consider to be Confidential Business Information (CBI) or other information for which disclosure is restricted by statute. 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 FURTHER INFORMATION CONTACT: Jacob Simmons, Director, Evidence and Improvement Division, Office of Budget and Performance, Office of Finance and Administration, 1200 Pennsylvania Ave NW, MC: 2831T, Washington, DC 20460, telephone number: (202) 369–5817, email address: *simmons.jacob@epa.gov;* and José Zambrana, Acting EPA Evaluation Officer, Office of Budget and Performance, Office of Finance and Administration, telephone number: (213) 244–1819, email address: *zambrana.jose@epa.gov.*

SUPPLEMENTARY INFORMATION: The Foundations for Evidence-Based Policymaking Act of 2018 (Pub. L. 115–435) requires federal agencies to develop evidence to support policymaking, and to submit, alongside the EPA Strategic Plan, a systematic evidence-building plan for ''identifying and addressing policy questions'' (Learning Agenda). The draft FY 2027 Evidence Plan to support the Agency's Learning Agenda identifies policy-relevant questions for which the EPA intends to develop evidence and presents alongside each learning priority area specific learning priority questions to be addressed during FY 2027. The document includes information on the key evidence activities to be conducted as well as the administration priorities related to each priority question and activity. It also includes proposed timelines for each evidence-building activity, references to potential opportunities for stakeholder engagement, and anticipated challenges that might impact the work to be completed in support of answering each priority question.

Angel Robinson,

Director, Office of Budget and Performance, Office of Finance and Administration.

[FR Doc. 2026–08379 Filed 4–29–26; 8:45 am]

BILLING CODE 6560–50–P

ENVIRONMENTAL PROTECTION AGENCY

[FRL–13193–01–R6]

Comprehensive Environmental Response, Compensation, and Liability Act; Proposed Administrative Settlement Agreement for Recovery of Response Costs; Goodrich Asbestos Superfund Site in Ottawa County, Miami, Oklahoma

AGENCY: Environmental Protection Agency (EPA).

ACTION: Notice of proposed settlement; request for public comment.

SUMMARY: In accordance with the Comprehensive Environmental Response, Compensation, and Liability Act (''CERCLA''), notice is hereby given that a proposed CERCLA Section 122(h)(1) Ability to Pay Cashout Settlement (''Proposed Agreement'')

associated with the Goodrich Asbestos Superfund Site, located at or near 1000 Goodrich Boulevard, Miami, Ottawa County, Oklahoma 74354, was executed by the Environmental Protection Agency (''EPA'') and is now subject to public comment, after which EPA may modify or withdraw its consent if comments received disclose facts or considerations that indicate that the Proposed Agreement is inappropriate, improper, or inadequate. The Proposed Agreement would resolve potential EPA claims under sections 106 and 107(a) of CERCLA against Allan Kaspar (''Settling Party'') for response costs EPA incurred at the Goodrich Asbestos Superfund Site. Based on an ability to pay analysis, the Proposed Agreement would require Settling Party to pay EPA $100,000.00. For thirty (30) days following the date of publication of this notice, EPA will receive electronic comments relating to the Proposed Agreement. EPA's response to any comments received will be available for public inspection by request.

DATES: Comments must be received on or before June 1, 2026.

ADDRESSES: Requests for documents and submission of comments must be via electronic mail except as provided below. The Proposed Agreement and additional background information relating to the Proposed Agreement are available for public inspection upon request by contacting EPA Assistant Regional Counsel Matthew Miller at *miller.matthew@epa.gov.* Comments must be submitted via electronic mail to this same email address and should reference the ''Goodrich Asbestos Superfund Site, Proposed Settlement Agreement'' and ''EPA CERCLA Docket No. 06–02–26.'' Persons without access to electronic mail may call Mr. Miller at (214) 665–6406 to make alternative arrangements.

FOR FURTHER INFORMATION CONTACT: Matt Miller at EPA by phone (214) 665–6406 or email at: *miller.matthew@epa.gov.*

Walter Mason,

Regional Administrator, Region 6.

[FR Doc. 2026–08370 Filed 4–29–26; 8:45 am]

BILLING CODE 6560–50–P

EQUAL EMPLOYMENT OPPORTUNITY COMMISSION

Commission Meeting—Sunshine Act Notice

TIME AND DATE: Tuesday, May 5, 2026, 11:00 a.m. Eastern Time.

PLACE: The meeting will be held virtually.

STATUS: The meeting will be closed to the public.

MATTERS TO BE CONSIDERED: The following item will be considered at the meeting:

- Recommendation to Participate in Civil Litigation

Note: The Legal Counsel has certified that, in the Legal Counsel's opinion, the Commission meeting scheduled for May 5, 2026 concerning a recommendation to participate in civil litigation may properly be closed under the tenth exemption to the Government in the Sunshine Act, 5 U.S.C. 552b(c)(10), and Commission regulations at 29 CFR 1612.13(a)

Please telephone (202) 921–2750, or email *commissionmeetingcomments@eeoc.gov* at any time for information on this meeting.

CONTACT PERSON FOR MORE INFORMATION: Raymond Windmiller, Executive Officer, (202) 921–2705.

Dated: April 28, 2026.

Raymond D. Windmiller,

Executive Officer, Executive Secretariat.

[FR Doc. 2026–08453 Filed 4–28–26; 4:15 pm]

BILLING CODE 6570–01–P

FEDERAL COMMUNICATIONS COMMISSION

[OMB 3060–0264, OMB 3060–0297; OMB 3060–0560; FR ID 343263]

Information Collections Being Reviewed by the Federal Communications Commission Under Delegated Authority

AGENCY: Federal Communications Commission.

ACTION: Notice; request for comments.

SUMMARY: As part of its continuing effort to reduce paperwork burdens, and as required by the Paperwork Reduction Act (PRA), 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 29, 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 Number: 3060–0264.

Title: Section 80.413, On-Board Station Equipment Records.

Form Number: N/A.

Type of Review: Extension of a currently approved collection.

Respondents: Business or other for-profit entities, not-for-profit institutions, and state, local or tribal government.

Number of Respondents: 1,000 respondents; 1,000 responses.

Estimated Time per Response: 2 hours.

Frequency of Response: Recordkeeping requirement.

Obligation to Respond: Required to obtain or retain benefits. Statutory authority for this information collection is contained in 47 U.S.C. 154, 303, 307(e), 309 and 332 and 151–155 and sections 301–609 of the Communications Act of 1934, as amended.

Total Annual Burden: 2,000 hours.

Total Annual Cost: No cost.

Needs and Uses: The Commission is seeking an extension of this expiring information collection in order to obtain the full three-year approval from OMB. There is no change to the recordkeeping requirement. The information collection requirements contained in § 80.413 require the licensee of an on-board station to keep equipment records which show:

(1) The ship name and identification of the on-board station;

(2) The number of and type of repeater and mobile units used on-board the vessel; and

(3) The date the type of equipment which is added or removed from the on-board station.

The information is used by FCC personnel during inspections and investigations to determine what mobile units and repeaters are associated with on-board stations aboard a particular vessel. If this information were not maintained, no means would be available to determine if this type of radio equipment is authorized or who is responsible for its operation. Enforcement and frequency management programs would be negatively affected if the information were not retained.

OMB Control Number: 3060–0297.

Title: Section 80.503, Cooperative Use of Facilities.

Form Number: N/A.

Type of Review: Extension of a currently approved collection.

Respondents: Business or other for-profit entities; Not-for-profit institutions; and State, Local, or Tribal Government.

Number of Respondents: 100 respondents; 100 responses.

Estimated Time per Response: 16 hours.

Frequency of Response: Occasion reporting requirement and Recordkeeping requirement.

Obligation to Respond: Required to obtain or retain benefits. Statutory authority for this information collection is contained in 47 U.S.C. 151–155, 301–609 of the Communications Act of 1934, as amended; and 3 UST 3450, 3 UST 4726, 12 UST 2377.

Total Annual Burden: 1,600 hours.

Total Annual Cost: No cost.

Needs and Uses: The information collection requirements contained in § 80.503 require that a licensee of a private coast station or marine utility station on shore may install ship radio stations on board United States commercial transport vessels of other persons. In each case these persons must enter into a written agreement verifying that the ship station licensee has the sole right of control of the ship stations, that the vessel operators must use the ship stations subject to the orders and instructions of the coast station or marine utility station on shore, and that the ship station licensee will have sufficient control of the ship station to enable it to carry out its responsibilities under the ship station license. A copy of the contract/written agreement must be kept with the station records and made available for inspection by Commission representatives.

The information is used by FCC personnel during inspection and investigations to ensure compliance with applicable rules. If this information was not available, enforcement efforts could be hindered; frequency congestion in certain bands could increase; and the financial viability of some public coast radiotelephone stations could be threatened.

OMB Control Number: 3060–0560.

Title: Section 76.911, Petition for Reconsideration of Certification.

Form No.: N/A.

Type of Review: Extension of a currently approved collection.

Respondents: State, local or tribal governments; Businesses or other for-profit entities.

Number of Respondents and Responses: 15 respondents; 25 responses.

Estimated Time per Response: 2–10 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 of information is contained in sections 4(i) and 623 of the Communications Act of 1934, as amended.

Total Annual Burden: 130 hours.

Total Annual Cost: No cost.

Needs and Uses: On June 3, 2015, the Commission released a Report and Order, MB Docket No. 15–53; FCC 15–62. The Report and Order adopted a rebuttable presumption that cable operators are subject to competing provider effective competition. Reversing the previous rebuttable presumption of no effective competition and adopting the procedures discussed in the Report and Order resulted in changes to the information collection burdens.

The information collection requirements consist of: Petitions for reconsideration of certification, oppositions and replies thereto, cable operator requests to competitors for information regarding the competitor's reach and number of subscribers if evidence establishing effective competition is not otherwise available, and the competitors supplying this information. They have not changed since they were last approved by OMB.

Federal Communications Commission.

Marlene Dortch,

Secretary.

[FR Doc. 2026–08427 Filed 4–29–26; 8:45 am]

BILLING CODE 6712–01–P

FEDERAL COMMUNICATIONS COMMISSION

[OMB 3060–1039, OMB 3060–1167; FR ID 343444]

Information Collections Being Reviewed by the Federal Communications Commission

AGENCY: Federal Communications Commission.

ACTION: Notice; request for comments.

SUMMARY: As part of its continuing effort to reduce paperwork burdens, and as required by the Paperwork Reduction Act of 1995 (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 PRA comments should be submitted on or before June 29, 2026. If you anticipate that you will be submitting comments but find it difficult to do so within the period of time allowed by this notice, you should advise the contact listed below as soon as possible.

ADDRESSES: Direct all PRA comments to Cathy Williams, FCC, via email to *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.: 3060–1039.

Title: Nationwide Programmatic Agreement Regarding the Section 106 National Historic Preservation Act—Review Process, WT Docket No. 03–128.

Form No.: FCC Form 620 and 621, TCNS E-filing.

Type of Review: Extension 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: 70,152 respondents and 70,152 responses.

Estimated Time per Response: 1–5 hours.

Frequency of Response: Recordkeeping requirement; on occasion reporting requirement; third party disclosure requirement.

Obligation to Respond: Required to obtain or retain benefits. The statutory authority for this collection of information is contained in 47 U.S.C. 151, 154(i), 303(q), 303(r), 309(a), 309(j) and 319, sections 101(d)(6) and 106 of the National Historic Preservation Act (NHPA) of 1966, 16 U.S.C. 470a(d)(6) and 470f, and section 800.14(b) of the rules of the Advisory Council on Historic Preservation, 36 CFR 800.14(b).

Total Annual Burden: 97,929 hours.

Annual Cost Burden: $13,087,425.

Needs and Uses: FCC staff, State Historic Preservation Officers (SHPO), Tribal Historic Preservation Officers (THPO) and the Advisory Council of Historic Preservation (ACHP) use the data to take such action as may be necessary to ascertain whether a proposed action may affect sites of cultural significance to tribal nations and historic properties that are listed or eligible for listing on the National Register as directed by section 106 of the National Historic Preservation Act (NHPA) and the Commission's rules. FCC Form 620, New Tower (NT) Submission Packet is to be completed by or on behalf of applicants to construct new antenna support structures by or for the use of licensees of the FCC. The form is to be submitted to the State Historic Preservation Office (''SHPO'') or to the Tribal Historic Preservation Office (''THPO''), as appropriate, and the Commission before any construction or other installation activities on the site begins. Failure to provide the form and complete the review process under section 106 of the NHPA prior to beginning construction may violate section 110(k) of the NHPA and the Commission's rules.

FCC Form 621, Collocation (CO) Submission Packet is to be completed by or on behalf of applicants who wish to collocate an antenna or antennas on an existing communications tower or non-tower structure by or for the use of licensees of the FCC. The form is to be submitted to the State historic Preservation Office (''SHPO'') or to the Tribal Historic Preservation Office (''THPO''), as appropriate, and the Commission before any construction or other installation activities on the site begins. Failure to provide the form and complete the review process under section 106 of the NHPA prior to beginning construction or other installation activities may violate section 110(k) of the NHPA and the Commission's rules.

The Tower Construction Notification System (TCNS) is used by or on behalf of Applicants proposing to construct new antenna support structures, and some collocations, to ensure that Tribal Nations have the requisite opportunity to participate in review prior to construction. To facilitate this coordination, Tribal Nations have designated areas of geographic preference, and they receive automated notifications based on the site coordinates provided in the filing. Applicants complete TCNS before filing a 620 or 621 and all the relevant data is pre-populated on the 620 and 621 when the forms are filed electronically.

OMB Control Number: 3060–1167.

Title: Accessible Telecommunications and Advanced Communications Services and Equipment.

Form Number: N/A.

Type of Review: Extension of a currently approved collection.

Respondents: Individuals or households; businesses or other for-profit entities; not-for-profit institutions.

Number of Respondents and Responses: 4,024 respondents; 48,056 responses.

Estimated Time per Response: .50 hours (30 minutes) to 35 hours.

Frequency of Response: Annual, reporting requirements; recordkeeping requirement; third-party disclosure requirement.

Obligation to Respond: Required to retain or obtain benefits. Statutory authority for this information collection is contained in 47 U.S.C. 151–154, 255, 303(r), 403, 503, 617, 618, and 619.

Total Annual Burden: 90,187 hours.

Total Annual Cost: $14,800.

Needs and Uses: In 2011, in document FCC 11–151, published at 76 FR 82354, December 30, 2011, the FCC adopted rules to implement sections 716 and 717 of the Communications Act of 1934 (the Act), as amended, which were added to the Act by the Twenty-First Century Communications and Video Accessibility Act of 2010 (CVAA). *See* Public Law 111–260, 104. Section 716 of the Act requires providers of advanced communications services and manufacturers of equipment used for advanced communications services to make their services and equipment accessible to individuals with disabilities, unless doing so is not achievable. 47 U.S.C. 617. Section 717 of the Act established new recordkeeping requirements and enforcement procedures for service providers and equipment manufacturers that are subject to sections 255, 716, and 718 of the Act. 47 U.S.C. 618. Section 255 of the Act requires telecommunications and interconnected VoIP services and equipment to be accessible to individuals with disabilities, if readily achievable. 47 U.S.C. 255. Section 718 of the Act requires internet browsers built into mobile phones to be accessible to and usable by individuals who are blind or have a visual impairment, unless doing so is not achievable. 47 U.S.C. 619.

In document FCC 11–151, the Commission adopted rules relating to the following:

(a) Service providers and equipment manufacturers that are subject to sections 255, 716, and 718 of the Act must ensure that the information and documentation that they provide is accessible to individuals with disabilities.

(b) Service providers and equipment manufacturers may seek waivers from the accessibility obligations of section 716 of the Act for services or equipment that are designed for multiple purposes, including advanced communications services, but are designed primarily for purposes other than using advanced communications services.

(c) Service providers and equipment manufacturers that are subject to

sections 255, 716, and 718 of the Act must maintain records of their efforts to implement those sections.

(d) Service providers and equipment manufacturers that are subject to sections 255, 716, and 718 of the Act must certify annually to the Commission that records are kept in accordance with the recordkeeping requirements. The certification must include contact details of the person(s) authorized to resolve accessibility complaints and the agent designated for service of process.

(e) The Commission established procedures to facilitate the filing of formal and informal complaints alleging violations of sections 255, 716, or 718 of the Act. Those procedures include a nondiscretionary pre-filing notice procedure to facilitate dispute resolution, that is, as a prerequisite to filing an informal complaint, complainants must first request dispute assistance from the Consumer and Governmental Affairs Bureau's Disability Rights Office.

In 2013, in document FCC 13–57, published at 78 FR 30226, May 22, 2013, the FCC adopted rules to implement section 718 of the Act.

Federal Communications Commission.

Marlene Dortch,

Secretary, Office of the Secretary.

[FR Doc. 2026–08429 Filed 4–29–26; 8:45 am]

BILLING CODE 6712–01–P

FEDERAL COMMUNICATIONS COMMISSION

[OMB 3060–0917; FR ID 343354]

Information Collection Being Submitted for Review and Approval to Office of Management and Budget

AGENCY: Federal Communications Commission.

ACTION: Notice; request for comments.

SUMMARY: As part of its continuing effort to reduce paperwork burdens, as required by the Paperwork Reduction Act (PRA) of 1995, the Federal Communications Commission (FCC or the Commission) invites the general public and other Federal Agencies to take this opportunity to comment on the following information collection. Pursuant to the Small Business Paperwork Relief Act of 2002, the FCC seeks specific comment on how it might further reduce the information collection burden for small business concerns with fewer than 25 employees.

The Commission may not conduct or sponsor a collection of information unless it displays a currently valid Office of Management and Budget (OMB) control number. No person shall be subject to any penalty for failing to comply with a collection of information subject to the PRA that does not display a valid OMB control number.

DATES: Written comments and recommendations for the proposed information collection should be submitted on or before June 1, 2026.

ADDRESSES: Comments should be sent to *www.reginfo.gov/public/do/PRAMain.* Find this particular information collection by selecting ''Currently under 30-day Review—Open for Public Comments'' or by using the search function. Your comment must be submitted into *www.reginfo.gov* per the above instructions for it to be considered. In addition to submitting in *www.reginfo.gov* also send a copy of your comment on the proposed information collection to Nicole Ongele, FCC, via email to *PRA@fcc.gov* and to *Nicole.Ongele@fcc.gov.* Include in the comments the OMB control number as shown in the **SUPPLEMENTARY INFORMATION** below.

FOR FURTHER INFORMATION CONTACT: For additional information or copies of the information collection, contact Nicole Ongele at (202) 418–2991. To view a copy of this information collection request (ICR) submitted to OMB: (1) go to the web page *http://www.reginfo.gov/public/do/PRAMain,* (2) look for the section of the web page called ''Currently Under Review,'' (3) click on the downward-pointing arrow in the ''Select Agency'' box below the ''Currently Under Review'' heading, (4) select ''Federal Communications Commission'' from the list of agencies presented in the ''Select Agency'' box, (5) click the ''Submit'' button to the right of the ''Select Agency'' box, (6) when the list of FCC ICRs currently under review appears, look for the Title of this ICR and then click on the ICR Reference Number. A copy of the FCC submission to OMB will be displayed.

SUPPLEMENTARY INFORMATION: As part of its continuing effort to reduce paperwork burdens, as required by the Paperwork Reduction Act (PRA) of 1995 (44 U.S.C. 3501–3520), the FCC invited the general public and other Federal Agencies to take this opportunity to comment on the following information collection. Comments are requested concerning: (a) Whether the proposed collection of information is necessary for the proper performance of the functions of the Commission, including whether the information shall have practical utility; (b) the accuracy of the Commission's burden estimates; (c) ways to enhance the quality, utility, and clarity of the information collected; and (d) ways to minimize the burden of the collection of information on the respondents, including the use of automated collection techniques or other forms of information technology. Pursuant to the Small Business Paperwork Relief Act of 2002, Public Law 107–198, see 44 U.S.C. 3506(c)(4), the FCC seeks specific comment on how it might further reduce the information collection burden for small business concerns with fewer than 25 employees.

OMB Control Number: 3060–0917.

Title: CORES Registration Form, FCC Form 160.

Form Number: FCC Form 160.

Type of Review: Extension of a currently approved collection.

Respondents: Businesses or other for-profit entities; Individuals or households; Not-for-profit institutions; and State, Local, or Tribal Governments.

Number of Respondents and Responses: 154,077 respondents; 154,077 responses.

Estimated Time per Response: 10 minutes (0.167 hours).

Frequency of Response: One-time reporting requirement.

Obligation to Respond: Required to obtain or retain benefits. Statutory authority for this information collection is contained in the Debt Collection Act of 1996 (DCCA), Public Law 104–134, Chapter 10, § 31001.

Total Annual Burden: 25,730 hours.

Total Annual Costs: No cost.

Needs and Uses: Respondents use FCC Form 160 to register in FCC's Commission Registration System (CORES). Entities must register in CORES to do regulatory transactions with FCC, including receiving licenses, paying fees, participating in auctions, etc. Without this collection of information, FCC would not have a database of the identity and contact information of the entities it does regulatory business with.

Federal Communications Commission.

Marlene Dortch,

Secretary, Office of the Secretary.

[FR Doc. 2026–08428 Filed 4–29–26; 8:45 am]

BILLING CODE 6712–01–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Centers for Medicare & Medicaid Services

[Document Identifier: CMS–10638]

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 June 1, 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.

Information Collection

1. *Type of Information Collection Request:* Revision of a currently approved collection; *Title of Information Collection:* Add-On Payments for New Medical Services and Technologies Paid Under the Inpatient Prospective Payment System (IPPS); *Use:* Sections 1886(d)(5)(K) and (L) of the Act establish a process of identifying and ensuring adequate payment for new medical services and technologies (sometimes collectively referred to in this section as ''new technologies'') under the Inpatient Prospective Payment System (IPPS). Section 1886(d)(5)(K)(vi) of the Act specifies that a medical service or technology will be considered new if it meets criteria established by the Secretary after notice and opportunity for public comment. Section 1886(d)(5)(K)(ii)(I) of the Act specifies that a new medical service or technology may be considered for NTAP if, ''based on the estimated costs incurred with respect to discharges involving such service or technology, the DRG prospective payment rate otherwise applicable to such discharges under this subsection is inadequate.''

To qualify for NTAP under the traditional pathway, a specific technology must be ''new'' and demonstrate that they are not substantially similar to existing technologies under the requirements of § 412.87(b)(2) of our regulations. The statutory provision contemplated the special payment treatment for new technologies until such time as data is available to reflect the cost of the technology in the DRG weights through recalibration (no less than 2 years and no more than 3 years). Alternative pathway technologies must also be ''new'' but are considered not substantially similar to existing technologies. Responses to the questions in the application help CMS determine if and how the applicant meets the established. *Form Number:* CMS–10638 (OMB control number: 0938–1347); *Frequency:* Yearly; *Affected Public:* Private Sector, Business or other for-profits and Not-for-profits institutions; *Number of Respondents:* 47; *Number of Responses:* 47; *Total Annual Hours:* 1,055. (For policy questions regarding this collection contact Drew Kasper at 410–786–8926.)

William N. Parham, III,

Director, Division of Information Collections and Regulatory Impacts, Office of Strategic Operations and Regulatory Affairs.

[FR Doc. 2026–08421 Filed 4–29–26; 8:45 am]

BILLING CODE 4120–01–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Centers for Medicare & Medicaid Services

[Document Identifier: CMS–P–0015A and CMS–643]

Agency Information Collection Activities: Proposed Collection; Comment Request

AGENCY: Centers for Medicare & Medicaid Services, Health and Human Services (HHS).

ACTION: Notice.

SUMMARY: The Centers for Medicare & Medicaid Services (CMS) is announcing an opportunity for the public to comment on CMS' intention to collect information from the public. Under the Paperwork Reduction Act of 1995 (PRA), federal agencies are required to publish notice in the **Federal Register** concerning each proposed collection of information (including each proposed extension or reinstatement of an existing collection of information) and to allow 60 days for public comment on the proposed action. Interested persons are invited to send comments regarding our burden estimates or any other aspect of this collection of information, including the necessity and utility of the proposed information collection for the proper performance of the agency's functions, the accuracy of the estimated burden, ways to enhance the quality, utility, and clarity of the information to be

collected, and the use of automated collection techniques or other forms of information technology to minimize the information collection burden.

DATES: Comments must be received by June 29, 2026.

ADDRESSES: When commenting, please reference the document identifier or OMB control number. To be assured consideration, comments and recommendations must be submitted in any one of the following ways:

1. Electronically. You may send your comments electronically to *http://www.regulations.gov.* Follow the instructions for ''Comment or Submission'' or ''More Search Options'' to find the information collection document(s) that are accepting comments.

2. By *regular mail.* You may mail written comments to the following address: CMS, Office of Strategic Operations and Regulatory Affairs, Division of Regulations Development, Attention: Document Identifier: _____ OMB Control Number: ____, Room C4–26–05, 7500 Security Boulevard, Baltimore, Maryland 21244–1850.

To obtain copies of a supporting statement and any related forms for the proposed collection(s) summarized in this notice, please access the CMS PRA website by copying and pasting the following web address into your web browser: *https://www.cms.gov/Regulations-and-Guidance/Legislation/PaperworkReductionActof1995/PRA-Listing.*

FOR FURTHER INFORMATION CONTACT: William N. Parham at (410) 786–4669.

SUPPLEMENTARY INFORMATION:

Contents

This notice sets out a summary of the use and burden associated with the following information collections. More detailed information can be found in each collection's supporting statement and associated materials (see **ADDRESSES**).

Under the PRA (44 U.S.C. 3501–3520), federal agencies must obtain approval from the Office of Management and Budget (OMB) for each collection of information they conduct or sponsor. The term ''collection of information'' is defined in 44 U.S.C. 3502(3) and 5 CFR 1320.3(c) and includes agency requests or requirements that members of the public submit reports, keep records, or provide information to a third party. Section 3506(c)(2)(A) of the PRA requires federal agencies to publish a 60-day notice in the **Federal Register** concerning each proposed collection of information, including each proposed extension or reinstatement of an existing collection of information, before submitting the collection to OMB for approval. To comply with this requirement, CMS is publishing this notice.

Information Collection

1. *Type of Information Collection Request:* Revision of a currently approved Information Collection; *Title of Information Collection:* Medicare Current Beneficiary Survey; *Use:* The Centers for Medicare and Medicaid Services (CMS) is the largest single payer of health care in the United States. The agency plays a direct or indirect role in administering health insurance coverage for more than 160 million people across the Medicare, Medicaid, CHIP, and Health Insurance Marketplace populations. A critical aim for CMS is to be a trustworthy partner in supporting innovative approaches to improving quality, accessibility, and affordability in health care, an effective steward of taxpayer funds, and a major force against fraud, waste, and abuse across all of its programs. CMS also aims to empower patients by giving them greater control over their health care information and improve their access to healthcare services through technology.

The Medicare Current Beneficiary Survey (MCBS) is the most comprehensive and complete survey available on the Medicare population and is essential in capturing information not otherwise collected through operational or administrative data on the Medicare program. The MCBS is a nationally representative, longitudinal survey of Medicare beneficiaries that is sponsored by CMS and is directed by the Office of Enterprise Data and Analytics (OEDA). MCBS data collection is primarily conducted by phone and is supplemented with limited video interviewing or in-person visits. The survey captures beneficiary information whether aged or disabled, living in the community or facility, or serviced by managed care or fee-for-service. Data produced as part of the MCBS are enhanced with administrative data (*e.g.,* fee-for-service claims, prescription drug event data, enrollment, etc.) to provide users with more accurate and complete estimates of total health care costs and utilization. The MCBS has been continuously fielded for more than 30 years, encompassing over 1.2 million interviews and more than 140,000 survey participants. Respondents participate in up to 11 interviews over a four-year period. The MCBS provides a holistic view of Medicare beneficiaries' social and medical risk factors and rich information on the relationship between these risk factors, healthcare utilization, and health outcomes, at a point in time and over time.

The MCBS continues to provide unique insight into the Medicare program and helps CMS and its external stakeholders better understand and evaluate the impact of existing programs and significant new policy initiatives. MCBS data are used to assess potential changes to the Medicare program. For example, MCBS data were instrumental in supporting the initial implementation of the Medicare prescription drug benefit and continue providing a means to evaluate prescription drug costs and out-of-pocket burden for these drugs to Medicare beneficiaries. Beginning in Winter 2027, this proposed revision to the clearance will result in a net decrease to respondent burden by removing multiple questionnaire items and only adding a limited number of new items most relevant to the current health care landscape. *Form Number:* CMS–P–0015A (OMB control number: 0938–0568); Frequency: Occasionally; *Affected Public:* Business or other for-profits and Not-for-profit institutions; *Number of Respondents:* 13,568; *Total Annual Responses:* 35,015; *Total Annual Hours:* 31,891 (For policy questions regarding this collection contact William Long at 410–786–7927.)

2. *Type of Information Collection Request:* Reinstatement with change of a previously approved collection; *Title of Information Collection:* Hospice Survey and Deficiencies Report Form and Supporting Regulations; *Use:* A hospice is a heath care entity that provides palliative care (relief of pain and uncomfortable symptoms), as opposed to curative care, to terminally ill individuals. In addition to meeting the patient's medical needs, hospice care addresses the physical, psychosocial, and spiritual needs of the patient, as well as psychosocial needs of the patient's family/caregiver related to the terminal illness. The emphasis of the hospice program is on keeping the hospice patient at home with family and friends as long as possible.

The CMS–643 form is primarily a coding worksheet designed to facilitate data collection during a hospice survey for Medicare participation. It is used to collect several data elements related to patient health and safety, record reviews and data about the specific hospice's operations, staffing and demographics. CMS has made several revisions to this form based on duplication of collected information from the CMS–643 and the CMS–417 form titled ''Hospice Request for Certification in the Medicare

Program'' (OMB Control number: 0938–0313). The CMS–643 is completed by surveyors during onsite survey activity and poses minimal to no burden on the hospice provider.

The data collected on the CMS–643 form is entered into the internet Quality Improvement and Evaluation System (iQIES) surveyor database during the course of an initial, recertification or complaint survey. Hospice surveyors that have access to the electronic iQIES system while onsite at a hospice, can enter the CMS–643 form data directly into the system. If this access is not available to the surveyor, they can record their finding directly onto the CMS–643 form and input the data into the system later. We removed the requirement for the surveyors to sign CMS–643 to certify their findings as this process has been automated once information is entered into the iQIES database. *Form Number:* CMS–643 (OMB control number: 0938–0379); *Frequency:* Yearly; *Affected Public:* State, Local, or Tribal Governments; *Number of Respondents:* 7,029; *Total Annual Responses:* 2,343; *Total Annual Hours:* 1,172. (For policy questions regarding this collection contact Caecilia Andrews at 410–786–2190.)

William N. Parham, III,

Director, Division of Information Collections and Regulatory Impacts, Office of Strategic Operations and Regulatory Affairs.

[FR Doc. 2026–08460 Filed 4–29–26; 8:45 am]

BILLING CODE 4120–01–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Food and Drug Administration

[Docket No. FDA–2026–N–3532]

Agency Information Collection Activities; Proposed Collection; Comment Request; Good Laboratory Practice Requirements for Nonclinical Laboratory Studies

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 information collection applicable to the Good Laboratory Practice Requirements for Nonclinical Laboratory Studies established in Agency regulations.

DATES: Either electronic or written comments on the collection of information must be submitted by June 29, 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 29, 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–3532 for ''Agency Information Collection Activities; Proposed Collection; Comment Request; Good Laboratory Practice Requirements for Nonclinical Laboratory Studies.'' 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: Kelly Covington, Office of Operations, Food and Drug Administration, Three

White Flint North, 10A–12M, 11601 Landsdown St., North Bethesda, MD 20852, 240–402–5661, *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.

Good Laboratory Practice Requirements for Nonclinical Laboratory Studies—21 CFR Part 58

OMB Control No. 0910–0119—Extension

Sections 409, 505, 512, and 515 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 348, 355, 360b, and 360e) and related statutes require manufacturers of food additives, human drugs and biological products, animal drugs, and medical devices to demonstrate the safety and utility of their product by submitting applications to FDA for research or marketing permits. Such applications contain, among other important items, full reports of all studies done to demonstrate product safety in man and/or other animals. In order to ensure adequate quality control for these studies and to provide an adequate degree of consumer protection, the Agency issued good laboratory practice (GLP) regulations for nonclinical laboratory studies in part 58 (21 CFR part 58). The regulations specify minimum standards for the proper conduct of safety testing and contain sections on facilities, personnel, equipment, standard operating procedures (SOPs), test and control articles, quality assurance, protocol and conduct of a safety study, records and reports, and laboratory disqualification, and include information collection provisions.

Part 58 requires testing facilities engaged in conducting toxicological studies to retain, and make available to regulatory officials, records regarding compliance with GLPs. Records are maintained on file at each testing facility and examined there periodically by FDA inspectors. The GLP regulations require that, for each nonclinical laboratory study, a final report be prepared that documents the results of quality assurance unit inspections, test and control article characterization, testing of mixtures of test and control articles with carriers, and an overall interpretation of nonclinical laboratory studies. The GLP regulations also require written records pertaining to: (1) personnel job descriptions and summaries of training and experience; (2) master schedules, protocols and amendments thereto, inspection reports, and SOPs; (3) equipment inspection, maintenance, calibration, and testing records; (4) documentation of feed and water analyses and animal treatments; (5) test article accountability records; and (6) study documentation and raw data.

Description of Respondents: Respondents to the collection of information are sponsors of nonclinical laboratory studies that support or are intended to support applications for research or marketing permits for products regulated by FDA.

We estimate the burden of the information collection as follows:

TABLE 1—ESTIMATED ANNUAL REPORTING BURDEN [1]

21 CFR part	Number of respondents	Number of responses per respondent	Total annual responses	Average burden per response	Total hours
58.35(b)(7); Quality assurance unit	300	60.25	18,075	1	18,075
58.185; Reporting of nonclinical laboratory study results	300	60.25	18,075	27.65	499,774
Total					517,849

[1] There are no capital costs or operating and maintenance costs associated with this collection of information.

TABLE 2—ESTIMATED ANNUAL RECORDKEEPING BURDEN [1]

21 CFR part	Number of recordkeepers	Number of records per recordkeeper	Total annual records	Average burden per recordkeeping	Total hours
58.29(b); Personnel	300	20	6,000	.21 (13 mins.)	1,260
58.35(b)(1)–(6), and (c); Quality assurance unit	300	270.76	81,228	3.36	272,926
58.63(b) and (c); Maintenance and calibration of equipment	300	60	18,000	.09 (5 mins.)	1,620
58.81(a)–(c); SOPs	300	301.80	90,540	.14 (8 mins.)	12,676
58.90(c) and (g); Animal care	300	62.70	18,810	.13 (8 mins.)	2,445
58.105(a) and (b); Test and control article characterization	300	5	1,500	11.8	17,700
58.107(d); Test and control article handling	300	1	300	4.25	1,275
58.113(a); Mixtures of articles with carriers	300	15.33	4,599	6.8	31,273
58.120; Protocol	300	15.38	4,614	32.7	150,878
58.195; Retention of records	300	251.50	75,450	3.9	294,255

TABLE 2—ESTIMATED ANNUAL RECORDKEEPING BURDEN [1]—Continued

21 CFR part	Number of recordkeepers	Number of records per recordkeeper	Total annual records	Average burden per recordkeeping	Total hours
Total					786,308

[1] There are no capital costs or operating and maintenance costs associated with this collection of information.

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. 2026–08371 Filed 4–29–26; 8:45 am]

BILLING CODE 4164–01–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Food and Drug Administration

[Docket No. FDA–2026–N–0008]

Advisory Committee; Pharmacy Compounding Advisory Committee; Renewal

AGENCY: Food and Drug Administration, HHS.

ACTION: Notice; renewal of Federal advisory committee.

SUMMARY: The Food and Drug Administration (FDA or the Agency) is announcing the renewal of the Pharmacy Compounding Advisory Committee by the Commissioner of Food and Drugs (the Commissioner). The Commissioner has determined that it is in the public interest to renew the Pharmacy Compounding Advisory Committee for an additional 2 years beyond the charter expiration date. The new charter will be in effect until the April 25, 2028, expiration date.

DATES: The current charter for the Pharmacy Compounding Advisory Committee will expire on April 25, 2026, unless the Commissioner formally determines that renewal is in the public interest.

FOR FURTHER INFORMATION CONTACT: Advisory Committee Oversight and Management Staff, Office of the Chief Scientist, Food and Drug Administration, 10903 New Hampshire Ave., Bldg. 1, Rm. 3215, Silver Spring, MD 20993–0002, (301) 796–8220, *ACOMSSubmissions@fda.hhs.gov.*

SUPPLEMENTARY INFORMATION: FDA is announcing the renewal of the Pharmacy Compounding Advisory Committee (the Committee). The Committee is a non-discretionary Federal advisory committee established to provide advice to the Commissioner. The Committee advises the Commissioner or designee in discharging responsibilities as they relate to compounding drugs for human use and, as required, any other product for which FDA has regulatory responsibility.

The Committee shall provide advice on scientific, technical, and medical issues concerning drug compounding under sections 503A and 503B of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 353a and 353b), and, as required, any other product for which FDA has regulatory responsibility, and makes appropriate recommendations to the Commissioner.

The Committee shall consist of a core of at least 10 voting members including the Chair. Subject to legal and regulatory requirements, members and the Chair are selected by and serve at the discretion of the Commissioner or designee. Each member, including the Chair, will be selected from among authorities knowledgeable in the fields of pharmaceutical compounding, pharmaceutical manufacturing, pharmacy, medicine, and related specialties. These members will include representatives from the National Association of Boards of Pharmacy, the United States Pharmacopeia, pharmacists with current experience and expertise in compounding, physicians with background and knowledge in compounding, and patient and public health advocacy organizations.

Members may be invited to serve for terms of up to four years, or for less time in the discretion of the Commissioner or designee. Non-Federal members of this committee will serve as Special Government Employees or representatives. Federal members will serve as Regular Government Employees or Ex-Officios. In addition to the voting members, the Commissioner or designee may identify consumer and/or industry representatives to join the Committee (or serve as alternate representatives) as non-voting representative members(s), via a process consistent with legal and regulatory requirements.

The Commissioner or designee shall have the authority to select members of other scientific and technical FDA advisory committees to serve temporarily as voting members and to designate Special Government Employees to serve temporarily as voting members when: (1) expertise is required that is not available among current voting standing members of the Committee (when additional voting members are added to the Committee to provide needed expertise, a quorum will be based on the combined total of regular and added members), or (2) to comprise a quorum when, because of unforeseen circumstances, a quorum is or will be lacking. A quorum for the Committee is a majority of the current voting members present at the time, provided that FDA may specify a quorum that is less than a majority of the current voting members because of the size of the Committee and the variety in the types of issues that it will consider, or other reason determined appropriate in accordance with legal and regulatory requirements. 21 CFR § 14.22(d).

If functioning as a medical device panel, an additional non-voting representative member of consumer interests and an additional non-voting representative member of industry interests will be included in addition to the voting members.

Further information regarding the most recent charter and other information can be found at *https://www.fda.gov/advisory-committees/pharmacy-compounding-advisory-committee/pharmacy-compounding-advisory-committee-charter* or by contacting the Advisory Committee Oversight and Management Staff (see **FOR FURTHER INFORMATION CONTACT**). In light of the fact that no change has been made to the committee name or description of duties, no amendment will be made to 21 CFR 14.100.

This notice is issued under the Federal Advisory Committee Act (5 U.S.C. app.). For general information related to FDA advisory committees,

please visit us at *http://www.fda.gov/AdvisoryCommittees/default.htm.*

Grace R. Graham,

Deputy Commissioner for Policy, Legislation, and International Affairs.

[FR Doc. 2026–08378 Filed 4–29–26; 8:45 am]

BILLING CODE 4164–01–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Food and Drug Administration

[Docket No. FDA–2025–P–3849]

Determination That OZEMPIC (Semaglutide) Solution, 2 Milligrams Per 1.5 Milliliters 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 OZEMPIC (semaglutide) solution, 2 milligrams (mg)/1.5 milliliter (mL), 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: 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.

OZEMPIC (semaglutide) solution, 2 mg/1.5 mL, is the subject of NDA 209637, held by Novo Nordisk Inc., and initially approved on December 5, 2017. OZEMPIC is indicated as an adjunct to diet and exercise to improve glycemic control in adults with type 2 diabetes mellitus; to reduce the risk of major adverse cardiovascular events in adults with type 2 diabetes mellitus and established cardiovascular disease; to reduce the risk of sustained eGFR decline, end-stage kidney disease, and cardiovascular death in adults with type 2 diabetes mellitus and chronic kidney disease.

OZEMPIC (semaglutide) solution, 2 mg/1.5 mL), is currently listed in the ''Discontinued Drug Product List'' section of the Orange Book. Hyman, Phelps & McNamara, P.C. submitted a citizen petition dated September 15, 2025 (Docket No. FDA–2025–P–3849), under 21 CFR 10.30, requesting that the Agency determine whether OZEMPIC (semaglutide) solution, 2 mg/1.5 mL, 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 OZEMPIC (semaglutide) solution, 2 mg/1.5 mL, was not withdrawn for reasons of safety or effectiveness. The petitioner has identified no data or other information suggesting that OZEMPIC (semaglutide) solution, 2 mg/1.5 mL, was withdrawn for reasons of safety or effectiveness. We have carefully reviewed our files for records concerning the withdrawal of OZEMPIC (semaglutide) solution, 2 mg/1.5 mL, from sale. We have also independently evaluated relevant literature and data for possible postmarketing adverse events. We have found no information that would indicate that this drug product was withdrawn from sale for reasons of safety or effectiveness.

Accordingly, the Agency will continue to list OZEMPIC (semaglutide) solution, 2 mg/1.5 mL, 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 OZEMPIC (semaglutide) solution, 2 mg/1.5 mL, 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. 2026–08435 Filed 4–29–26; 8:45 am]

BILLING CODE 4164–01–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Food and Drug Administration

[Docket No. FDA–2026–N–0499]

Agency Information Collection Activities; Submission for Office of Management and Budget Review; Comment Request; Hazard Analysis and Critical Control Point Procedures for the Safe and Sanitary Processing and Importing of Juice

AGENCY: Food and Drug Administration, HHS.

ACTION: Notice.

SUMMARY: The Food and Drug Administration (FDA) is announcing that a proposed collection of information has been submitted to the Office of Management and Budget (OMB) for review and clearance under the Paperwork Reduction Act of 1995.

DATES: Submit written comments (including recommendations) on the collection of information by June 1, 2026.

ADDRESSES: To ensure that comments on the information collection are received, OMB recommends that written

comments be submitted to *https://www.reginfo.gov/public/do/PRAMain.* Find this particular information collection by selecting ''Currently under Review—Open for Public Comments'' or by using the search function. The OMB control number for this information collection is 0910–0466. Also include the FDA docket number found in brackets in the heading of this document.

FOR FURTHER INFORMATION CONTACT: Christopher Colburn, Office of Operations, Food and Drug Administration, Three White Flint North, 10A–12M, 11601 Landsdown St., North Bethesda, MD 20852, 301–796–8758, *PRAStaff@fda.hhs.gov.*

SUPPLEMENTARY INFORMATION: In compliance with 44 U.S.C. 3507, FDA has submitted the following proposed collection of information to OMB for review and clearance.

Hazard Analysis and Critical Control Point (HACCP) Procedures for the Safe and Sanitary Processing and Importing of Juice—21 CFR Part 120

OMB Control Number 0910–0466—Extension

This information collection supports FDA's regulations in part 120 (21 CFR part 120), which govern the application of HACCP principles to the processing of fruit and vegetable juices. HACCP is a preventative system of hazard control designed to help ensure the safety of foods. The regulations were issued under FDA's statutory authority to regulate food safety under section 402(a)(4) of the Federal Food, Drug, and Cosmetic Act (the FD&C Act) (21 U.S.C. 342(a)(4)). Specifically, regulations in 21 CFR 120.12 provide for records documenting the establishment, implementation, and continued application of a HACCP system. The rationale in establishing a HACCP system of preventive controls is to design and check the process so that the final product is not contaminated. Under HACCP, processors of fruit and vegetable juices establish and follow a preplanned sequence of operations and observations (the HACCP plan) designed to avoid or eliminate one or more specific food hazards, and thereby ensure that their products are safe, wholesome, and not adulterated; in compliance with section 402 of the FD&C Act. Information development and recordkeeping are essential parts of any HACCP system. The information collection requirements are narrowly tailored to focus on the development of appropriate controls and document those aspects of processing that are critical to food safety.

HACCP records are retained by respondents and presented to FDA upon inspection. We use the information to determine compliance with applicable requirements. Products not in compliance with applicable statutory and regulatory requirements may be adulterated under the FD&C Act and subject to enforcement action.

In an effort to reduce burden and assist respondents, our website (*https://www.fda.gov/food/hazard-analysis-critical-control-point-haccp/juice-haccp*) offers guidance for industry, training and education, and background information to assist the food industry in developing and implementing a Juice HACCP. All agency guidance documents are issued in accordance with our good guidance practice regulation in 21 CFR 10.115, which provides for public comment at any time.

Description of Respondents: Respondents to this information collection are processors of fruit and vegetable juices (plants identified in our official establishment inventory plus very small apple juice and very small orange juice manufacturers).

In the **Federal Register** of February 20, 2026 (91 FR 8251), FDA published a 60-day notice requesting public comment on the proposed collection of information. No comments were received.

We estimate the burden of this collection of information as follows:

TABLE 1—ESTIMATED ANNUAL RECORDKEEPING BURDEN [1]

21 CFR section; activity	Number of recordkeepers	Number of records per recordkeeper	Total annual records	Average burden per recordkeeping	Total hours
120.6(c) and 120.12(a)(1) and (b); written monitoring and correction records for Sanitation Standard Operating Procedures.	1,875	365	684,375	0.1(6 minutes)	68,438
120.7; 120.10(a); and 120.12(a)(2), (b) and (c); require written hazard analysis of food hazards.	2,300	1.1	2,530	20	50,600
120.8(b)(7) and 120.12(a)(4)(i) and (b); recordkeeping system that documents monitoring of the critical control points and other measurements as prescribed in the HACCP plan.	1,450	14,600	21,170,000	0.01 (1 minute)	211,700
120.10(c) and 120.12(a)(4)(ii) and (b); document all corrective actions taken in response to a deviation from a critical limit.	1,840	12	22,080	0.1 (6 minutes)	2,208
120.11(a)(1)(iv) and (a)(2) and 120.12(a)(5) and (b); records showing that process monitoring instruments are properly calibrated and that end-product or in-process testing is performed in accordance with written procedures.	1,840	52	95,680	0.1 (6 minutes)	9,568
120.11(b) and (c); and 120.12(a)(5) and (b); record validation that the HACCP plan is adequate to control food hazards that are likely to occur.	1,840	1	1,840	4	7,360
120.11(c) and 120.12(a)(5) and (b); document revalidation of the hazard analysis upon any changes that might affect the original hazard analysis (applies when a firm does not have a HACCP plan because the original hazard analysis did not reveal hazards likely to occur).	1,840	1	1,840	4	7,360

TABLE 1—ESTIMATED ANNUAL RECORDKEEPING BURDEN [1]—Continued

21 CFR section; activity	Number of recordkeepers	Number of records per recordkeeper	Total annual records	Average burden per recordkeeping	Total hours
120.14(a)(2), (c), and (d) and 120.12(b); importers of fruit or vegetable juices, or their products used as ingredients in beverages, have written procedures to ensure that the food is processed in accordance with our regulations in part 120.	308	1	308	4	1,232
120.8(a), 120.8(b), and 120.12(a)(3), (b), and (c); written HACCP plan.	1,560	1.1	1,716	60	102,960
Total			21,980,369		461,426

[1] There are no capital costs or operating and maintenance costs associated with this collection of information.

Based on a review of the information collection since its last OMB approval, we have made no adjustments to our burden estimate.

Grace R. Graham,

Deputy Commissioner for Policy, Legislation, and International Affairs.

[FR Doc. 2026–08417 Filed 4–29–26; 8:45 am]

BILLING CODE 4164–01–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Food and Drug Administration

[Docket No. FDA–2026–N–1321]

ChemoCentryx, Inc.; Proposal To Withdraw Approval of New Drug Application for TAVNEOS (Avacopan) Capsule, 10 Milligrams; Opportunity for a Hearing

AGENCY: Food and Drug Administration, HHS.

ACTION: Notice.

SUMMARY: The Food and Drug Administration's (FDA, Agency, or we) Center for Drug Evaluation and Research (CDER) is proposing to withdraw approval of the new drug application (NDA) for TAVNEOS (avacopan) capsule, 10 milligrams (mg), held by ChemoCentryx, Inc., One Amgen Center Dr., Thousand Oaks, CA 91320 (ChemoCentryx or applicant), and is announcing an opportunity for the applicant to request a hearing on this proposal. The grounds for the proposal are twofold: (i) on the basis of new information before FDA, evaluated together with the evidence available to FDA when the application was approved, there is a lack of substantial evidence that the drug will have the effect it purports or is represented to have under the conditions of use prescribed, recommended, or suggested in its labeling; and (ii) the application contains untrue statements of material fact.

DATES: The applicant may submit a written request for a hearing by June 1, 2026 and submit all data, information, and analyses in support of the hearing request by June 29, 2026. Others may submit electronic or written comments by June 29, 2026.

ADDRESSES: The request for a hearing may be submitted by the applicant by either of the following methods:

Electronic Submissions

Submit electronic comments in the following way:

- *Federal eRulemaking Portal: https://www.regulations.gov.* Follow the instructions for submitting comments to submit your request for a hearing. Comments submitted electronically to *https://www.regulations.gov,* including any attachments to the request for a hearing, will be posted to the docket unchanged.

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.
- Because your request for a hearing will be made public, you are solely responsible for ensuring that your request 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. The request for a hearing must include the Docket No. FDA–2026–N–1321 for ''ChemoCentryx, Inc.; Proposal to Withdraw Approval of New Drug Application for TAVNEOS (Avacopan) Capsule, 10 Milligrams; Opportunity for a Hearing.'' The request for a hearing will be placed in the docket and publicly viewable at *https://www.regulations.gov* or at the Dockets Management Staff between 9 a.m. and 4 p.m., Monday through Friday. The applicant may submit all data and analyses upon which the request for a hearing relies in the same manner as the request for a hearing except as follows:
- Confidential Submissions—To submit any data analyses with confidential information that you do not wish to be made publicly available, submit your data and analyses only as a written/paper submission. You should submit two copies total of all data and analyses. 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 any decisions on this matter. 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* or available at the Dockets Management Staff between 9 a.m. and 4 p.m., Monday through Friday. Submit both copies to the Dockets Management Staff. Any information marked as ''confidential'' will not be disclosed except in accordance with 21 CFR 10.20 and other applicable disclosure law.

Comments Submitted by Other Interested Parties: For all comments submitted by other interested parties, 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–2026–N–1321 for ''ChemoCentryx, Inc.; Proposal to Withdraw Approval of New Drug Application for TAVNEOS (Avacopan) Capsule, 10 Milligrams; Opportunity for a Hearing.'' 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: Joan Dailey, Center for Drug Evaluation and Research, Food and Drug Administration, 10903 New Hampshire Ave., Bldg. 51, Rm. 6248, Silver Spring, MD 20993, 301–796–6357, *joan.dailey@fda.hhs.gov*.

SUPPLEMENTARY INFORMATION:

I. Proposal to Withdraw Approval of NDA 214487

A. Summary

CDER proposes to withdraw approval of TAVNEOS (avacopan), NDA 214487, because of new information, which was withheld from FDA and did not become known to FDA until more than three years after approval, indicating that there is a lack of substantial evidence of effectiveness for the drug, and the application contains untrue statements of material facts.

Section 505(e) of the Federal Food, Drug, and Cosmetic Act (FD&C Act), 21 U.S.C. 355(e), states that the Secretary of Health and Human Services shall withdraw approval of a drug on certain grounds after due notice and opportunity for hearing to the applicant. Under section 505(e)(3) of the FD&C Act and 21 CFR 314.150(a)(2)(iii), approval of a drug shall be withdrawn if, on the basis of new information before FDA with respect to the drug, evaluated together with the evidence available when the application was approved, there is a lack of substantial evidence from adequate and well-controlled investigations that the drug will have the effect it purports or is represented to have under the conditions of use prescribed, recommended, or suggested in the labeling. In addition, under section 505(e)(5) of the FD&C Act and 21 CFR 314.150(a)(2)(iv), approval of a drug shall be withdrawn if FDA finds that the application contains any untrue statement of a material fact.

New information shows that the applicant's unblinded study personnel manipulated endpoint results for the phase 3 study, CL010_168, referred to as the ADVOCATE study, which was the sole study used to establish substantial evidence of effectiveness for approval of TAVNEOS.[1] That manipulation was designed to change results that were not statistically significant and make the product look effective when the original analysis did not support that conclusion. If the data as originally analyzed according to the prespecified statistical analysis plan had been submitted to the Agency, the study would not have been viewed as establishing substantial evidence of effectiveness, which is a legal requirement for approval of an NDA. However, in contravention of fundamental principles of good clinical practice regarding the reporting of clinical results as well as FDA's regulations regarding what must be submitted in an NDA, the applicant did not submit this data and original analysis to the Agency. Based on the new information regarding data manipulation, along with the evidence available to CDER when the application was approved, there is a lack of substantial evidence that TAVNEOS will have the effect it purports or is represented to have under the conditions of use prescribed, recommended, or suggested in its labeling. Accordingly, CDER is proposing to withdraw approval of TAVNEOS under section 505(e)(3) of the FD&C Act and 21 CFR 314.150(a)(2)(iii).

We note that hepatotoxicity was identified as a key safety risk in the original NDA review. In addition, serious and sometimes fatal cases of hepatotoxicity have been reported postmarketing, and recent post-market safety reports suggest that avacopan may also be associated with vanishing bile duct syndrome (VBDS), a serious and, at the time of approval, unexpected

[1] See *ClinicalTrials.gov* number NCT02994927, available at *https://clinicaltrials.gov/study/NCT02994927#more-information* (accessed Apr. 24, 2026); see also Ref. 1.

adverse event. In light of our finding that there is a lack of substantial evidence of efficacy, there is no demonstrated benefit to balance the risks associated with TAVNEOS.

In addition, new information shows that the NDA for TAVNEOS contains untrue statements of material fact, including statements regarding when and how many times database lock and unblinding occurred and inaccurate representations regarding the analyses that were used to evaluate the ADVOCATE study. Because of these untrue statements, FDA was unaware that the ADVOCATE study's primary endpoint data could not be reliably interpreted as part of NDA approval and therefore the data did not establish substantial evidence of effectiveness, which must be demonstrated for approval under section 505(d) of the FD&C Act. Instead, the approval of TAVNEOS was based on untrue statements regarding the analyses of manipulated data, which is unreliable for approval. Therefore, these untrue statements are material; as a result, CDER is proposing to withdraw approval of TAVNEOS under section 505(e)(5) of the FD&C Act and 21 CFR 314.150(a)(2)(iv).

B. General Background

On October 7, 2021, FDA approved NDA 214487 for TAVNEOS (avacopan) capsule, 10 mg, for the adjunctive treatment of adult patients with severe active anti-neutrophil cytoplasmic autoantibody (ANCA)-associated vasculitis (AAV) in combination with standard therapy including glucocorticoids. The drug is included as a treatment option in recent medical practice guidelines for AAV treatment. Standard therapies for AAV include rituximab, cyclophosphamide, glucocorticoids, and other immunosuppressants such as methotrexate and azathioprine.

The CDER review team identified a variety of issues that might preclude approval of the product during the initial NDA review. Following public discussion of these issues at a May 2021 advisory committee meeting (Ref. 2), a shareholder lawsuit was filed that same month against ChemoCentryx alleging securities fraud. In 2022, Amgen, Inc. (Amgen) acquired TAVNEOS with its purchase of ChemoCentryx.

On May 29, 2025, plaintiffs in the securities fraud litigation filed with the court the expert report from Marc Walton, M.D., Ph.D. (Walton Report), (Ref. 3). The Walton Report stated that a statistical analysis of the ADVOCATE study was conducted after database lock and that the initial analysis had found that the avacopan treatment group did not achieve a statistically significant superiority outcome on the primary endpoint of sustained remission compared with the control group. The Walton Report stated that, upon reviewing these results, unblinded ChemoCentryx personnel had selected nine ADVOCATE study subjects for readjudication following the initial blinded analysis, including five avacopan patients whose clinical outcome would be changed from ''not in sustained remission'' to ''sustained remission.'' The Walton Report further stated that, before sending the patient data for readjudication, ChemoCentryx personnel confirmed that changing the remission outcomes for the five avacopan patients would change the study results to reflect that avacopan demonstrated statistically significant superiority over therapy in the control arm. Finally, the Walton Report stated that the five avacopan patients were readjudicated to ''sustained remission,'' and the revised statistical analysis was submitted to FDA in the NDA without disclosing this readjudication of the pivotal study results. Specifically, the Walton Report noted that the applicant did not disclose the original statistical analysis of the study, the unblinded selection of subjects for readjudication after the clinical database was locked, or that the post-database lock changes changed the study result from not statistically significant to statistically significant.

After learning about the Walton Report, CDER sent an information request on July 23, 2025, seeking detailed information regarding the handling of unblinded data in the ADVOCATE study. On August 22, 2025, Amgen responded to the information request on behalf of the applicant (Ref. 4). Amgen's response confirmed the key factual allegations outlined above from the Walton Report. Amgen nevertheless claimed in its response that the data in the NDA are accurate and that the readjudications were appropriate. As explained below, FDA disagrees.

On August 15, 2025, the court dismissed the shareholders' lawsuit, granting summary judgment in favor of ChemoCentryx. The court's opinion did not acknowledge or address the data manipulation allegations in the Walton Report and does not have any bearing on the status of the NDA or enforcement of the FD&C Act.

This Notice of Opportunity for a Hearing omits certain information that is not publicly available at this time.

C. ADVOCATE Study and Data Manipulation

1. Study Background

The ADVOCATE study randomized 331 subjects with AAV to avacopan 30 mg twice daily or a protocol-specified prednisone taper in a 1:1 ratio; all subjects were treated with background immunosuppressive therapy of rituximab or cyclophosphamide. Because glucocorticoids are used to treat AAV, minimizing their use by study subjects would ensure that efficacy outcomes were interpretable and not inflated. The study protocol (Ref. 5), statistical analysis plan (Ref. 6), and clinical study report (Ref. 7) state that glucocorticoids not supplied as a study drug must be avoided ''as much as possible during the study.'' [2] According to the protocol, study subjects were permitted to receive ''low doses'' of oral glucocorticoids (no more than 10mg/day) for treatment of adrenal insufficiency or for other conditions (Ref. 5 at 124). Non-study supplied glucocorticoids were permitted only in low doses for adrenal insufficiency, but this rule was liberalized over time to also permit glucocorticoid use at any dose by study subjects for conditions other than adrenal insufficiency (*e.g.,* allergic reaction) if they were not prescribed for treatment of AAV.[3] The protocol and statistical analysis plan are each internally inconsistent on this point; on the one hand, they require non-study supplied glucocorticoids to be avoided as much as possible, but on the other hand permit such glucocorticoid use at any dose with no impact on remission determinations.

Patients were followed for 52 weeks for a disease remission endpoint evaluated using the Birmingham Vasculitis Activity Score (BVAS), a standardized, clinician reported outcome measure of disease activity in patients with vasculitis. The primary endpoints for the ADVOCATE study were remission at week 26 and sustained remission at week 52. According to the study protocol, study subjects were considered in remission at weeks 26 and 52 if they had a BVAS of zero and had not received glucocorticoids for treatment of AAV within 4 weeks prior to the week 26 or week 52 assessment, respectively. Sustained remission was defined as remission at weeks 26 and 52 with no intervening relapse. The study protocol and statistical analysis plan set forth a prespecified method for handling

[2] Ref. 5 at 17, 50, and 123; Ref. 6 at 26; Ref. 7 at 31, 35.

[3] See Ref. 8 at 8.

missing data, under which subjects whose remission or sustained remission status was not evaluated within a specified window of time would be imputed as not in remission (week 26) or sustained remission (week 52) (Ref. 4 at 6; Ref. 6 at §§ 5.4, 5.5).

BVAS, remission at week 26, and sustained remission at week 52 were determined by a blinded adjudication committee. The adjudication committee's activities were governed by an adjudication committee charter (AC Charter). The AC Charter prohibited readjudication of remission status after database unblinding (Ref. 8, Addendum 2 § 4.3.3).

ChemoCentryx originally proposed a study design in which the primary endpoint of sustained remission at week 52 would be analyzed for non-inferiority compared to glucocorticoids. FDA informed ChemoCentryx in 2016 that TAVNEOS would not be considered for approval unless the ADVOCATE study demonstrated superiority on week 52 sustained remission results in the avacopan arm of the study compared to the control arm (Ref. 9 at 2, 4).

2. Data Manipulation

FDA takes seriously allegations of scientific misconduct that threaten the integrity of the drug approval process and patient safety. Upon reviewing the Walton Report, FDA became concerned that the data submitted to the NDA were biased and that the ADVOCATE study did not provide reliable evidence of the effectiveness of TAVNEOS. Accordingly, FDA requested that the applicant provide a comprehensive account of the events described in the Walton Report and the handling of unblinded adjudication data in the ADVOCATE study. FDA also requested emails, raw data, and other documents relevant to the data manipulation described in the Walton Report.

Amgen's response to CDER's July 2025 information request (Amgen Response) chronicled the facts regarding the handling of data in the ADVOCATE study. The Amgen Response states that the contract research organization, Medpace, Inc. (Medpace), conducted prespecified procedures to ''clean'' the ADVOCATE study database to ensure the data, including the primary endpoint data, were accurate and complete before the database was locked for analysis.[4] Specifically, on November 4, 2019, the Medpace lead biostatistician completed a biostatistics pre-database lock checklist verifying, among other things, that the database and datasets were ready for analysis, the statistical analysis plan had been approved, and the statistical programs had been validated (Ref. 4, Exh. 3). On November 5, 2019, the Medpace data coordinator and data manager signed a database lock checklist, confirming among other things that all clinical data had been entered, all edit checks applied, all queries resolved, source data verified, all records locked from editing, and all other necessary steps completed as a prerequisite for the database to be declared clean and ready to be locked (Ref. 4, Exh. 4). The study database was then locked and unblinded on November 5, 2019.

Between November 5, 2019, and November 7, 2019, Medpace took a database snapshot and generated datasets and tables, listings, and figures (TLFs) for unblinded review and validation by select ChemoCentryx personnel (Ref. 4 at 10). With respect to efficacy data, the Study Results Analysis Plan (SRAP), which was signed on November 4, 2019, permitted two ChemoCentryx employees to receive unblinded data after database lock for the purposes of conducting a quality control (QC) review ''for completeness and internal consistency'': Dr. Huibin Yue, Director of Biostatistics, and Dr. Pirow Bekker, Chief Medical Officer (Ref. 4 at 9–10 and Exh. 2). In addition, Dr. Chao Wang, an independent statistical consultant retained by ChemoCentryx, was responsible for assisting in the validation of topline TLFs (Ref. 4 at 10).

On November 8, 2019, in accordance with the SRAP, the unblinded datasets and top-line efficacy TLFs were transferred to Dr. Bekker. Those results showed that the primary endpoint of sustained remission at week 52 had failed to achieve statistical significance, returning a two-sided p-value of 0.1025, which is above the significance threshold specified in the statistical analysis plan.[5] The applicant did not include these results in the NDA or otherwise disclose them to FDA during the Agency's review of the application.

On November 9, 2019, Dr. Bekker emailed Dr. Yue requesting that Dr. Yue and Dr. Wang verify the week 52 sustained remission results: ''Regarding sustained remission at Week 52 it is, of course, of *paramount importance that the data are correct* (especially the *p-value for superiority*). Chao and you must verify these results ASAP. We cannot afford to miss a superiority outcome here'' (Ref. 4, Exh. 11 (emphasis in original)). On November 11, 2019, Dr. Yue emailed the Medpace lead biostatistician to request a blinded data quality check to confirm whether all adjudicated remission determinations in the electronic data capture (EDC) system match those on paper case report forms (CRFs). His email noted that ''[w]e cannot afford to miss a superiority outcome,'' that ''[t]he p-value is close to be[ing] significant,'' and that ''[w]e need to make sure that both the data and analysis are correct'' (Ref. 4, Exh. 12). The email further noted that Dr. Yue was awaiting Dr. Wang's validation of the statistical analysis. The lead biostatistician replied by email, dated November 12, 2019, that the quality check had been completed ''with no findings.'' Dr. Wang validated the TLF analysis on November 12, 2019.

After being informed that there was nothing wrong with either the data or the analysis, Drs. Bekker and Yue looked for cases that could alter the study results to indicate TAVNEOS achieved a statistically superior outcome on the primary endpoint of sustained remission. On November 12, 2019, Dr. Yue ran a targeted, unblinded search of the clinical database to identify all subjects with a BVAS of zero who used glucocorticoids in the four weeks prior to the week 26 or week 52 remission assessments and who were originally adjudicated as not in remission (Ref. 4, Exh. 14). He forwarded the resulting unblinded data spreadsheet to Dr. Bekker. In addition, Drs. Yue and Bekker reviewed unblinded data to determine whether data from early termination or unscheduled visits was included in the primary endpoint analysis consistent with the statistical analysis plan (Ref. 4 at 12; Ref. 4, Exh. 13). Together, they identified nine subjects—three from the prednisone arm and six from the avacopan arm—for readjudication. Most were identified for readjudication because Drs. Bekker and Yue believed their primary endpoints were inconsistent with the prespecified protocol provisions related to glucocorticoid use or missing data, or both. One subject was identified for

[4] See Ref. 4 at 7–8. Database cleaning addresses problems with incomplete, invalid, or inconsistent data caused by improper data recording or data entry (Ref. 10). Database cleaning activities may include reconciliation of entered data and datasets, rectification of data errors, and addressing the impact of noncompliance issues, including protocol deviations. Ref. 11 at 47. The sponsor should ensure that blinding is maintained during the process of cleaning the database prior to its release for analysis (Ref. 12 at 11).

[5] Ref. 13. The statistical analysis plan specified a procedure to preserve the overall Type I error rate at a 5% level with a one-sided p-value threshold of 0.025 (Ref. 6 at 30–31). For equivalent comparison to a two-sided 5% significance level (*i.e.,* two-sided p-value threshold of 0.05) and alignment with current labeling, two-sided p-values are presented in this document.

readjudication due to a manual data entry error in which the subject was categorized as not in remission or sustained remission despite satisfying the relevant criteria.

On November 13, 2019, Dr. Bekker forwarded to Dr. Yue a table identifying the nine subjects, their previously adjudicated remission determinations, and the rationale for a potential revised adjudication decision (Ref. 4, Exh. 15). That same day, Dr. Yue asked Dr. Wang to rerun the primary endpoint analyses and calculate new p-values based on a hypothetical dataset accounting for the anticipated results of the readjudication of the nine subjects. Specifically, the dataset anticipated that five of the six subjects in the avacopan arm would be readjudicated to sustained remission, and none of the three subjects in the control arm would be readjudicated to sustained remission. On November 13, 2019, Dr. Wang replied that the new p-value showed statistical significance.

On November 14, 2019, Dr. Yue forwarded to Medpace personnel the table identifying the subjects for potential readjudication. Later the same day, Dr. Bekker spoke with the ADVOCATE study's Adjudication Committee (AC) Chair, Dr. David Jayne, regarding the readjudications (Ref. 4, Exh. 18). On November 14, 2019, after receiving confirmation from Dr. Bekker that Dr. Jayne was expecting cases for readjudication, Medpace sent Dr. Jayne a data package (''patient profile'') for each of the nine subjects to be readjudicated. Each patient profile included the subject's original adjudication form, BVAS and other remission-related data, and the same table Dr. Bekker forwarded to Dr. Yue the previous day, minus the rationale for a potential revised adjudication decision for each subject (Ref. 4, Exh. 18). The table directed Dr. Jayne's attention to the specific facts for each subject that were relevant to review (*i.e.,* unscheduled visit within assessment window and glucocorticoid use). In preparation for potential database changes to record readjudicated remission determinations, Dr. Yue and Medpace personnel signed a post-datalock change approval form on November 15, 2019 (Ref. 4, Exh. 69).

Dr. Jayne conducted a blinded readjudication of all nine subjects. Among other reclassifications, Dr. Jayne reclassified five of the six avacopan subjects as in sustained remission. Table 1 summarizes the adjudication and readjudication decisions: [6]

TABLE 1—EFFECT OF READJUDICATION

Treatment arm and subject ID	Before readjudication		After readjudication*	
	Week 26 remission	Week 52 sustained remission	Week 26 remission	Week 52 sustained remission
Control arm (prednisone):				
428–001	No	No (ET)	**Yes**	No (ET)
852–001	No	No	**Yes**	No
957–002	No	No (ET)	**Yes**	No (ET)
Treatment arm (avacopan):				
440–002	No	No	**Yes**	**Yes**
466–003	No	No	**Yes**	**Yes**
534–001	No	No	**Yes**	**Yes**
702–001	No	No	**Yes**	**Yes**
751–001	Yes	No	Yes	**Yes**
854–001	No	No	**Yes**	No

ET: early termination; remission at week 52 imputed as nonresponse.
*Bold text in the two columns under the ''After Readjudication'' heading indicates readjudicated determinations; unbolded text in the same two columns indicates no readjudication was requested (*e.g.*, because of early termination or excessive glucocorticoid use).

The endpoint determinations were changed in the database accordingly, and the database was locked for a second time on November 20, 2019. At that point, the primary efficacy analysis was rerun, and this time generated statistically significant results. These were the only primary endpoint analysis results submitted in the NDA to support the demonstration of substantial evidence of effectiveness for approval.

3. Study Documents Prohibited Readjudications After Database Lock

None of the nine readjudications was justified or permitted under the terms of the AC Charter. According to the AC Charter, readjudications should be rare. Specifically, the AC Charter states that if an adjudication form is complete, the remission time point will be considered adjudicated and ''[t]he form will not be presented to the AC again at a later time'' (Ref. 8, § 4.3.2). This makes sense because all data packages presented to the AC must be ''100% cleaned,'' having relevant data sources verified, manual/auto edits run, and queries resolved (Ref. 8, § 4.1, Addendum 2, § 4.3.3). Under the terms of the AC Charter, readjudication should occur only when the original adjudication decision could be affected by data changes made by investigative sites after adjudication, such as changes to BVAS or other data relevant to remission status (Ref. 8, Addendum 2, § 4.3.3). Medpace was responsible for tracking post-adjudication data changes and providing the AC Chair or designee with periodic listings of data changes (Ref. 8, Addendum 2, § 4.3.3). In this case, there were no underlying ''data changes'' that precipitated this request for readjudication—only a desire for changes that would alter the study results to indicate avacopan was effective when the original analysis of the study failed to find such an effect.

Moreover, the AC Charter indicates that no readjudications can occur after unblinding—a key provision to prevent bias in the study conduct, analysis, and results. Specifically, the AC Charter states that ''no changes may be entered into EDC after data base lock'' (Ref. 8, Addendum 2, § 4.3.3). EDC was the electronic data capture system used to enter adjudication decisions (Ref. 8, § 4.3). The AC Charter further states that ''[t]here will be no blinded BVAS listings for review after unblinding''

[6] The Amgen Response erroneously identified subject 852–001 as in the treatment arm (Ref. 4 at 14). According to the ChemoCentryx response to an information request submitted during NDA review, this subject was in the control arm (Ref. 14 at 13). Table 1 reflects readjudication decisions by Dr. Jayne and should not be interpreted as FDA's agreement that these readjudication decisions were properly determined.

(Ref. 8, Addendum 2, § 4.3.3).[7] Although this provision appears limited to BVAS listings, it essentially prohibits any readjudication after database unblinding because every determination of remission status involves an assessment of BVAS data, among other factors. Indeed, every patient profile sent for adjudication must include not only BVAS listings, but also a variety of other information relevant to remission status, including prior and concomitant medications (including ''non-study-supplied glucocorticoid medications''), relapse information, and previously adjudicated BVAS, VDI, remission, and relapse data, if applicable (Ref. 8, § 4.1.1). Thus, sending blinded BVAS listings and other remission-related data to Dr. Jayne for readjudication after the database had been unblinded violated the terms of the AC Charter and therefore went beyond the ''QC review for completeness and accuracy'' permitted under the SRAP after database lock (Ref. 4, Exh. 2).

The time to correct errors in study data is before unblinding, which eliminates the potential to introduce bias in the data and analysis as a result of knowing the assignment of subjects to the control or treatment arms of a study. Before the ADVOCATE study database was locked and unblinded on November 5, 2019, ChemoCentryx had many opportunities to correct errors in study data, including those involving the nine subjects identified for readjudication after unblinding. For example, the purported incorrect application of the prespecified provisions regarding missing data and glucocorticoid use should have been identified and corrected as part of the patient profile data cleaning conducted before the initial adjudication of any study subject. In addition, any purported misapplication of the study provisions regarding glucocorticoid use or missing data should have been caught over the course of the trial and certainly during database cleanup prior to unblinding.

Another opportunity for correcting errors, including those involving remission status for subjects with missing data, was the blinded data review meeting held on October 24, 2019, with Medpace and ChemoCentryx staff, including Drs. Bekker and Yue.[8] Among other things, the purpose of the meeting was to identify significant protocol deviations that would require excluding subjects from the per protocol study analysis. At this meeting, Dr. Bekker identified four subjects for exclusion from the per protocol population ''because their response could not be assessed at week 26 and are therefore non-responders.'' (Ref. 4, Exh. 56). After unblinding, Drs. Bekker and Yue identified one of the four subjects—avacopan subject 534–001—for readjudication on the grounds that the prespecified method for handling missing data had not been applied accurately. Prior to unblinding Dr. Bekker was aware of the rules for handling missing data and concluded that this subject was a non-responder. Only after unblinding did Dr. Bekker take a different position so that the subject could be readjudicated. That subject was readjudicated as being in remission, which contributed to changing the study outcome. This purported error—as well as any other errors involving misapplication of the prespecified method for handling missing data—could have been identified before or at the blinded data review meeting, or during the QC reviews performed prior to database lock and unblinding.

Finally, as required by the AC Charter, BVAS and other data related to remission, as well as ''[t]he 52 week adjudications,'' should have been cleaned before database lock, which occurred on November 5, 2019. That was the applicant's last chance to correct adjudication decisions because the AC Charter prohibited changes to adjudication decisions after database lock (Ref. 8, Addendum 2, § 4.3.3). Other data errors or inconsistencies, such as the manual data entry error involving one of the readjudicated subjects (subject 466–003), should have been identified during the various QC checks conducted immediately before database lock and unblinding, if not earlier.

The applicant's conduct cannot be considered ''quality control''; rather, sponsor personnel engaged in data manipulation that distorted the study results as reported in the NDA, which were material to the review of the NDA. As more fully explained in section I.E.1 below, the conduct biased the study results reported in the NDA to the extent that the pivotal study cannot be relied upon to support a demonstration of substantial evidence of effectiveness.

D. NDA Review Based on Manipulated Primary Endpoint Results

In the NDA submission, the applicant represented that the ADVOCATE study demonstrated (1) superiority for sustained remission at week 52 (avacopan versus prednisone treatment difference 12.5 percent with 95 percent confidence interval (CI) [2.6 percent, 22.3 percent] and two-sided p-value = 0.0132 for superiority at week 52); and (2) noninferiority, but not superiority, for remission at week 26 (avacopan versus prednisone treatment difference 3.4 percent with 95 percent CI [-6.0 percent, 12.8 percent], two-sided p-value < 0.0001 for noninferiority at week 26).

The CDER review team sent several information requests to the applicant during the NDA review to better understand the adjudication process and results. However, the applicant never disclosed the readjudications that occurred after the initial database lock and that they were prompted by both an unblinded review of the study database and knowledge that the readjudications would change the study result from not statistically significant to statistically significant. In a December 9, 2020, information request, CDER inquired about ''document finalization and unblinding dates'' in an effort to establish whether the study's statistical analysis plan had been finalized before data unblinding (Ref. 15). Noting that the specified data analyses in the statistical analysis plan differed from those in the original study protocol, CDER expressed concern that perhaps the choice of analyses specified in the statistical analysis plan was influenced by viewing trial data after unblinding, which would have introduced significant bias and inflated Type 1 error (*i.e.,* the chance of a false positive, which is a finding of a significant difference between drug and control when there really is none). The applicant's response indicated that the statistical analysis plan was finalized before the study database was frozen (*i.e.,* locked) on November 20, 2019 (Ref. 16). The response falsely characterized this as the only date on which the database was locked, because it refers to ''the freeze of the study database, which occurred on 20 November 2019.'' ChemoCentryx omitted any information regarding the database lock and unblinding that occurred on November 5, 2019. Moreover, the applicant's response omitted the crucial point that its own personnel reviewed unblinded primary efficacy endpoint data before the November 20, 2019, database lock. Nor did the applicant disclose that its unblinded personnel caused the readjudication of primary endpoint data for nine study subjects, which ultimately changed the result from not

[7] Similar language appears in the study protocol, which states that ''BVAS data recorded by investigators will be adjudicated, according to an adjudication charter, before data finalization and unblinding. The adjudicated data will be used in the final analysis'' (Ref. 5, § 7.1.1).

[8] Ref. 4, Exh. 56. The SAP required this meeting to be held prior to database lock and unblinding (see Ref. 6 at 24).

statistically significant to statistically significant. At no point did the applicant disclose any information about the first database lock, including its failed topline efficacy results, and that nine patients' endpoint determinations were readjudicated in response to a request from unblinded study personnel.

The applicant's failure to disclose these facts is contrary to well-established internationally recognized good clinical practice (GCP) guidelines established for the conduct of clinical trials, including principles for appropriate statistical analysis. These principles serve as a foundation for helping to ensure that data and statistical analysis are free from biases that make the study results uninterpretable (Ref. 11 at 42, Ref. 12 at 10–12). FDA has reiterated these principles in several FDA guidance documents. For example, FDA guidance states that changes made to data after unblinding should occur only in exceptional circumstances, should be clearly documented and justified, and reported in the clinical study report (CSR).[9] The CSR submitted to the NDA for the ADVOCATE trial made it seem like the applicant followed accepted statistical analysis practices when they did not. Specifically, the CSR did not disclose that adjudication data were changed after the database was initially locked and after unblinding, nor did it disclose that the post-unblinding readjudication of primary endpoint data reversed the failed study results in the original analysis (Ref. 7).

Documents submitted to the NDA describe the November 20, 2019, database lock and resulting unblinding and statistical analysis as if it were the only one that occurred. For example, in the previously described response to CDER's December 9, 2020 information request, the applicant characterized the study database lock as a single event: ''the freeze of the study database, which occurred on 20 November 2019'' (Ref. 16 at 1). The CSR states that ''[t]he database was frozen on November 20, 2019'' to conduct the primary efficacy endpoint analysis (Ref. 7 at 53), omitting the critical fact that the database had been frozen earlier to conduct the original analysis. In contrast, the CSR discloses elsewhere that ''minor'' errors regarding vasculitis damage index (VDI) scores were discovered after database lock, and the report includes original and revised listings and tables for VDI scores (Ref. 7 at 64–65). The CSR further states that ''[t]reatment assignments for individual subjects remained blinded to the study team, Investigators, and subjects until after the study database had been cleaned and locked'' (Ref. 7 at 34). That is untrue with respect to the November 20, 2019, database lock date, which was represented to FDA to be the sole database lock date.

Protecting the study blinding is an expected element of proper statistical planning and analysis. Indeed, the study documents recognize the importance of maintaining the study blinding before the database was locked for analysis. For example, the statistical analysis plan set forth safeguards against unblinding of study data ''prior to database freeze.'' The applicant appears to have followed these provisions of the statistical analysis plan and study protocol when it locked the study database on November 5th and then shared unblinded data with applicant staff. However, the applicant violated the statistical analysis plan and acceptable statistical practices once it decided to unlock the database, use unblinded data to request that nine patients be readjudicated in violation of the adjudication committee charter, reanalyze the data post readjudication, and submit those results to FDA as though the first database lock and analysis had never occurred.

Before approval, whether the applicant submitted sufficient evidence in its NDA to demonstrate TAVNEOS had its intended effect was debatable across the FDA reviewers and independent advisory committee members. The 18-member advisory committee FDA convened to provide expert advice regarding the evidence submitted in the TAVNEOS NDA were split about whether the data were sufficient to demonstrate that the product was effective, safe, or that the benefits outweighed the risks (Ref. 17). Moreover, after considering the application, including the applicant's responses to information requests, the study protocol, statistical analysis plan, and clinical study report, the primary review team did not recommend approval of TAVNEOS. In other words, even without knowledge of the data manipulation by unblinded personnel, the primary review team had significant concerns regarding whether there was a demonstration of substantial evidence of effectiveness (Ref. 18 at 33).

Importantly, the purported statistically significant superiority for sustained remission at week 52 was a key factor in the recommendation to approve the NDA made by the Director of the Division of Rheumatology & Transplant Medicine and the decision to approve the NDA made by the Director of the Office of Immunology & Inflammation (Ref. 18 at 33–35). In addition, the Division Director relied on what he was led to believe were study data and results that reflected appropriate adherence to the study plan documents. Specifically, the Division Director believed that as a large, global, multicenter trial, with procedures in place to ensure trial quality, the ADVOCATE study would be less vulnerable to certain biases, such as selection or measurement bias (Ref. 18 at 34). In recommending approval, the Division Director also considered the clinical context, noting that AAV is a rare disease with an unmet need for additional therapeutic options and a need for treatment alternatives with fewer toxicities (Ref. 18 at 35). Under the circumstances, the Division Director believed additional flexibility was warranted with respect to the acceptability of the uncertainties highlighted by the primary review team, and the Office Director concurred (Ref. 18 at 35). The Division Director did not know that the facts on which he was relying were untrue—that absent manipulation, the study results were not statistically significant on the superiority analysis at week 52, and the procedures in place to ensure trial quality were violated. Had the Division Director known these facts, he would not have recommended approval. These facts and the Division Director's recommendation would have been material to the review of the application by the Office Director and her decision to approve it.

Because of the limited safety data in the original NDA, the Agency required a postmarketing study (PMR 4155–1) to evaluate safety outcomes, including hepatotoxicity, DILI, and serious hypersensitivity reactions (Ref. 19). The same study is also assessing efficacy outcomes to fulfill a postmarketing commitment agreed to during NDA review (Ref. 18 at 231). According to the applicant's most recent annual report for this ongoing study, only 21 of the planned 300 patients have been enrolled.

E. Impact of Data Manipulation and Untrue Statements

Immediately upon learning that the results of the sole study intended to support a demonstration of effectiveness

[9] Ref. 11 at 42. ''Exceptional circumstances'' may include ''discrepancies that must be resolved for the reliability of the trial results.'' *Id.* Here, other than the correction of a manual error, the errors to be corrected were not mere data ''discrepancies,'' such as transcription errors or discrepancies between source documents and case report forms recorded in the study database. In addition, the manner in which the errors were resolved here—which was contrary to the express terms of the AC Charter and not disclosed to FDA—only reduced the reliability of the study results.

were not positive and knowing this would almost certainly result in a failure to obtain approval, key personnel took multiple steps to manipulate the results to change the study result from not statistically significant to statistically significant and hide that manipulation from the Agency by making untrue statements in the NDA.

Although Amgen states the readjudications corrected errors in the study data, the applicant's actions were improper and rendered the results biased and unreliable. No further analysis of the data can rectify this problem. Adequate and well-controlled clinical investigations are designed, among other things, to minimize the risk of a false positive conclusion (Type 1 error).[10] Statistical analyses are prespecified and controlled to minimize this risk. When a study entails multiple analyses of a primary endpoint, statistical procedures are used to control the increased risk of false positives. Without such procedures, the risk of false positives will increase. The ADVOCATE study was not designed to control for the multiple unplanned hypothesis tests for the primary endpoints that the applicant conducted. Therefore, the Type 1 error risk was not properly controlled, and the primary endpoint of sustained remission at 52 weeks presented in the NDA cannot be reliably interpreted.

The ADVOCATE study cannot be considered adequate and well-controlled. For example, FDA regulations at 21 CFR 314.126(b)(5) require ''an analysis of the results of the study adequate to assess the effects of the drug.'' The applicant conducted a reanalysis of the data that did not control for multiplicity, and therefore the analysis could not adequately assess the effects of the drug. Moreover, under 314.126(b)(5), a study must ensure that ''adequate measures are taken to minimize bias on the part of the subjects, observers, and analysts of the data.'' After the applicant's analysts knew that the study failed to achieve statistical significance, it used unblinded data to select certain subjects for readjudication with the goal of changing the statistical significance of the study outcome. Therefore, the study conduct did not adequately minimize bias on the part of the analysts of the data. Accordingly, the ADVOCATE study cannot support a demonstration of substantial evidence of effectiveness. The only interpretable analysis of the primary endpoint of sustained remission at 52 weeks was the original analysis based on the November 5, 2019, database lock, which was conducted in accordance with the prespecified analysis plan after the data were checked and confirmed to be accurate before unblinding. That analysis was not statistically significant and would not have supported a demonstration of substantial evidence of effectiveness during the NDA review.

1. Impact of the Data Manipulation

The applicant's manipulation of data in the ADVOCATE study irreconcilably biased the study result on sustained remission and renders that result uninterpretable for regulatory decision making. Minimizing bias in clinical research is essential to ensure that study results are reliable and reflective of a medical product's safety and effectiveness. Bias can arise in many ways, including through clinical trial design and conduct, as well as the analysis and evaluation of study results.

Blinding is one of the most important design techniques for avoiding bias in clinical trials (Ref. 12 at 10). Blinding is intended to limit the occurrence of conscious and unconscious bias in the conduct and interpretation of a clinical trial arising from the influence that the knowledge of treatment may have on a number of factors, including the assessment of endpoints, the exclusion of data from analysis, and more (Ref. 12 at 10). Maintaining the blinding until all opportunities for bias have passed is critical. Regardless of how bias is introduced—whether consciously or unconsciously, from lack of blinding, improper unblinding, selective outcome reporting, etc.—it distorts findings and reduces the reliability of study results.

a. Biased Study Results

In its August 22, 2025 response to FDA, Amgen claimed that the readjudications were statistically appropriate to preserve the accuracy of the underlying trial data (Ref. 4 at 28). Amgen's claim is incorrect. While it may be generally acceptable to conduct *blinded* data quality assurance checks, the unblinded review of study data to inform patient selection for readjudication and reanalyses—and the failure to disclose it—was a significant deviation from core scientific and statistical principles and good clinical practices for clinical trials.[11] In any double-blind study, such as the ADVOCATE study, neither the subject nor any of the investigators or sponsor staff—including those evaluating endpoints—should be aware of the treatment received (Ref. 12 at 11). Moreover, this level of blinding must be maintained throughout the conduct of the trial; ''only when the data are cleaned to an acceptable level of quality will appropriate personnel be unblinded'' (Ref. 12 at 11). FDA guidance further states the fundamental principle that any intentional or unintentional breaking of the blinding should be reported and explained to the Agency, regardless of the reason for its occurrence (Ref. 12 at 12). In addition, post-unblinding data changes and deviations from the planned statistical analyses should be reported in the clinical study report (Ref. 11 at 42), which is included in the NDA submission.[12]

As discussed in section I.C.3 above, the ADVOCATE study had several procedures designed to correct study data before database unblinding. However, the correction of study data after unblinding and analysis can introduce substantial conscious and unconscious bias. Here, the evidence shows that the applicant and its service providers conducted a quality control review of the data before the database was locked on November 5, 2019 and identified no concerns.

What the applicant did is exactly what the AC Charter was designed to prevent: the introduction of bias in the study results due to selective readjudication of study subjects after unblinding. In the absence of any evidence of erroneous data, sponsor personnel used unblinded data specifically to find subjects whose readjudication would change the results of the trial. The evidence shows that the goal of this behavior was to alter the results of the original analysis. If the original analysis had been positive, Drs. Bekker and Yue would likely not have searched for subjects to readjudicate.

Knowledge of the study results permitted the applicant to conduct a biased search for subjects to readjudicate where the readjudication would change the study results from negative to positive. Although the Amgen Response indicates that Drs. Bekker and Yue analyzed remission data for all patients in the study, they appeared to focus primarily on a subpopulation of patients who had a BVAS of zero and were adjudicated as not in remission due to missing data or recent glucocorticoid use for a reason

[10] See 21 CFR 314.126.

[11] See, for example, discussion of bias and the importance of blinding in section II.C of the guidance for industry entitled ''E9 Statistical Principles for Clinical Trials'' (Ref. 12). See also the guidance for industry entitled ''E6(R3) Good Clinical Practice'' (Ref. 11).

[12] See 21 CFR 314.50(a) (requiring an NDA to ''contain reports of all investigations of the drug product sponsored by the applicant''); see also Ref. 20.

other than treatment of AAV (Ref. 4 at 11–14; Ref. 4, Exh. 14). This targeted review would not detect misapplication of other prespecified protocol provisions affecting remission determinations, such as the definition of disease relapse or the accuracy of BVAS assessments, in subjects that had been adjudicated as in remission or sustained remission. Their targeted data review was biased in favor of finding more patients—specifically more avacopan patients—whose remission status could be changed to support the desired trial outcome.

In addition, knowledge of treatment assignments appears to have biased which study subjects were referred for readjudication. We note that the remission determinations selected for readjudication were heavily weighted in favor of generating a statistically significant result on sustained remission for subjects in the avacopan arm of the ADVOCATE study. For example:

- All subjects identified for readjudication were believed to have been incorrectly adjudicated as not in remission at week 26 or week 52 or both;
- Twice as many subjects in the avacopan arm were selected for readjudication compared to the control arm (six versus three); and
- The three control arm patients selected for readjudication could not have made a difference in the analysis of the superiority claim at week 52 because two of the three terminated too early to be evaluated for sustained remission, and glucocorticoid use by the third control subject precluded a sustained remission determination.[13] In fact, readjudication of the week 52 remission status for the three control arm subjects was not even requested.[14]

Bias in the selection of subjects for readjudication could not be mitigated by the fact that Dr. Jayne conducted the readjudications in a blinded fashion. The AC charter rightly prohibits readjudication after study unblinding because of the potential for bias. In addition, bias is not overcome because the applicant also included three prednisone control subjects for readjudication at week 26. As noted above, at the time these subjects were selected for readjudication, it was obvious that readjudication of their week 26 remission status would have no effect on the week 52 sustained remission results for that study arm.

b. The Study Results are Uninterpretable and Cannot Be Salvaged with Further Analyses

The applicant's improper actions forever taint the study results reported in the NDA and render them uninterpretable. Further analyses of the ADVOCATE study cannot salvage this drug approval. If not controlled and prespecified, the risk of a false positive increases with every subsequent analysis, making the results less reliable. The ADVOCATE study's statistical analysis plan did not plan for repeat analyses of the primary endpoint. This is expected because it is improper to change the data after an unfavorable analysis and reanalyze the same endpoint. Therefore, the ADVOCATE study results submitted in the NDA cannot be considered statistically significant.

Under the ADVOCATE study's statistical analysis plan, the overall Type I error rate was controlled at 5% significance level (Ref 8 at 30). The original statistical analysis of the study database after database lock on November 5, 2019, was not significant, returning a two-sided p-value of 0.1025, which is above the significance threshold. The statistical analysis submitted for NDA review, which was performed after changing the study data to reflect the readjudication of five avacopan subjects, returned a two-sided p-value of 0.0132, suggesting that avacopan was superior to the control arm and the result was statistically significant. But as explained below, it was not.

The p-value the applicant reported in the NDA for avacopan was not controlled for Type I error, but the applicant never disclosed that. The applicant conducted a second analysis of the primary endpoint after it changed the data and without controlling for the risk of a false positive result. The p-value reported in the NDA is therefore meaningless and uninterpretable.

There is no way to redeem the ADVOCATE study by permitting the applicant to conduct a new, independent, blinded review and adjudication of the study data. As stated previously, each re-analysis, without procedures to control multiplicity that are specified before the data are locked, will increase the risk of a false positive. This is exactly what guidelines and regulations around the conduct of clinical trials are designed to prevent—continuously reanalyzing data until you get a positive result. Moreover, different adjudications, even based on the same data, may produce different results because of the selection and training of the adjudicators, among other things. In the present case, there may also be biases associated with knowledge of the study results from prior analyses. With enough readjudication, the study may inappropriately appear to have statistical significance even if the drug is not effective. Again, the only analysis that should be evaluated as part of the TAVNEOS NDA is the original analysis following database lock on November 5, 2019, which did not demonstrate statistical significance.

2. Untrue Statements in the Application

The applicant withheld and mischaracterized information about when and how often the study database was locked, unblinded, analyzed, and altered. These distortions violated various FDA requirements regarding the content of NDAs and constituted untrue statements of material fact that affected FDA's decision to approve the application.

For example, FDA regulations require, as a general matter, that an NDA contain reports of all investigations of the drug product and ''all other information about the drug pertinent to an evaluation of the NDA'' (21 CFR 314.50). These regulations specifically require, among other relevant data and information: (1) ''the results of statistical analyses of the clinical trials'' (§ 314.50(c)(2)(viii)); (2) a ''description and analysis of each controlled clinical study, and the documentation and supporting statistical analyses used in evaluating the controlled clinical studies'' (§ 314.50(d)(6)) ; and (3) a ''description and analysis of any other data or information relevant to an evaluation of the safety and effectiveness of the drug product'' (§ 314.50(d)(5)(iv)). Furthermore, the NDA ''is required to contain a summary of the NDA in enough detail that the reader may gain a good general understanding of the data and information in the NDA, including an understanding of the quantitative aspects of the data'' (§ 314.50(c)(1)).

Despite these obligations, the applicant did not disclose in the NDA that the database was locked, unblinded, and statistically analyzed more than once, nor did the applicant describe or otherwise note the original, failed primary endpoint analysis. Instead, the applicant repeatedly and falsely conveyed that there was a single analysis of the ADVOCATE study, and that it achieved a certain p-value indicating that the results were statistically significant. In response to an information request from FDA after

[13] See Ref. 4 at 12–14 regarding subjects 428–001, 957–002, and 852–001. We note that subject 852–001 was erroneously characterized in that document as being in the avacopan treatment arm. This subject was in the control arm of the ADVOCATE study (Ref. 14 at 13).

[14] See Ref. 4, Exh. 18.

the NDA was submitted, the applicant then falsely characterized the study database lock as a single event (''*the* freeze of the study database'') occurring on November 20, 2019. For example, as described in section I.D, the applicant's response to CDER's December 9, 2020, information request asserts that the ADVOCATE study database was frozen (*i.e.* locked) on November 20, 2019 (Ref. 16 at 2, 3). Similarly, the CSR states that database lock occurred on November 20, 2019 (Ref. 7 at 4). The CSR further states that ''[t]reatment assignments for individual subjects remained blinded to the study team, Investigators, and subjects until after the study database had been cleaned and locked'' (Ref. 7 at 34). That statement is only true if the database lock referenced is the November 5, 2019, database lock; it is patently false if the database lock referenced is the November 20, 2019, lock—the only database lock referenced in the NDA.

Given the material omissions and untrue statements in the application, the applicant has falsely certified that the data and information in its application submissions for NDA 214487 were ''true and accurate.'' The applicant's omissions and untrue statements were material to the review of NDA 214487, including the determination of substantial evidence of effectiveness, the overall benefit-risk assessment, the recommendation of the Director of the Division of Rheumatology & Transplant Medicine to approve the NDA, and the decision of the Director of the Office of Immunology & Inflammation to approve the NDA.

F. Withdrawal of Approval is Appropriate

In light of the facts outlined above, CDER can no longer conclude that there is, or has ever been, a valid demonstration of substantial evidence of effectiveness for TAVNEOS. The post hoc nature of the database changes and involvement of unblinded study personnel, combined with the resulting change in statistical significance, irrevocably compromises the credibility of the study results and thus the demonstration of substantial evidence of effectiveness that supported the original approval.

The original analysis based on the November 5, 2019, database lock was not statistically significant. Additional readjudication or reanalysis of the same data, blinded or unblinded, cannot overcome the finding of the original analysis. Every additional readjudication or reanalysis reduces the reliability of the result because of the increased risk of chance findings. Thus, substantial evidence of effectiveness of TAVNEOS can no longer be demonstrated with the existing data.

Furthermore, we are increasingly concerned about the safety profile of TAVNEOS. In a review of postmarketing data from the applicant's global safety database, the medical literature, and CDER's Office of Surveillance and Epidemiology review of FDA's Adverse Event Reporting System (FAERS) through October 9, 2024, CDER identified 76 cases of DILI, of which 72 cases were possibly, and 4 cases were probably causally associated with, avacopan use. Importantly, 7 of the 76 cases of DILI reported biopsy-confirmed VBDS, a serious and unexpected adverse event for avacopan. Seventy-four cases reported a serious outcome, including hospitalizations (n=54) and deaths (n=8). Without certain demonstration of benefit to balance the serious risks associated with avacopan, including the risk of hepatotoxicity, the drug's benefits cannot outweigh its known risks for the conditions of use for which it is approved.

Accordingly, CDER proposes to withdraw approval of TAVNEOS (avacopan) capsule, 10 mg, because, on the basis of new information, evaluated together with the evidence available to FDA when the NDA was approved, there is a lack of substantial evidence of effectiveness that the drug will have the effect it is purported or represented to have under the conditions of use prescribed, recommended, or suggested in its labeling. This absence of demonstrated benefit is further aggravated by the drug's known serious risks of hepatoxicity. In addition, CDER proposes to withdraw approval of the drug because the application contained untrue statements of material fact, as described in Section I.E.

We are mindful that TAVNEOS is indicated as an adjunctive treatment of a serious rare disease associated with high morbidity and mortality. We also recognize that there are limited therapeutic options for the condition, and that those options (glucocorticoids) are often not well tolerated. On the other hand, there are serious safety risks associated with avacopan, including the risk of hepatotoxicity, with no demonstration of benefit.

Withdrawing a drug under these circumstances is critical to protect the public health and the integrity of the drug approval process. Otherwise, applicants would be incentivized to deceive FDA and, if the deception is discovered by FDA after approval, claim the drug should remain on the market while the applicant gets another chance to reanalyze data and hope for a positive result.

II. Notice of Opportunity for a Hearing

In accordance with § 314.200 (21 CFR 314.200), notice is hereby given to the applicant and to all other interested persons that the Director of CDER proposes to issue an order, under sections 505(e)(3) and 505(e)(5) of the FD&C Act, and 21 CFR 314.150(a), withdrawing approval of NDA 214487 and all amendments and supplements thereto.

In accordance with section 505 of the FD&C Act and 21 CFR 314.200, the applicant is hereby provided an opportunity for a hearing to show why the approval of the NDA should not be withdrawn.

If the applicant decides to seek a hearing, it must file the following: (1) a written notice of participation and request for a hearing (see **DATES** and **ADDRESSES**) and (2) the data, information, and analyses relied on to demonstrate that there is a genuine and substantial issue of fact that requires a hearing (see **DATES** and **ADDRESSES**). Any other interested person may also submit comments on this notice. The procedures and requirements governing this notice of opportunity for a hearing, notice of participation and request for a hearing, the information and analyses to justify a hearing, other comments, and a grant or denial of a hearing are contained in § 314.200 and in 21 CFR part 12.

The failure of the applicant to file a timely written notice of participation and request for a hearing, as required by § 314.200, constitutes an election by the applicant not to avail itself of the opportunity for a hearing concerning CDER's proposal to withdraw approval of the NDA and constitutes a waiver of any contentions concerning the legal status of the drug product. FDA will then withdraw approval of the NDA, and the drug product may not thereafter be lawfully introduced or delivered for introduction into interstate commerce. Any new drug product introduced or delivered for introduction into interstate commerce without an approved NDA is subject to regulatory action at any time.

A request for a hearing may not rest upon mere allegations or denials but must present specific facts showing that there is a genuine and substantial issue of fact that requires a hearing. If it conclusively appears from the face of the data, information, and factual analyses in the request that there is no genuine and substantial issue of material fact, or if a request for a hearing is not made in the required format or with the required analyses, the

Commissioner of Food and Drugs will enter summary judgment against the person who requests the hearing, making findings and conclusions, and denying a hearing.

If you choose to submit confidential information under this notice of opportunity for a hearing, it must be a paper submission filed in two copies. Except for data and information prohibited from public disclosure under 21 U.S.C. 331(j) or 18 U.S.C. 1905, the submissions may be seen at the Dockets Management Staff (see **ADDRESSES**) between 9 a.m. and 4 p.m., Monday through Friday, and will be posted to the docket at *https://www.regulations.gov*.

This notice is issued under section 505(e) of the FD&C Act, 21 CFR part 314, and under authority delegated to the Director of CDER by the Commissioner of Food and Drugs.

III. References

The following references marked with an asterisk (*) are on display at the Dockets Management Staff (see **ADDRESSES** [1]) 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 document, please note that websites are subject to change over time.

1. Jayne, D., P. Merkel, T. Schall, et al., 2021, ''Avacopan for the Treatment of ANCA-Associated Vasculitis,'' *NEJM,* 384(7): 599–609, available at *https://pubmed.ncbi.nlm.nih.gov/33596356/* (accessed Apr. 24, 2026).
2. * FDA, ''Arthritis Advisory Committee; Notice of Meeting; Establishment of a Public Docket; Request for Comments,'' 86 FR 16227 (Mar. 26, 2021), available at *https://www.federalregister.gov/documents/2021/03/26/2021-06265/arthritis-advisory-committee-notice-of-meeting-establishment-of-a-public-docket-request-for-comments* (accessed Apr. 24, 2026).
3. * Expert Report of Marc Walton, MD Ph.D., Sept. 25, 2024, *Homyk* v. *ChemoCentryx, Inc.,* Case No. 4:21-cv-03343 (N.D. Ca).
4. * Amgen, Inc., ''Response to FDA Requests Dated Jul. 23, 2025.'' NDA 214487, Aug. 22, 2025.
5. * ChemoCentryx, Inc., ''Protocol'' CL010_168, Amendment 4.0, Jan. 18, 2016, available at *https://cdn.clinicaltrials.gov/large-docs/27/NCT02994927/Prot_000.pdf* (accessed Apr. 24. 2026).
6. * ChemoCentryx, Inc., ''Statistical Analysis Plan,'' version 2.0, Oct. 28, 2019, available at *https://cdn.clinicaltrials.gov/large-docs/27/NCT02994927/SAP_001.pdf* (accessed Apr. 24, 2026).
7. * ChemoCentryx, Inc., ''Clinical Study Report CL010_168.'' NDA 214487, Jun. 1, 2020.
8. * ChemoCentryx, Inc., ''BVAS and VDI Adjudication Committee Charter,'' Protocol CL010_168, version 4.0, NDA 214487, Jun. 21, 2019.
9. * FDA, Memorandum of Meeting Minutes (IND 120784), Nov. 1, 2016.
10. Love, S., V. Yorke-Edwards, et al., 2021, ''Making a Distinction Between Data Cleaning and Central Monitoring in Clinical Trials,'' *Clin Trials,* 18(3): 386–388, available at *https://pmc.ncbi.nlm.nih.gov/articles/PMC8174009/* (accessed Apr. 24, 2026).
11. * FDA, ICH guidance for industry ''E6(R3) Good Clinical Practice,'' (September 2025), available at *https://www.fda.gov/media/169090/download* (accessed Apr. 24, 2026).
12. * FDA, International Council for Harmonisation (ICH) guidance for industry ''E9 Statistical Principles for Clinical Trials,'' (September 1998), available at *https://www.fda.gov/media/71336/download* (accessed Apr. 24, 2026).
13. * ChemoCentryx, Inc., Study CL010_168, Week 52 Primary Analysis Topline Tables, Table 14.2.2.1 (Nov. 7, 2019).
14. * ChemoCentryx, Inc., ''Clinical: Response to Information Request #4.'' NDA 214487, Sept. 25, 2020.
15. * FDA, TAVNEOS (avacopan). ''Information Request 11.'' NDA 214487, Dec. 9, 2020.
16. * ChemoCentryx, Inc., ''Response to Information Request #11: Clinical & Statistics.'' NDA 214487, Dec. 29, 2020.
17. * FDA, Arthritis Advisory Committee Meeting, Transcript, May 6, 2021, available at *https://web.archive.org/web/20230330025701/https://www.fda.gov/advisory-committees/advisory-committee-calendar/may-6-2021-meeting-arthritis-advisory-committee-meeting-announcement-05062021#event-materials* (accessed Feb. 24, 2026).
18. * FDA, TAVNEOS (avacopan). ''Multi-Discipline Review.'' NDA 214487, Oct. 12, 2018, available at *https://www.accessdata.fda.gov/drugsatfda_docs/nda/2021/214487Orig1s000MultidisciplineR.pdf* (accessed Apr. 24. 2016).
19. * FDA, ''Approval Letter—TAVNEOS (avacopan) (NDA 214487).'' Letter to ChemoCentryx, Inc., Oct. 7, 2021, available at *https://www.accessdata.fda.gov/drugsatfda_docs/appletter/2021/214487Orig1s000ltr.pdf* (accessed Apr. 24, 2026).
20. FDA, ICH guideline for industry ''Structure and Content of Clinical Study Reports,'' (July 1996), available at *https://www.fda.gov/media/71271/download* (accessed Apr. 24, 2026).

Tracy Beth Høeg,

Acting Director, Center for Drug Evaluation and Research.

[FR Doc. 2026–08455 Filed 4–29–26; 8:45 am]

BILLING CODE 4164–01–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Food and Drug Administration

[Docket No. FDA–2026–P–0655]

Determination FENOGLIDE (Fenofibrate) Tablets, 40 Milligrams and 120 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 FENOGLIDE (fenofibrate) tablets, 40 milligrams (mg) and 120 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: Heather Dorsey, Center for Drug Evaluation and Research, Food and Drug Administration, 10903 New Hampshire Ave., Bldg. 51, Rm. 6269, Silver Spring, MD 20993–0002, 301–796–3600, *Heather.Dorsey@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.

FENOGLIDE (fenofibrate) tablets, 40 mg and 120 mg, is the subject of NDA 022118, held by Salix Pharmaceuticals, Inc., and initially approved on August 10, 2007. FENOGLIDE is indicated as an adjunct to diet to reduce triglyceride (TG) levels in adults with severe hypertriglyceridemia (TG greater than or equal to 500 mg/deciliter (dL)) and to reduce elevated low-density lipoprotein cholesterol (LDL–C) in adults with primary hyperlipidemia when use of recommended LDL–C lowering therapy is not possible.

In a letter dated September 9, 2024, Salix Pharmaceuticals, Inc. notified FDA that FENOGLIDE (fenofibrate) tablets, 40 mg and 120 mg, was being discontinued, and FDA moved the drug product to the ''Discontinued Drug Product List'' section of the Orange Book.

Foley & Lardner LLP submitted a citizen petition dated January 21, 2026 (Docket No. FDA–2026–P–0655), under 21 CFR 10.30, requesting that the Agency determine whether FENOGLIDE (fenofibrate) tablets, 40 mg and 120 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 FENOGLIDE (fenofibrate) tablets, 40 mg and 120 mg, was not withdrawn for reasons of safety or effectiveness. The petitioner has identified no data or other information suggesting that this drug product was withdrawn for reasons of safety or effectiveness. We have carefully reviewed our files for records concerning the withdrawal of FENOGLIDE (fenofibrate) tablets, 40 mg and 120 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 FENOGLIDE (fenofibrate) tablets, 40 mg and 120 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. 2026–08390 Filed 4–29–26; 8:45 am]

BILLING CODE 4164–01–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

National Institutes of Health

Submission for OMB Review; 30-Day Comment Request Application and Impact of Clinical Research Training on Healthcare Professionals in Academia and Clinical Research (Office of the Director)

AGENCY: National Institutes of Health, HHS.

ACTION: Notice.

SUMMARY: In compliance with the Paperwork Reduction Act of 1995, the National Institutes of Health (NIH) has submitted to the Office of Management and Budget (OMB) a request for review and approval of the information collection listed below.

DATES: Comments regarding this information collection are best assured of having their full effect if received by June 1, 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: To request more information on the proposed project or to obtain a copy of the data collection plans and instruments, contact: Dr. Ahmed M. Gharib, Program Director, Office of Clinical Research Education and Collaboration Outreach, OD, NIH, Building 1, Room 201, 1 Center Drive, Bethesda, MD 20892, or email your request, including your address to: *ocreco-education@mail.nih.gov.*

SUPPLEMENTARY INFORMATION: This proposed information collection was previously published in the **Federal Register** on Thursday, December 4, 2025, Volume 90, pages 55871–55873 (64 FR 16184) and allowed 60 days for public comment. One public comment was received. The purpose of this notice is to allow an additional 30 days for public comment. The Office of Clinical Research Education and Collaboration Outreach, Office of the Director, National Institutes of Health, may not conduct or sponsor, and the respondent is not required to respond to an information collection that has been extended, revised, or implemented on or after October 1, 1995, unless it displays a currently valid OMB control number.

In compliance with Section 3507(a)(1)(D) of the Paperwork Reduction Act of 1995, the National Institutes of Health (NIH) has submitted to the Office of Management and Budget (OMB) a request for review and approval of the information collection listed below.

Proposed Collection: Application and Impact of Clinical Research Training on Healthcare Professionals in Academia and Clinical Research, 0925–0764-expiration date, 07/31/2027, Revision, Office of Clinical Research Education and Collaboration Outreach (OCRECO), National Institutes of Health (NIH), Office of the Director (OD).

Need and Use of Information Collection: The purpose of this survey is to assess the long-term impact and outcomes of clinical research training programs provided by the Office of Clinical Research Education and Collaboration Outreach located in the Office of Intramural Research (OIR), in the NIH Office of the Director (OD) over a ten-year follow-up period. The information received from respondents will provide insight on the following: impact of the courses on (a) promotion of professional competence, (b) research

productivity and independence, and (c) future career development within clinical, translational and academic research settings. These surveys will provide preliminary data and guidance in (1) developing recommendations for collecting outcomes to assess the effectiveness of the training courses, and (2) tracking the impact of the curriculum on participants' ability to perform successfully in academic, non-academic, research, and non-research settings.

OMB approval is requested for 3 years. There are no costs to respondents other than their time. The total estimated annualized burden hours are 2,725.

ESTIMATED ANNUALIZED BURDEN HOURS

Form name	Type of respondents	Estimated number of respondents	Number of responses per respondent	Average burden per response (in hours)	Total annual burden hours
OCRECO Learning Portal Registration (Attachment 1).	Healthcare Professionals	5,000	1	5/60	417
	General Public	15,000	1	5/60	1,250
IPPCR Lecture Evaluation (Attachment 2)	Healthcare Professionals	2,000	1	5/60	167
	General Public	5,000	1	5/60	417
IPPCR Final Course Evaluation (Attachment 4).	Healthcare Professionals	300	1	5/60	25
	General Public	500	1	5/60	42
PCP Lecture Evaluation (Attachment 3)	Healthcare Professionals	1,000	1	3/60	50
	General Public	3,000	1	3/60	150
PCP Final Course Evaluation (Attachment 5).	Healthcare Professionals	200	1	3/60	10
	General Public	400	1	3/60	20
NIH Summer Course in Clinical and Translational Research Course Evaluation (Attachment 6).	Healthcare Professionals	20	1	5/60	2
Sabbatical in Clinical Research Management Course Evaluation (Attachment 7).	Healthcare Professionals	20	1	5/60	2
Ethical and Regulatory Aspects of Clinical Research (Asynchronous/Online) Final Course Evaluation (Attachment 8).	Healthcare Professionals	500	1	5/60	25
	General Public	1,000	1	3/60	50
Clinical Research Curriculum Certificate Program Application (Attachment 10).	Healthcare Professionals	100	1	5/60	8
Radiology Research Certificate Program Application (Attachment 10).	Healthcare Professionals	20	1	5/60	2
Generic Lecture Evaluation (Attachment 11)	Healthcare Professionals	500	1	3/60	25
	General Public	1,000	1	3/60	50
Generic Final Course Evaluation (Attachment 12).	Healthcare Professionals	100	1	3/60	5
	General Public	150	1	3/60	8
Total			35,810		2,725

Dated: April 24, 2026.

Matthew J. Memoli,

Principal Deputy Director, National Institutes of Health.

[FR Doc. 2026–08461 Filed 4–29–26; 8:45 am]

BILLING CODE 4167–05–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

National Institutes of Health

Proposed Collection; 60-Day Comment Request; NIH Office of Intramural Training & Education—Application, Registration, and Alumni Systems Office of the Director

AGENCY: National Institutes of Health, HHS.

ACTION: Notice.

SUMMARY: In compliance with the requirement of the Paperwork Reduction Act of 1995 to provide opportunity for public comment on proposed data collection projects, the National Institutes of Health Office of Intramural Training & Education (OITE) will publish periodic summaries of proposed projects to be submitted to the Office of Management and Budget (OMB) for review and approval.

DATES: Comments regarding this information collection are best assured of having their full effect if received within 60 days of the date of this publication.

FOR FURTHER INFORMATION CONTACT: To obtain a copy of the data collection plans and instruments, submit comments in writing, or request more information on the proposed project, contact: Dr. Patricia Wagner, Program Analyst, Office of Intramural Training & Education (OITE), Office of Intramural Research (OIR), Office of the Director (OD), National Institutes of Health (NIH); 2 Center Drive: Building 2/Room 2E06; Bethesda, Maryland 20892 or call non-toll-free number 240–476–3619 or email your request, including your address to: *pat.wagner@nih.gov*. Formal requests for additional plans and instruments must be requested in writing.

SUPPLEMENTARY INFORMATION: Section 3506(c)(2)(A) of the Paperwork Reduction Act of 1995 requires: written comments and/or suggestions from the public and affected agencies are invited to address one or more of the following points: (1) Whether the proposed collection of information is necessary for the proper performance of the function of the agency, including whether the information will have practical utility; (2) 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) 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 those who are to respond, including the use of appropriate automated, electronic, mechanical, or other technological collection techniques or other forms of information technology.

Proposed Collection Title: NIH Office of Intramural Training & Education—Application, Registration, and Alumni Systems, 0925–0299, exp., date, 03/31/2027, REVISION, Office of Intramural Training & Education (OITE), Office of Intramural Research (OIR), Office of the Director (OD), National Institutes of Health (NIH).

Need and Use of Information Collection: The Office of Intramural Training & Education (OITE) administers a variety of programs and initiatives to recruit pre-college through post-doctoral educational level individuals into the National Institutes of Health Intramural Research Program (NIH–IRP) to facilitate their development into future biomedical scientists. The proposed information collection is necessary to assess the eligibility and quality of potential awardees for traineeships in these programs.

The OITE collection systems use templates that have features that may be enabled based on that particular program need, this includes the following categories: number of recommendation letters, financial need statement, NIH campus location, etc. In addition, these templates allow for program specific labeling and directions to ensure each collection form is tailored for a specific training program, including but not limited to: Summer Internship Program (SIP), Postbaccalaureate Program (PBP), Graduate Partnerships Program (GPP), Undergraduate Scholarship Program (UGSP), and Fellows Award for Research Excellence (FARE).

The collection forms solicit the following information categories: personal information, eligibility criteria, contact information, university-assigned student identification number, training program selection, scientific discipline interests, educational level, educational history, reference information, resume components, employment history, employment interests, research abstract, personal statement, letters of recommendation, financial aid need, and sensitive data. Additional collection forms are designed to collect information relevant to on-boarding paperwork, event registrations, off-boarding paperwork, interview experience feedback, and training program experience feedback. Sensitive data collected on the applicants: race/ethnicity, sex, relatives at NIH, and recruitment method, are made available only to select OITE staff members or in aggregate form to select NIH offices; no sensitive information is provided to the admission committees for admission consideration.

OMB approval is requested for 3 years. There are no costs to respondents other than their time. The total estimated annualized burden hours are 14,311.

ESTIMATED ANNUALIZED BURDEN HOURS

Type	Number of respondents	Number of responses annually per respondent	Average time/response (hours)	Total annual burden hours
NIH–AC Account	2,250	1	1/60	38
NIH–AC Applications	10,000	1	45/60	7,500
NIH–AC Reference Letters	25,000	1	10/60	4,167
NIH–AC Financial Need	150	1	10/60	25
UGSP Interview Experience Survey	30	1	10/60	5
UGSP Contract	25	1	10/60	4
UGSP Payback Evaluation	40	1	10/60	7
UGSP Deferment Form	50	1	10/60	8
GPP Interview Experience Survey	90	1	10/60	15
GPP Awards Certificate	75	1	3/60	4
FARE Application	950	1	10/60	158
FARE Judge Registration	375	1	3/60	19
Trainee Onboarding Survey	1,300	1	10/60	217
Trainee Offboarding Survey	1,300	1	10/60	217
Trainee Feedback Survey	2,000	1	20/60	667
OITE Website Accounts	5,200	1	3/60	260
Event Registrations	20,000	1	3/60	1,000
Totals	68,460			14,311

Dated: April 24, 2026.

Matthew J. Memoli,

Principal Deputy Director, National Institutes of Health.

[FR Doc. 2026–08456 Filed 4–29–26; 8:45 am]

BILLING CODE 4140–01–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

National Institutes of Health

Center for Scientific Review; Notice of Closed Meetings

Pursuant to section 1009 of the Federal Advisory Committee Act, as amended, notice is hereby given of the following meetings.

The meetings will be closed to the public in accordance with the provisions set forth in sections 552b(c)(4) and 552b(c)(6), Title 5 U.S.C., as amended. The grant applications and the discussions could disclose confidential trade secrets or commercial property such as patentable material, and personal information concerning individuals associated with the grant applications, the disclosure of which would constitute a clearly unwarranted invasion of personal privacy.

Name of Committee: Brain Disorders and Clinical Neuroscience Integrated Review Group; Brain Injury and Neurovascular Disorders Study Section.

Date: June 2, 2026.

Time: 9:00 a.m. to 7:00 p.m.

Agenda: To review and evaluate grant applications.

Address: National Institutes of Health, 6701 Rockledge Drive, Bethesda, MD 20892.

Meeting Format: Virtual Meeting.

Contact Person: Gek Ming Sia, Ph.D., Scientific Review Officer, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Drive, Bethesda, MD 20892, (301) 480–3341, *gekming.sia@nih.gov.*

Name of Committee: Healthcare Delivery and Methodologies Integrated Review Group; Organization and Delivery of Health Services Study Section.

Date: June 3, 2026.

Time: 9:00 a.m. to 7:00 p.m.

Agenda: To review and evaluate grant applications.

Address: National Institutes of Health, Rockledge II, 6701 Rockledge Drive, Bethesda, MD 20892.

Meeting Format: Virtual Meeting.

Contact Person: Mary Kate Baker, DRPH, MPH, Scientific Review Officer, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Drive, Bethesda, MD 20892, 301–594–5117, *katie.baker2@nih.gov.*

Name of Committee: Surgical Sciences, Biomedical Imaging and Bioengineering Integrated Review Group; Bioengineering, Technology and Surgical Sciences Study Section.

Date: June 4, 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: Khalid Masood, Ph.D., Scientific Review Officer, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Drive, Room 5120, MSC 7854, Bethesda, MD 20892, 301–435–2392, *masoodk@csr.nih.gov.*

Name of Committee: Emerging Technologies and Training Neurosciences Integrated Review Group; Molecular Neurogenetics Study Section.

Date: June 11–12, 2026.

Time: 8:00 a.m. to 7:00 p.m.

Agenda: To review and evaluate grant applications.

Address: National Institutes of Health, Rockledge II, 6701 Rockledge Drive, Bethesda, MD 20892.

Meeting Format: Virtual Meeting.

Contact Person: Prithi Rajan, Ph.D., Scientific Review Officer, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Drive, Bethesda, MD 20892, *prithi.rajan@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 27, 2026.

Margaret N. Vardanian,

Program Analyst, Office of Federal Advisory Committee Policy.

[FR Doc. 2026–08381 Filed 4–29–26; 8:45 am]

BILLING CODE 4140–01–P

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

[Docket No. FR–7107–N 09; OMB Control No.: 2577–0169]

30-Day Notice of Proposed Information Collection: Housing Choice Voucher Program and Tribal HUD–VASH

ACTION: Notice.

SUMMARY: HUD is seeking approval from the Office of Management and Budget (OMB) for the information collection described below. In accordance with the Paperwork Reduction Act, HUD is requesting comments from all interested parties on the proposed collection of information. The purpose of this notice is to allow for 30 days of public comment.

DATES: *Comments Due Date:* June 1, 2026.

ADDRESSES: Interested persons are invited to submit comments regarding this proposal. 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: Anna Guido, PRA Compliance Officer, Paperwork Reduction Act Division, PRAD, Department of Housing and Urban Development, 451 7th Street SW, Room 8210, Washington, DC 20410; email at *PaperworkReductionActOffice@hud.gov,* ATTN: Anna Guido, telephone (202) 402–5535. This is not a toll-free number. HUD welcomes and is prepared to receive calls om individuals who are deaf or hard of hearing, as well as individuals with speech or communication disabilities. To learn more about how to make an accessible telephone call, please visit *https://www.fcc.gov/consumers/guides/telecommunications-relay-service-trs.*

Copies of available documents submitted to OMB may be obtained from Ms. Guido.

SUPPLEMENTARY INFORMATION: This notice informs the public that HUD is seeking approval from OMB for the information collection described in Section A. The **Federal Register** notice that solicited public comment on the information collection for a period of 60 days was published on February 13, 2026 at 90 FR 6865.

A. Overview of Information Collection

Title of Information Collection: Housing Choice Voucher Program and Tribal HUD–VASH.

OMB Approval Number: 2577–0169.

Type of Request: Revision of a currently approved collection.

Form Number: HUD–50164, HUD–52515, HUD–52517, HUD–52530A Part 1, HUD–52530A Part 2, HUD–52530B Part 1, HUD–52530B Part 2, HUD–52530C, HUD–52531A, HUD–52531B, HUD–52578B, HUD–52580, HUD–52580A, HUD–52641, HUD–52641A, HUD–52642, HUD–52646, HUD–52649, HUD–52665, HUD–52667, HUD–5980, SF–424, HUD–2880, HUD–2991, HUD–2993, SF–LLL, PHA-owned Certification—Tenant-based Assistance HUD NEW–XXXXX, Tenancy Addendum—Following Termination of PBV Assistance to a Project HUD NEW–XXXXX, PBV PHA-owned Agreement Certification—New Construction or Rehabilitation Part 1 and Part 2 HUD NEW–XXXXX, PBV PHA-owned Certification—Existing Housing Part 1 and Part 2 HUD NEW–XXXXX, PBV PHA-owned Certification—New Construction or Rehabilitated Housing Part 1 and Part 2 HUD NEW–XXXXX, PBV HAP Contract Rider—Rehabilitated Housing HUD NEW–XXXXX, PHA-owned Certification Rider—PBV Rehabilitated Housing HUD NEW–XXXXX.

Description of the Need for the Information and Proposed Use: Public housing agencies (PHA) apply for funding to assist very low-income families to lease or purchase housing. PHAs maintain records on participant eligibility, unit acceptability, lease and housing assistance payments, and budget and payment documentation. PHAs may also project-base a portion of their vouchers or use their vouchers under the Homeownership Option. The Tribal HUD–VASH program provides rental assistance and supportive services to Native American veterans who are Homeless or At Risk of Homelessness living on or near a reservation or other Indian areas.

The Housing Choice Voucher (HCV) Program is the federal government's major program for assisting low-income families, the elderly, and individuals with disabilities to afford decent, safe, and sanitary housing in the private market. Since housing assistance is provided on behalf of the family or

individual, participants are able to find their own housing, including single-family homes, townhouses and apartments. The participant may choose any housing that meets the requirements of the program. The Project-based Voucher (PBV) program is a component of the HCV program where the assistance is ''attached to the structure,'' which may be a multifamily building or a single-family property.

PHAs will prepare an application for funding which specifies the number of units requested as well as the PHA's objectives and plans for administering the HCV and PBV programs. The application is reviewed by HUD Headquarters and HUD Field Offices and ranked according to the PHA's administrative capability, the need for housing assistance and other factors specified in a notice of funding opportunity. The PHAs must establish a utility allowance schedule for all utilities and other services. Units must be inspected using HUD prescribed forms to determine if the units meet the housing quality standards (HQS) of the HCV program. Under certain circumstances, if authorized by the PHA, a family may use its voucher to purchase a modest home. Section 8(o) of the United States Housing Act of 1937 (USHA) (42 U.S.C. 1437), as amended by Section 545 of the Quality Housing and Work Responsibility Act of 1998 (QHWRA) and more recently by the Housing Opportunity Through Modernization Act of 2016 (Pub. L. 114–201, 130 Stat. 782) (HOTMA), authorized the merger of the Section 8 tenant-based programs (certificate and voucher programs) into a single market-driven program (entitled the HCV program). Section 8(y) of the USHA, as amended by Section 555 of QHWRA authorized the ''homeownership option'' under the HCV program.

Under the HCV program, the Department enters into an Annual Contributions Contract (ACC) with PHAs to assist very low-income families to lease or purchase safe, decent, and affordable housing. PHAs are required to maintain complete and accurate program and accounting records in accordance with HUD requirements; in a manner that permits a speedy and effective audit. PHAs must maintain records on eligibility (*e.g.,* verification of income, disability status and citizenship); records of subsidized units (*e.g.,* unit inspection reports, rent reasonableness documentation, tenant leases and housing assistance payments (HAP) contracts).

Section 8(o)(13) of the USHA allows PHAs to project-base a portion of their tenant-based vouchers. PHAs participating in the PBV program may: (1) enter into a housing assistance payments (HAP) contract with a private owner for existing housing projects; or (2) pursuant to the HOTMA Voucher Final Rule published on May 7, 2024 (89 FR 38224), have the option of entering into an agreement governing development activity for newly constructed or rehabilitated housing projects or rather proceeding directly to entering into a HAP contract with a private owner. PHAs may also now allow for development activity to occur after HAP contract execution, subject to execution of a rehabilitated housing rider. For PHA-owned units that are not owned by a separate legal entity from the PHA, the HOTMA Voucher Final Rule gives PHAs the option to execute a PHA-owned agreement certification, a PHA-owned certification, or a PHA-owned rehabilitation housing rider in lieu of executing an Agreement, a PBV HAP contract, or a rehabilitated housing rider, respectively.

The Tribal HUD–VA Supportive Housing (Tribal HUD–VASH) Program provides rental assistance and supportive services to Native American veterans who are homeless or at risk of homelessness in Indian country. Housing assistance under this program is made available by grants to Tribes and Tribally Designated Housing Entities (TDHEs) that are eligible to receive Indian Housing Block Grant (IHBG) funding under the Native American Housing Assistance and Self-Determination Act of 1996 (25 U.S.C. 4212) (NAHASDA). Tribes request Tenant-Based and/or Project-Based Rental Assistance by the number of bedrooms in a rental unit. Grants and renewal funds are awarded based on the number of rental units (Tenant-Based and Project-Based Rental Assistance) approved by HUD. Grants include an additional amount for administrative costs and eligible homeless veterans receive case management services through the Department of Veterans Affairs.

BILLING CODE 4210–67–P

Information Collection	Number of Respondents	Frequency of Responses	Responses per Annum	Burden Hour Per Response	Annual Burden Hours	Hourly Cost Per Response	Annual Cost
HCV Renewal Forms							
Funding Application (HUD –52515)	300	1	300	5	1,500.00	$45.14	$67,710.00
Request for Tenancy Approval (HUD-52517)	2,192	55	120,560	0.5	60,280.00	$45.14	$2,721,039.20
Inspection Checklist (HUD-52580)	2,192	950	2,082,400	0.5	1,041,200.00	$45.14	$46,999,768.00
Inspection Form (HUD-52580A)	2,192	950	2,082,400	0.5	1,041,200.00	$45.14	$46,999,768.00
HAP Contract, Tenant Based Assistance (HUD-52641)	2,192	30	65,760	0.5	32,880.00	$45.14	$1,484,203.20
Tenancy Addendum, Tenant Based Assistance (52641A)	2,192	30	65,760	0.5	32,880.00	$45.14	$1,484,203.20
HAP Contract Manufactured Home Space Rental, Tenant Based Assistance (HUD-52642)	2,192	2	4,384	0.5	2,192.00	$45.14	$98,946.88
Voucher (HUD-52646)	2,192	60	131,520	0.05	6,576.00	$45.14	$296,840.64
Statement of Homeowner Obligations (HUD-52649)	100	10	1,000	0.25	250	$45.14	$11,285.00
Portability Information (IIUD-52665)	2,192	10	21,920	0.5	10,960.00	$45.14	$494,734.40
Utility Allowance Schedule (HUD-52667)	2,192	350	767,200	0.25	191,800.00	$45.14	$8,657,852.00
New HCV Forms							
Tenancy Addendum-Following Termination of PBV Assistance to the Project (HUD-XXXXX)	2,192	3	6,576	0.5	3,288.00	$45.14	$148,420.32
PHA-Owned Certification– Tenant Based Assistance (HUD-XXXXX)	300	10	3,000	0.5	1,500.00	$45.14	$67,710.00
PBV Renewal Forms							
PBV HAP Contract– New Construction or Rehabilitation (HUD-52530A, Part 1)	121	1	121	1	121	$45.14	$5,461.94

PBV HAP Contract – New Construction or Rehabilitation (HUD-52530A, Part 2)	121	1	121	1	121	$45.14	$5,461.94
PBV HAP Contract– Existing Housing (HUD-52530B, Part 1)	121	1	121	1	121	$45.14	$5,461.94
PBV HAP Contract - Existing Housing (HUD-52530B, Part 2)	121	1	121	1	121	$45.14	$5,461.94
PBV Tenancy Addendum (HUD-52530C)	871	33	28,743	0.25	7,185.75	$45.14	$324,364.76
PBV Agreement to enter into a HAP Contract Part 1 (HUD-52531A)	48	1	48	0.25	12	$45.14	$541.68
PBV Agreement to enter into a HAP Contract Part 2 (HUD-52531B)	47	1	47	0.25	11.75	$45.14	$530.40
PBV Statement of Family Responsibility (HUD-52578b)	871	33	28,743	0.25	7,185.75	$45.14	$324,364.76
New PBV Forms							
PBV PHA-owned Agreement Certification – New Construction or Rehabilitation Part 1 (HUD-XXXXX)	5	1	5	0.25	1.25	$45.14	$56.43
PBV PHA-owned Agreement Certification – New Construction or Rehabilitation Part 2 (HUD-XXXXX)	5	1	5	1	5	$45.14	$225.70
PBV PHA-owned Certification - Existing Housing Part 1 (HUD-XXXXX)	13	1	13	1	13	$45.14	$586.82
PBV PHA-owned Certification - Existing Housing Part 2 (HUD-XXXXX)	13	1	13	1	13	$45.14	$586.82
PBV PHA-owned Certification – New Construction or Rehabilitation Part 1 (HUD-XXXXX)	13	1	13	1	13	$45.14	$586.82
PBV PHA-owned Certification New Construction or Rehabilitation Part 2 (HUD-XXXXX)	13	1	13	1	13	$45.14	$586.82

PBV HAP Contract Rider - Rehabilitated Housing (HUD-XXXXX)	26	1	26	0.5	13	$45.14	$586.82
PBV PHA-owned Certification Rider - Rehabilitated Housing (HUD-XXXXX)	3	1	3	0.5	1.5	$45.14	$67.71
Other Renewal Forms							
Tribal HUD-VASH Leasing Performance Report (HUD-5980)	26	1	26	0.5	13	$45.14	$586.82
Unexploded Ordnance Hazards Disclosure (HUD-50164)	100	1	100	0.3	30	$45.14	$1,354.20
HCV Information Collection - not HUD forms							
Notice of Unit Approval/Denial	2,192	55	120,560	0.5	60,280.00	$45.14	$2,721,039.20
Applications (Pre-Application, Application for Continued Occupancy, Interim Change)	2,192	1,400	3,068,800	0.25	767,200.00	$45.14	$34,631,408.00
Information Packet	2,192	55	120,560	1	120,560.00	$45.14	$5,442,078.40
PHA Information to Owner about tenant	2,192	55	120,560	0.5	60,280.00	$45.14	$2,721,039.20
PHA notification to HUD of insufficient funds for portability moves	400	1	400	0.5	200	$45.14	$9,028.00
Homeownership: Required Contract of Sale Provisions	100	10	1,000	0.25	250	$45.14	$11,285.00
PBV Information Collection - Not HUD forms							
Public Notice of PHA Requests for PBV Proposals	268	1	268	1	268	$45.14	$12,097.52
PHA PBV Notice of Proposal or Project Selection	268	1	268	0.5	134	$45.14	$6,048.76
PHA Notice of Intent to Project-Base Vouchers	292	1	292	1	292	$45.14	$13,180.88
PHA Request to HUD for Approval to Terminate PBV HAP Contract	20	1	20	1	20	$45.14	$902.80
Owner Notice to Terminate PBV HAP Contract	27	30	810	0.25	202.5	$45.14	$9,140.85

Legal Opinion that PHA's Unit/Project is No Longer PHA-owned	45	1	45	1	45	$45.14	$2,031.30
Notification of Ownership if Unit/Project is PHA-owned	150	1	150	1	150	$45.14	$6,771.00
Joint PHA/Independent Entity Certification Regarding No Legal, Financial, Other Ties.	150	1	150	0.5	75	$45.14	$3,385.50
Certification Regarding Previously Approved Independent Entity	180	1	180	0.5	90	$45.14	$4,062.60
Notice of Determination of Rent Reasonableness	150	3	450	2	900	$45.14	$40,626.00
Review of PHA's PBV Selection Process	90	2	180	3	540	$45.14	$24,375.60
Family Unification Program Information Collection- Not HUD forms							
FUP Statement of Need	300	1	300	2	600	$45.14	$27,084.00
FUP Memorandum of Understanding	300	1	300	5	1,500.00	$45.14	$67,710.00
FUP Evidence of a self-sufficiency program	175	1	175	0.5	87.5	$45.14	$3,949.75
Tribal HUD-VASH Information Collections - Not HUD forms							
HUD-VASH VAMC letter of support	50	1	50	5	250	$45.14	$11,285.00
HUD-VASH signed formal agreement	50	1	50	6	300	$45.14	$13,542.00
HUD-VASH boundary description	50	1	50	0.5	25	$45.14	$1,128.50
Tribal HUD-VASH application materials	29	1	29	8	232	$45.14	$10,472.48
Totals	**37,020**		**8,846,709**		**3,455,982.00**	**$45.14**	**$156,003,027.50**

B. Solicitation of Public Comment

This notice is soliciting comments from members of the public and affected parties concerning the collection of information described in Section A on the following:

(1) 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) The accuracy of the agency's estimate of the burden of the proposed collection of information;

(3) Ways to enhance the quality, utility, and clarity of the information to be collected; and

(4) Ways to minimize the burden of the collection of information on those who are to respond; including through the use of appropriate automated collection techniques or other forms of information technology, *e.g.,* permitting electronic submission of responses.

HUD encourages interested parties to submit comment in response to these questions.

C. Authority

Section 2 of the Paperwork Reduction Act of 1995, 44 U.S.C. 3507.

Anna Guido,

Department PRA Compliance Officer, Office of Policy Development and Research, Chief Data Officer.

[FR Doc. 2026–08400 Filed 4–29–26; 8:45 am]

BILLING CODE 4210–67–C

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

[Docket No. FR–7106–N–22]

Privacy Act of 1974; System of Records

AGENCY: Office of Multifamily Housing, Office of Housing, HUD.

ACTION: Notice of a Modified System of Records.

SUMMARY: Pursuant to the provisions of the Privacy Act of 1974, as amended, the Department of the Housing and Urban Development (HUD) is issuing public notice of its intent to modify the system of records for the Comprehensive Servicing and Monitoring System (CSMS). CSMS is a system HUD uses to manage and track loans, property operations, and financial transactions for HUD-owned multifamily properties, including billing, payments, expenses, and tenant lease information. The updates made are explained in the ''Supplementary Section'' of this notice. This notice supersedes the previously published SORN.

DATES: Comments will be accepted on or before *June 1, 2026*. This proposed action will be effective on the date following the end of the comment period unless comments are received which result in a contrary determination.

ADDRESSES: You may submit comments, identified by docket number or by one of the following methods:

Federal e-Rulemaking Portal: http://www.regulations.gov Follow the instructions provided on that site to submit comments electronically.

Fax: 202–619–8365.

Email: privacy@hud.gov.

Mail: Attention: Privacy Office; Kimberly Morton, Acting Chief Privacy Officer; Office of the Executive Secretariat; 451 7th Street SW, Room 10139; Washington, DC 20410–0001.

Instructions: All submissions received must include the agency name and docket number for this rulemaking. All comments received will be posted without change to *http://www.regulations.gov*. including any personal information provided.

Docket: For access to the docket to read background documents or comments received go to *http://www.regulations.gov*.

FOR FURTHER INFORMATION CONTACT: Kimberly Morton, Acting Chief Privacy Officer; 451 7th Street SW, Room 10139; Washington, DC 20410–0001; telephone number 804–822–4801 (this is not a tollfree number). HUD welcomes and is prepared to receive calls from individuals who are deaf or hard of hearing, as well as individuals with speech or communication disabilities. To learn more about how to make an accessible telephone call, please visit *https://www.fcc.gov/consumers/guides/telecommunications-relay-service-trs*.

SUPPLEMENTARY INFORMATION: The Department of Housing and Urban Development (HUD), Office of Housing, Office of Finance and Budget maintain the Comprehensive Servicing and Management System (CSMS). CSMS is a mixed financial system that is used for property management and loan servicing. HUD is publishing this revised notice to include the 542(b) and 542(c) Risk Share Program. CSMS received a new 542 loan portfolio for HUD called Risk Sharing Direct Loans (RSDL) with the new contract awarded in 2022. This portfolio includes a new file to HUD's subsidiary ledger (FHASL). These changes reflect the modified items below:

1. Modified the system number from HUD/DEPT–03 to HUD/HOU–06 to reflect privacy's SORN inventory list.

2. *System Manager(s):* Updated to reflect new System Manager for CSMS system.

3. *Authorities:* Updated to include citations to the 542(b) and 542(c) Risk Share Program records, the Housing and Community Development Act of 1992, Section 542 as amended included in this system.

4. *Purposes of System:* CSMS is the accounting module of record for Direct Loans by FHA under the 542(b) and 542(c) Risk Share Program.

5. *Policies and Practices for Retention and Disposal of Records:* Updated to reflect the accurate disposition authority number and retention instructions for CSMS system.

6. *Routine Uses for Records Maintained in the System:* Updated to bring it to current applicable routine uses. Routine Use (2) updated to reflect fraud, waste and abuse. Routine Use (13) is added to fulfill responsibilities in 5 U.S.C. 552(h) to reflect sharing information to verify eligibility and resolve FOIA disputes through OGIS. Routine Use (14), which was previously added by 91 FR 2137 (January 16, 2026), has also been incorporated to the end of the Routine Use section.

SYSTEM NAME AND NUMBER:

Comprehensive Servicing and Management System (CSMS), HUD/HOU–06

SECURITY CLASSIFICATION:

Unclassified.

SYSTEM LOCATION:

Records are maintained at Dynaxys, 1911 Tech Rd, Silver Spring, MD 20904: at a secure data center at the Disaster Recovery Site 8180 Green Meadows Drive North, Lewis Center, OH 43035–0001.

SYSTEM MANAGER(S):

Mickey Holland, Management Information Specialist, 202–402–3939, Office of Multifamily Asset Management and Portfolio Oversight, HUD Headquarters 451 7th Street SW, Washington, DC 20410.

AUTHORITY FOR MAINTENANCE OF THE SYSTEM:

The National Housing Act, 12 U.S.C 1701 *et seq*. authorizes the loan programs that are serviced by CSMS, the United States Housing Act of 1937, as amended, 42 U.S.C. 1437 *et seq.;* The Housing and Community Development Amendments of 1981, 12 U.S.C. 2294; the Housing and Community Development Act of 1992, 542(b), 542(c) Risk Share Program Section amended, 12 U.S.C. 1715z–22; the Stewart B. McKinney Homeless Assistance Amendments Act of 1988, Section 904 as amended, 42 U.S.C. 3544; the United States Housing and Community Development Act of 1987, Section 165, 42 U.S.C. 3543(a), permits the participants to submit their SSNs as a condition of eligibility.

PURPOSES OF THE SYSTEM:

CSMS is a loan servicing, property management, and accounting system. The purpose of the system is to bill and collect funds owed to HUD/Federal Housing Administration (FHA) to provide program information about loan repayment and status, to manage investment of reserve for replacement funds, to process and reimburse property managers or vendors for expenses incurred in managing multifamily properties owned by the Department, to track lease information for tenants living in HUD-owned properties, and to account for all transactions on this portfolio. CSMS is a subsidiary ledger to the FHA's general ledger. CSMS provides servicing for loans acquired through the payment of insurance claims and loans from the Mark to Market and Demonstration preservation programs. In addition, CSMS is the accounting and servicing module for direct loans by FHA under 542(b) and 542(c) Risk Share Program for multifamily loans insured on a risk-sharing basis.

CATEGORIES OF INDIVIDUALS COVERED BY THE SYSTEM:

Mortgagors, billing agents, vendors who are local businesses involved in

property management or inspection and tenants, federal employees.

CATEGORIES OF RECORDS IN THE SYSTEM:

Borrower's name, Borrower's Taxpayer Identification Number (TIN)/ Social Security Numbers (SSNs), Property addresses, Phone numbers, Email addresses, Financial information (institutional information, routing, account numbers and account type), Reserve for Replacement escrow accounts, accounting data including debits and credits to HUD accounts based on transaction events, collection history, Mortgagee-in-Possession activity, Loan termination data, HUD-Owned Property/Tenant: Names, Addresses, Email addresses, SSNs, Marital status, Gender, bid packages, closing activities, vendor/business partner (financial information, TIN/ SSN, routing, account numbers, small business identifier).

RECORD SOURCE CATEGORIES:

Records in the system are obtained from HUD employees and their contractors who deal directly with the mortgagors, billing agents, vendors, and tenants. All other data is collected from FHA Subsidiary Ledger.

ROUTINE USES OF RECORDS MAINTAINED IN THE SYSTEM, INCLUDING CATEGORIES OF USERS AND PURPOSES OF SUCH USES:

(1) To a congressional office from the record of an individual, in response to an inquiry from the congressional office made at the request of that individual.

(2) To Federal agencies, non-Federal entities, their employees, and agents (including contractors, their agents or employees; employees or contractors of the agents or designated agents); or contractors, their employees or agents with whom HUD has a contract, service agreement, grant, cooperative agreement, or computer matching agreement for the purpose of: (a) Detection, prevention, and recovery of improper payments; (b) detection and prevention of fraud, waste, and abuse in major Federal programs administered by a Federal agency or non-Federal entity; (c) detection of fraud, waste, and abuse by individuals in their operations and programs; or (d) for the purpose of establishing or verifying the eligibility of, or continuing compliance with statutory and regulatory requirements by, applicants for, recipients or beneficiaries of, participants in, or providers of services with respect to, cash or in-kind assistance or payments under Federal benefits programs or recouping payments or delinquent debts under such Federal benefits programs. Records under this routine use may be disclosed only to the extent that the information shared is necessary and relevant to verify pre-award and prepayment requirements prior to the release of Federal funds or to prevent and recover improper payments for services rendered under programs of HUD or of those Federal agencies and non-Federal entities to which HUD provides information under this routine use.

(3) To contractors, grantees, experts, consultants, Federal agencies, and non-Federal entities, including, but not limited to, State and local governments and other research institutions or their parties, and entities and their agents with whom HUD has a contract, service agreement, grant, cooperative agreement, or other agreement, for the purposes of statistical analysis and research in support of program operations, management, performance monitoring, evaluation, risk management, and policy development, or to otherwise support the Department's mission. Records under this routine use may not be used in whole or in part to make decisions that affect the rights, benefits, or privileges of specific individuals. The entity receiving information under this routine use may not disclose the records in an identifiable form.

(4) To contractors, grantees, experts, consultants and their agents, or others performing or working under a contract, service, grant, cooperative agreement, or other agreement with HUD, when necessary to accomplish an agency function related to a system of records. Disclosure requirements are limited to only those data elements considered relevant to accomplishing an agency function.

(5) To appropriate federal, state, local, tribal, or other governmental entities, with the approval of the Chief Privacy Officer, when HUD is aware of a need to use relevant data for purposes of testing new technology.

(6) To appropriate agencies, entities, and persons when (a) HUD suspects or has confirmed that there has been a breach of the system of records, (b) HUD has determined that as a result of the suspected or confirmed breach there is a risk of harm to individuals, HUD (including its information systems, programs, and operations), the Federal Government, or national security; and (c) the disclosure made to such agencies, entities, and persons is reasonably necessary to assist in connection with HUD's efforts to respond to the suspected or confirmed breach or to prevent, minimize, or remedy such harm.

(7) To another Federal agency or Federal entity when HUD determines that information from this system of records is reasonably necessary to assist the recipient agency or entity in (a) responding to a suspected or confirmed breach or (b) preventing, minimizing, or remedying the risk of harm to individuals, the recipient agency or entity (including its information systems, programs, and operations), the Federal Government, or national security, resulting from a suspected or confirmed breach.

(8) To appropriate Federal, State, local, tribal, or other governmental agencies or multilateral governmental organizations responsible for investigating or prosecuting the violations of, or for enforcing or implementing, a statute, rule, regulation, order, or license, where HUD determines that the information would assist in the enforcement of civil or criminal laws when such records, either alone or in conjunction with other information, indicate a violation or potential violation of law.

(9) To a court, magistrate, administrative tribunal, or arbitrator while presentingevidence, including disclosures to opposing counsel or witnesses in the course of civil discovery, litigation, mediation, or settlement negotiations, or in connection with criminal law proceedings.When HUD determines that use of such records is relevant and necessary to the litigation and when any of the following is a party to the litigation or have an interest in such litigation: (a) HUD, or any component thereof; or (b) any HUD employee in his or her official capacity; or (c) any HUD employee in his or her individual capacity where HUD has agreed to represent the employee; or (d) the United States, or any agency thereof, where HUD determines that litigation is likely to affect HUD or any of its components.

(10) To any component of the Department of Justice or other Federal agency conducting litigation or in proceedings before any court, adjudicative, or administrative body, when HUD determines that the use of such records is relevant and necessary to the litigation and when any of the following is a party to the litigation or have an interest in such litigation: (a) HUD, or any component thereof. or (b) any HUD employee in his or her official capacity; or (c) any HUD employee in his or her individual capacity where the Department of Justice or agency conducting the litigation has agreed to represent the employee; or (d) the United States, or any agency thereof,

where HUD determines that litigation is likely to affect HUD or any of its components.

(11) To the IRS for reporting of payments, forgiveness of debt, and property sales under section 6109 of the Internal Revenue Code.

(12) To banks holding escrow monies for the purpose of establishing interest, bearing accounts and reporting interest payments to the IRS under section 6109 of the Internal Revenue Code.

(13) To the National Archives and Records Administration, Office of Government Information Services (OGIS), to the extent necessary to fulfill its responsibilities in 5 U.S.C. 552(h), to review administrative agency policies, procedures and compliance with the Freedom of Information Act (FOIA), and to facilitate OGIS' offering of mediation services to resolve disputes between persons making FOIA requests and administrative agencies.

(14) 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.

POLICIES AND PRACTICES FOR STORAGE OF RECORDS:

Electronic and paper records.

POLICIES AND PRACTICES FOR RETRIEVAL OF RECORDS:

Records may be retrieved by Borrower's Name or a personal identifier such as TIN/SSN.

POLICIES AND PRACTICIES FOR RETENTION AND DISPOSAL OF RECORDS:

Temporary. Destroy 6 years after the Secretary ceased to have any liability and/or interest in the project. HUD Records Disposition Schedule, Section 10, Item 7.

ADMINISTRATIVE, TECHNICAL, AND PHYSICAL SAFEGUARDS:

Access to CSMS is by password and user ID and limited to authorized users. Paper records are maintained in locked drawers or in file cabinets at 11911 Tech Road, Silver Spring, MD 20904. Role-based access levels or assignment roles are restricted to those who have a need-to-know. When first gaining access to CSMS and on an annual basis, all users must agree to the systems ''Rules of Behavior' which specify the handling of personal information and any physical records.

RECORD ACCESS PROCEDURES:

Individuals requesting records of themselves should address written inquiries to the Department of Housing Urban and Development 451 7th Street SW, Washington, DC 20410–0001. For verification, individuals should provide their full name, current address, and telephone number. In addition, the requester must provide either a notarized statement, or an unsworn declaration made under 24 CFR 16.4.

CONTESTING RECORD PROCEDURES:

The HUD rule for contesting the content of any record pertaining to the individual by the individual concerned is published in 24 CFR 16.8 or may be obtained from the system manager.

NOTIFICATION PROCEDURES:

Individuals requesting notification of records of themselves should address written inquiries to the Department of Housing Urban Development, 451 7th Street SW, Washington, DC 20410–0001. For verification purposes, individuals should provide their full name, office or organization where assigned, if applicable, and current address and telephone number. In addition, the requester must provide either a notarized statement, or an unsworn declaration made under 24 CFR 16.4.

EXEMPTIONS PROMULGATED FOR THE SYSTEM:

None.

HISTORY:

Docket No FR–7707–N–05, 88 FR 14634, March 9, 2023, modified by Docket No. FR–7106–N–12, 91 FR 2137, January 16, 2026. Docket No FR–7009–N–01, 83 FR 7208, February 20, 2018.

Kimberly Morton,

Acting Chief Privacy Officer, Office of Administration.

[FR Doc. 2026–08351 Filed 4–29–26; 8:45 am]

BILLING CODE 4210–67–P

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

[Docket No. FR–7109–N–06; OMB Control No.: 2577–0021]

60-Day Notice of Proposed Information Collection: Consolidated Public Housing Certification of Completion

AGENCY: Office of the Assistant Secretary for Public and Indian Housing (PIH), HUD.

ACTION: Notice.

SUMMARY: HUD is seeking approval from the Office of Management and Budget (OMB) for the information collection described below. In accordance with the Paperwork Reduction Act, HUD is requesting comments from all interested parties on the proposed collection of information. The purpose of this notice is to allow for 60 days of public comment.

DATES: *Comments Due Date:* June 29, 2026.

ADDRESSES: Interested persons are invited to submit comments regarding this proposal. Written comments and recommendations for the proposed information collection can be sent within 60 days of publication of this notice to *www.regulations.gov.* Interested persons are also invited to submit comments regarding this proposal and comments should refer to the proposal by name and/or OMB Control Number and should be sent to: Dawn Martin, Office of Public and Indian Housing, Department of Housing and Urban Development, 415 7th Street SW, Washington, DC 20410.

FOR FURTHER INFORMATION CONTACT: Dawn Martin, Office of Public and Indian Housing, Department of Housing and Urban Development, 415 7th Street SW, Washington, DC 20410; email *PIH-PRAPublicComments@hud.gov,* telephone (202) 402–6488. This is not a toll-free number. HUD welcomes and is prepared to receive calls from individuals who are deaf or hard of hearing, as well as individuals with speech or communication disabilities. To learn more about how to make an accessible telephone call, please visit *https://www.fcc.gov/consumers/guides/telecommunications-relay-service-trs.* Copies of available documents submitted to OMB may be obtained from Ms. Martin.

SUPPLEMENTARY INFORMATION: This notice informs the public that HUD is seeking approval from OMB for the information collection described in Section A.

A. Overview of Information Collection

Title of Information Collection: Consolidated Public Housing Certification of Completion.

OMB Approval Number: 2577–0021.

Type of Request: Extension.

Form Number: N/A.

Description of the need for the information and proposed use: Public housing agencies (PHAs) certify to HUD that project development contract requirements and standards have been satisfied so that HUD may authorize payment of funds due to the contractor/developer.

Respondents: State and Local Government.

Information collection	Number of respondents	Frequency of response	Responses per annum	Burden hour per response	Annual burden hours	Hourly cost per response	Annual cost
Consolidated Public Housing Certification of Completion	58	1	58	1	58	$47.92	$2,779

B. Solicitation of Public Comment

This notice is soliciting comments from members of the public and affected parties concerning the collection of information described in Section A on the following:

(1) 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) The accuracy of the agency's estimate of the burden of the proposed collection of information;

(3) Ways to enhance the quality, utility, and clarity of the information to be collected; and

(4) Ways to minimize the burden of the collection of information on those who are to respond, including through the use of appropriate automated collection techniques or other forms of information technology, *e.g.,* permitting electronic submission of responses.

HUD encourages interested parties to submit comments in response to these questions.

C. Authority

Section 2 of the Paperwork Reduction Act of 1995, 44 U.S.C. 3507.

Laura Kunkel,

Acting Director, Office of Policy, Programs, and Legislative Initiatives.

[FR Doc. 2026–08357 Filed 4–29–26; 8:45 am]

BILLING CODE 4210–67–P

DEPARTMENT OF THE INTERIOR

Geological Survey

[Docket No. USGS–2026–0199; OMB Control Number 1028–0137; GX26EN05ES90000]

Agency Information Collection Activities; Evaluation of the Artic Rivers Project

AGENCY: U.S. Geological Survey, Interior.

ACTION: Notice of information collection; request for comment.

SUMMARY: In accordance with the Paperwork Reduction Act (PRA) of 1995, the U.S. Geological Survey (USGS) is proposing to renew a previously approved information collection.

DATES: Interested persons are invited to submit comments on or before June 29, 2026.

ADDRESSES: You may submit comments by one of the following methods:

- *Internet: https://www.regulations.gov.* Search for and submit comments on Docket No. USGS–2026–0199.
- *U.S. Mail:* USGS, Information Collections Clearance Officer, 12201 Sunrise Valley Drive, MS 159, Reston, VA 20192.

FOR FURTHER INFORMATION CONTACT: To request additional information, contact Ryan Toohey by email at *rtoohey@usgs.gov,* or by telephone at 907–227–6423. 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: In accordance with the PRA of 1995 (44 U.S.C. 3501 *et seq.*) and 5 CFR 1320.8(d)(1), all information collections require approval under the PRA. We may not conduct or sponsor and you are not required to respond to a collection of information unless it displays a currently valid OMB control number.

As part of our continuing effort to reduce paperwork and respondent burdens, we invite the public and other Federal agencies to comment on new, proposed, revised, and continuing collections of information. This helps us assess the impact of our information collection requirements and minimize the public's reporting burden. It also helps the public understand our information collection requirements and provide the requested data in the desired format.

We are especially interested in public comments addressing the following:

(1) Whether or not the collection of information is necessary for the proper performance of the functions of the agency, including whether the information will have practical utility.

(2) The accuracy of our estimate of the burden for this 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) How the agency might 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, *e.g.,* permitting electronic submission of response.

Comments that you submit in response to this notice are a matter of public record. We will include or summarize each comment in our request to OMB to approve this ICR. Before including your address, phone number, email address, or other personally identifiable information (PII) in your comment, you should be aware that your entire comment—including your PII—may be made publicly available at any time. While you can ask us in your comment to withhold your PII from public review, we cannot guarantee that we will be able to do so.

Abstract: We will collect information from stakeholders of the Arctic Rivers Project, which include representatives of Tribal communities in Alaska, representatives of Tribal organizations, and others regarding the effectiveness of participatory methods and the achievement of overall project goals. Evaluation information will be collected via semi-structured interviews, surveys, and polls. Questions will focus on the relevancy of the project to participants, methods used to engage with participants, feedback about project components, input for the direction of the project, preferred communication methods, and current and future use of project products. This information will allow for a greater understanding of the effectiveness of community engagement, the co-production process, and participation in the direction of the project. This information will help guide the project through its various phases, and it will help enhance

communication and product development.

Title of Collection: Evaluation of the Arctic Rivers Project.

OMB Control Number: 1028–0137.

Form Number: None.

Type of Review: Extension of a currently approved collection.

Respondents/Affected Public: Individuals/Tribal governments.

Total Estimated Number of Annual Respondents: 150.

Total Estimated Number of Annual Responses: 150.

Estimated Completion Time per Response: 30 minutes.

Total Estimated Number of Annual Burden Hours: 75.

Respondent's Obligation: Voluntary.

Frequency of Collection: Once

Total Estimated Annual Non-hour Burden Cost: None

The authority for this action is the PRA of 1995 (44 U.S.C. 3501 *et seq.*).

Stephen Gray,

Alaska Climate Science Center Director.

[FR Doc. 2026–08374 Filed 4–29–26; 8:45 am]

BILLING CODE 4338–11–P

DEPARTMENT OF THE INTERIOR

Bureau of Indian Affairs

[267A2100DD/AAKP300000/A0A501010.000000]

Prairie Island Indian Community in the State of Minnesota; Alcohol and Controlled Substance Ordinance

AGENCY: Bureau of Indian Affairs, Interior.

ACTION: Notice.

SUMMARY: This notice publishes the Prairie Island Indian Community Alcohol and Controlled Substance (Ordinance), which supersedes any conflicting provision found in the Prairie Island Indian Community Ordinance published on March 30, 1954.

DATES: The Ordinance shall become effective April 30, 2026.

FOR FURTHER INFORMATION CONTACT: Rebecca Smith, Acting Tribal Operations Officer, Midwest Regional Office, Bureau of Indian Affairs, 5600 West American Boulevard, Suite 500, Bloomington, Minnesota 55437; Telephone: (612) 725–4500; Fax: (612) 713–4401.

SUPPLEMENTARY INFORMATION: Pursuant to the Act of August 15, 1953, Public Law 83–277, 67 Stat. 586, 18 U.S.C. 1161, as interpreted by the Supreme Court in *Rice* v. *Rehner,* 463 U.S. 713 (1983), the Secretary of the Interior shall certify and publish in the **Federal Register** notice of adopted liquor control ordinances for the purpose of regulating liquor transactions in Indian country. On December 11, 2024, the Prairie Island Indian Community in the State of Minnesota adopted amendments to its Alcohol and Controlled Substance Ordinance by Resolution Nos. 24–12–11–296 and 25–4–9–54, which supersedes any conflicting provision found in the Prairie Island Indian Community ordinance published in the **Federal Register** on March 30, 1954 (19 FR 1778).

This notice is published in accordance with the authority delegated by the Secretary of the Interior to the Assistant Secretary–Indian Affairs. I certify that the Tribal Council of the Prairie Island Indian Community in the State of Minnesota duly adopted these amendments to the Community's Alcohol and Controlled Substance Ordinance on December 11, 2024.

The Prairie Island Indian Community Alcohol and Controlled Substance Ordinance, as amended, shall read as follows:

Section 1. Short Title. This Ordinance shall be known and may be cited as the Prairie Island Indian Community Alcohol and Controlled Substance Ordinance.

Section 2. Statement of Purpose, Findings, and Authority.

a. *Purpose.* It is the policy of the Community Council to protect the safety and welfare of persons within the Reservation and to ensure the maintenance of law and order on the Reservation by regulating the purchase, possession, and consumption of Alcoholic Beverages by persons under the age of 21 years, by regulating the possession or consumption of Alcoholic Beverages in public places during Community events including but not limited to the annual Summer and Winter Pow Wows, and by prohibiting the purchase, possession, or use of Controlled Substances by all persons on the Reservation.

b. *Findings.* [reserved].

c. *Authority.* [reserved].

Section 3. *Definitions.* Unless otherwise clearly indicated herein, the terms used in this Ordinance shall have the meanings given them in Minn. Stat., Section 340A.101 (2023), as that Section may be amended from time to time. If a definition for a term is not provided by the text of this Ordinance, or by Minn. Stat., Section 340A.101 (2023), then the term is to be given its ordinary and plain meaning.

a. ''Alcoholic Beverage'' means any beverage as that term is defined in the Community's Liquor Control Ordinance.

b. ''Community'' means the Prairie Island Indian Community in the State of Minnesota, a federally recognized Indian Tribe.

c. ''Community Council'' means the constitutionally authorized governing body of the Community, also referred to as the ''Tribal Council.''

d. ''Community Member'' or ''Member'' means an enrolled member of the Prairie Island Indian Community.

e. ''Consume'' means both the ingestion of an Alcoholic Beverage or Controlled Substance and the physical condition of having ingested an Alcoholic Beverage or Controlled Substance.

f. ''Controlled Substance'' means a drug, substance, or immediate precursor as identified in Schedules I through V of Section 152.02 of Minnesota Statutes, as that Section may be amended from time to time.

g. ''Drug Paraphernalia'' means all equipment, products, and materials of any kind, except those items used in conjunction with permitted uses of Controlled Substances under the Uniform Controlled Substances Act, which are knowingly or intentionally used primarily in:

1. manufacturing a Controlled Substance;

2. injecting, ingesting, inhaling, or otherwise introducing into the human body a Controlled Substance;

3. testing the strength, effectiveness, or purity of a Controlled Substance; or

4. enhancing the effect of a Controlled Substance.

h. ''Law Enforcement Officer'' means any full or part-time officer employed by the Prairie Island Indian Community Police Department, including the Chief of Police, unless the context clearly indicates otherwise. It also includes ''Peace Officers'' as defined in Minnesota Statutes, Section 626.84, subd. l(c) (2023), as that Section may be amended from time to time, subject to the limitations contained in Section 5(b) of this Ordinance.

i. ''Prairie Island Indian Community Reservation'' or ''Reservation'' means all lands and waters within the exterior boundaries of the Prairie Island Indian Community Reservation, notwithstanding the issuance of any patent, easement, or rights-of-way running through the Reservation, ceded lands, and such other lands without such boundaries as may be added by purchase, exchange, transfer, gift, or grant, or which are under the jurisdiction of the Community.

j. ''Possess'' means and includes, but is not limited to, being in a room, any motorized vehicle, including snowmobiles and ATVs, a boat, trailer, or public or private place where Alcoholic Beverages or Controlled Substances are openly displayed and accessible. Lack of knowledge of the existence or lack of accessibility to such Alcoholic Beverages or Controlled Substances shall be an affirmative defense that must be asserted and established by a preponderance of the evidence.

k. ''Tribal Court'' means the Prairie Island Mdewakanton Dakota Community Tribal Court.

Section 4. Applicability. The provisions of this Ordinance apply to all persons who purchase, Possess, or Consume Alcoholic Beverages or Controlled Substances on the Reservation in violation of this Ordinance.

Section 5. Enforcement and General Provisions.

a. *Enforcement Authority.*

1. *Authorized Law Enforcement Officers.* The Following Law Enforcement Officers are

empowered and authorized to enforce this Ordinance:

A. The Prairie Island Community Chief of Police and Officers of the Prairie Island Indian Community Police Department; and

B. Peace Officers employed by jurisdictions that meet the requirements of subsection (a)(2) of this Section.

2. *Limitation of Authority as to Peace Officers.* The authority granted to Peace Officers in subsection (a)(1) of this Section will be effective only if and when a cooperative agreement is in effect between the Prairie Island Indian Community and the relevant state or local law enforcement agency.

3. *Entry of Dwellings.* Authorized Law Enforcement Officers shall have the authority to enter private dwellings for the purpose of enforcing this Ordinance if the Officer has probable cause to believe that the Ordinance is being violated, either subject to the authority of a Tribal or State Court search warrant, or as permitted by Minnesota law regarding warrantless searches.

4. *Process.* A copy of each citation issued pursuant to this Ordinance shall be promptly submitted to the Clerk of the Tribal Court. The recipient of the citation then has twenty (20) days from the filing of the citation with the Tribal Court to respond. The defendant may mark the citation with a plea of guilty and pay the associated fine or may mark the citation with a plea of not guilty and return it to the Tribal Court within the specified time, in which case a date for trial will be set. The failure of a defendant to respond to the citation within the specified time will be considered a plea of guilty and a waiver of the right to a trial, unless the defendant can show that the failure to respond was due to excusable neglect or exigent circumstances beyond their control.

b. *Jurisdiction.*

1. The Tribal Court shall have the exclusive jurisdiction to enforce the provisions of this Ordinance and impose the penalties provided for therein upon the presentation of a complaint by the Community Council, an Officer of the Prairie Island Community Police Department, or other Authorized Law Enforcement Officer. The prosecution of a complaint may be carried out by the complainant, including an Authorized Law Enforcement Officer, notwithstanding whether such person is an attorney and notwithstanding whether such person has been admitted to appear before the Tribal Court, or by a prosecutor assigned by the Community Council.

2. Nothing in this Section shall be construed to preclude or limit a State Court's ability to afford full faith and credit to an order of the Tribal Court issued under the authority of this Ordinance.

c. *Penalties.*

1. Fine Categories.

A. For the purposes of this Ordinance the following penalties are associated with the following fine categories:

Violation	Fine
Level 1 Offense ..	a civil fine not greater than $500.
Level 2 Offense ..	a civil fine not greater than $1,000.

B. The Tribal Court shall impose all fines under this Ordinance, and all fines collected under this Ordinance shall be payable directly to the Clerk of the Tribal Court. No Law Enforcement Officer may accept payment of a fine under this Ordinance.

2. Nonpayment of Fines. If a fine levied by the Tribal Court under this Ordinance against a Member of the Community is not paid within thirty (30) days, the Tribal Court shall have the authority to order garnishment of the Member's per capita distributions in the amount of the fine. If the fine levied by the Tribal Court under this Ordinance against a Community Member who is a minor is not paid within 30 days, the Tribal Court shall have the authority to order the garnishment of the per capita distributions of the minor's parent or legal guardian in the amount of the fine, if such parent or legal guardian is a Member of the Community, or to impose the fine or Community service or both against a parent or legal guardian who is not a Member of the Community.

3. Fines—Repeat Offenders. Unless otherwise provided in this Ordinance, if a person is convicted of a second offense under this Ordinance within a twelve (12) month period, the Tribal Court may, in its sole discretion, double the dollar amount of the applicable fine.

4. Other Penalties Authorized.

A. *Trespass.* If a non-member is convicted of a Controlled Substance offense, the Tribal Court shall also have the authority to trespass nonmembers from the Community for a fixed period, or permanently as the Court may deem appropriate in its sole discretion.

B. *Chemical Dependency and Alcohol Assessments.* If a Community Member is convicted of a Controlled Substance violation, the Tribal Court shall also have the authority to require that the Community Member submit to a chemical dependency assessment and to follow all recommendations resulting from that assessment. If a Community Member is convicted of a second alcohol-related offense in a twelve (12) month period, the Tribal Court shall also have the authority to require that the Community Member submit to an alcohol assessment and to follow all recommendations resulting from that assessment.

d. *Penalties Civil in Nature; Applicability of Indian Civil Rights Act.* The penalties authorized by this Ordinance are civil in nature and do not preclude or affect the ability of the State of Minnesota to criminally prosecute offenders in the Courts of the State of Minnesota based on the same occurrence. This Ordinance will be enforced in compliance with the protections afforded by the Indian Civil Rights Act of 1968, 25 U.S.C. 1301–1341.

Section 6. Alcohol.

a. *Consumption.* It is a violation of this Ordinance for any person under the age of 21 years to consume Alcoholic Beverages. A violation of this subsection shall constitute a Level 1 Offense.

b. *Purchase.*

1. It is a violation of this Ordinance for any person:

A. to sell, barter, furnish, or give Alcoholic Beverages to a person under 21 years of age;

B. under the age of 21 years to purchase or attempt to purchase any Alcoholic Beverage; or

C. to induce a person under the age of 21 years to purchase or procure any Alcoholic Beverage or to lend or knowingly permit the use of the person's driver's license, permit, Minnesota identification, or other form of identification by a person under the age of 21 years for the purpose of purchasing or attempting to purchase an Alcoholic Beverage.

2. A violation of subsections (b)(1)(A) or (C) of this Section shall constitute a Level 2 Offense. A violation of subsection (b)(1)(B) of this Section shall constitute a Level 1 Offense.

c. *Possession.* It is a violation of this Ordinance for a person under the age of 21 years to possess any Alcoholic Beverage. A violation of this subsection shall constitute a Level 1 Offense.

d. *Misrepresentation of Age.* It is a violation of this Ordinance for a person under the age of 21 years to claim to be 21 years old or older for the purpose of purchasing, possessing, or consuming Alcoholic Beverages. A violation of this subsection shall constitute a Level 1 Offense.

e. *Community Events.* It is a violation of this Ordinance for any person to possess or consume Alcoholic Beverages on the Reservation (with the exception of homesite assignments and business enterprises of the Prairie Island Indian Community, including but not limited to, Treasure Island Resort & Casino and Mount Frontenac Golf Course) during Community events, including specifically, but not limited to, the Community's annual Summer and Winter Pow Wows and such other events as the Community Council may identify by formal Resolution and upon notice. A violation of this subsection shall constitute a Level 1 Offense.

Section 7. Controlled Substances.

a. It is a violation of this Ordinance for any person to manufacture, deliver, receive, sell, Possess, or Consume, without a valid pharmacist license or without a valid prescription from a medical doctor, a Controlled Substance. A violation of this subsection shall constitute a Level 2 Offense.

b. It is a violation of this Ordinance for any person to Possess Drug Paraphernalia. A violation of this subsection shall constitute a Level 1 Offense.

Section 8. Records.

a. The Tribal Court shall keep a full record of every case in which a person is convicted of a violation of any part of this Ordinance and shall make that record, or an abstract thereof, available to the Department of Public Safety of the State of Minnesota upon request.

b. No record of the conviction of any person under this Ordinance shall be admissible as evidence in any court in any civil action, nor shall such record impair the credibility of such persons as a witness in any legal proceeding.

Section 9. Miscellaneous Provisions.

a. *Severability.* If any provision of this Ordinance or its application to any person or circumstance is held invalid, the remainder of this Ordinance, or the application of the provision to other persons or circumstances is not affected.

b. [reserved].

William Henry Kirkland III,

Assistant Secretary—Indian Affairs.

[FR Doc. 2026–08422 Filed 4–29–26; 8:45 am]

BILLING CODE 4337–15–P

DEPARTMENT OF THE INTERIOR

Bureau of Land Management

[A2407–014–004–065516; #O2509–014–004–125222; LLAZG010000]

Realty Action: Recreation and Public Purposes Act Classification in Graham County, AZ

AGENCY: Bureau of Land Management, Interior.

ACTION: Notice of realty action.

SUMMARY: The Bureau of Land Management (BLM) has determined that 280 acres of public land in Graham County, Arizona, are suitable for conveyance to the City of Safford under the Recreation and Public Purposes (R&PP) Act. The city plans to use the land to expand its landfill for solid waste disposal.

DATES: Interested parties may submit written comments regarding this proposed classification for patent on or before June 15, 2026.

ADDRESSES: Written comments may be mailed, or hand delivered to the BLM, Safford Field Office, 711 14th Ave., Safford, AZ 85546. Comments may also be submitted electronically at *BLM_AZ_SFOWEB@blm.gov.* The BLM will not consider comments received by telephone.

FOR FURTHER INFORMATION CONTACT: Clara Gauna, Realty Specialist, telephone: (928) 348–4434, email: *cgauna@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 subject lands have been examined in an environmental assessment (DOI–BLM–AZ–G010–2025–0020–EA). Conveyance would be in conformance with the BLM Safford District Resource Management Plan (RMP) and environmental impact statement as approved in the Partial Records of Decision dated September 1992 and July 1994, and as amended by the Decision Record for the Land Tenure Amendment to the Safford District RMP approved in September 1994. The lands are legally described as:

Gila and Salt River Meridian, Arizona

T. 6 S., R. 26 E.,
Sec. 30, S½NW¼NE¼, SW¼NE¼, S½NE¼NW¼, SE¼NW¼, NE¼SW¼, SE¼SW¼, NW¼SE¼, and SW¼SE¼.

The areas described contains 280 acres.

Records regarding the solid waste disposal on the land are maintained by the city of Safford. Solid waste commonly includes small quantities of commercial hazardous waste and household hazardous waste as determined in the Resource Conservation and Recovery Act of 1976, as amended (42 U.S.C. 6901), and defined in 40 CFR 261.4 and 261.5. Although there is no indication that these materials pose any significant risk to human health or the environment, future land uses should be limited to those which do not penetrate the liner or final cover of the landfill unless excavation is conducted subject to applicable State and Federal requirements.

All interested parties will receive this notice after it is published in the **Federal Register**. It will also appear in a local newspaper once a week for 3 consecutive weeks.

Upon publication of this notice in the **Federal Register**, the lands will be segregated from all forms of appropriation under the public land laws, including the United States general mining laws, except for conveyance under the R&PP Act, leasing under the mineral leasing laws and disposals under the mineral material disposal laws. The segregation will terminate upon issuance of a patent, upon final rejection of the application, or 18 months from the date of this notice, whichever occurs first.

The patent of the land, when issued, will be subject to the following terms, conditions, and reservations:

1. The reservation to the United States of a right-of-way thereon for ditches and canals constructed by the authority of the United States, Act of August 30, 1890 (43 U.S.C. 945).

2. Provisions of the R&PP Act and all applicable regulations of the Secretary of the Interior, including regulations at 43 CFR 2743.

3. All minerals shall be reserved to the United States, together with the right to prospect for, mine and remove such deposits from the same under applicable law and such regulations as the Secretary of the Interior may prescribe; and subject to valid existing rights.

4. Conveyance of the parcels is subject to valid existing rights.

5. An appropriate indemnification clause protecting the United States from claims arising out of the patentee's use, occupancy, or operations on the patented lands.

6. Any other reservations that the authorized officer determines are appropriate to ensure public access and proper management of Federal lands and interests therein.

7. Additional terms, conditions and reservations may be added as the authorized officer deems appropriate.

Classification Comments: Interested parties may submit comments involving the suitability of the land for solid waste disposal purposes. Comments on the classification are restricted to 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.

Application Comments: Interested parties may submit comments regarding the use proposed, whether the BLM followed proper administrative procedures in reaching the decision, or any other factor not directly related to the suitability of the lands for the R&PP patent.

Any adverse comments will be reviewed by the BLM Arizona State Director, who may sustain, vacate, or modify this realty action. In the absence of any adverse comments, the classification will become effective on June 29, 2026. The land will not be offered for conveyance until after the classification becomes effective.

Before including your address, phone number, email address, or other personal identifying information in any comment, 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 comment to withhold your personal identifying information from public review, we cannot guarantee that we will be able to do so.

(Authority: 43 CFR 2743.2)

Sharisse Flatt,

Field Manager, Safford Field Office.

[FR Doc. 2026–08349 Filed 4–29–26; 8:45 am]

BILLING CODE 4331–12–P

DEPARTMENT OF THE INTERIOR

Bureau of Land Management

[A2407–014–004–065516, #O2509–014–004–125222]

Filing of Survey Plats: Alaska

AGENCY: Bureau of Land Management, Interior.

ACTION: Notice of official filing.

SUMMARY: The plats of survey of lands described in this notice are scheduled to be officially filed in the Bureau of Land Management (BLM), Alaska State Office, Anchorage, Alaska. The surveys, which were executed at the request of the BLM, are necessary for the management of these lands.

DATES: The BLM must receive protests by June 1, 2026.

ADDRESSES: You may buy a copy of the plats from the BLM Alaska Public Information Center, 222 W 7th Avenue, Mailstop 13, Anchorage, AK 99513. Please use this address when filing written protests. You may also view the plats at the BLM Alaska Public Information Center, Fitzgerald Federal Building, 222 West 7th Avenue, Anchorage, Alaska, at no cost.

FOR FURTHER INFORMATION CONTACT: Nathan C. Erickson, Chief, Branch of Cadastral Survey, Alaska State Office, Bureau of Land Management, 222 West 7th Avenue, Anchorage, AK 99513; telephone 907–271–5770; email *n05erick@blm.gov.* Individuals in the United States who are deaf, blind, 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 lands surveyed are:

Copper River Meridian, Alaska

U.S. Survey No. 14652, accepted December 23, 2025, situated in T. 1 S., R. 1 W.
U.S. Survey No. 14688, accepted February 25, 2026, situated in T. 10 S., R. 5 W.
U.S. Survey No. 14693, accepted February 24, 2026, situated in T. 14 N., R. 12 E.
U.S. Survey No. 14716, accepted February 23, 2026, situated in T. 23 N., R. 12 E.
U.S. Survey No. 14717, accepted February 23, 2026, situated in T. 25 N., R. 13 E.

Kateel River Meridian, Alaska

U.S. Survey No. 14683, accepted February 23, 2026, situated in T. 6 S., R. 22 W.
U.S. Survey No. 14710, accepted February 24, 2026, situated in T. 4 S., R. 14 W.

Seward Meridian, Alaska

U.S. Survey No. 14686, accepted February 23, 2026, situated in T. 3 S., R. 32 W.
U.S. Survey No. 14708, accepted February 23, 2026, situated in T. 12 S., R. 55 W.
U.S. Survey No. 14718, accepted February 23, 2026, situated in T. 27 N., R. 58 W.

A person or party who wishes to protest one or more plats of survey identified above must file a written notice of protest with the State Director for the BLM in Alaska. The protest may be filed by mailing to the BLM State Director, Alaska State Office, Bureau of Land Management, 222 West 7th Avenue, Mailstop 13, Anchorage, AK 99513 or by delivering it in person to BLM Alaska Public Information Center, Fitzgerald Federal Building, 222 West 7th Avenue, Anchorage, Alaska. The notice of protest must identify the plat(s) of survey that the person or party wishes to protest. You must file the notice of protest before the scheduled date of official filing for the plat(s) of survey being protested. The BLM will not consider any notice of protest filed after the scheduled date of official filing. A notice of protest is considered filed on the date it is received by the State Director for the BLM in Alaska during regular business hours; if received after regular business hours, a notice of protest will be considered filed the next business day. A written statement of reasons in support of a protest, if not filed with the notice of protest, must be filed with the State Director for the BLM in Alaska within 30 calendar days after the notice of protest is filed.

If a notice of protest against a plat of survey is received prior to the scheduled date of official filing, the official filing of the plat of survey identified in the notice of protest will be stayed pending consideration of the protest. A plat of survey will not be officially filed until the dismissal or resolution of all protests of the plat.

Before including your address, phone number, email address, or other personally identifiable information in a notice of protest or statement of reasons, you should be aware that the documents you submit, including your personally identifiable information, may be made publicly available in their entirety at any time. While you can ask the BLM to withhold your personally identifiable information from public review, we cannot guarantee that we will be able to do so.

(Authority: 43 U.S.C. Chap. 3)

John G. Hill,

Acting Chief Cadastral Surveyor, Alaska.

[FR Doc. 2026–08350 Filed 4–29–26; 8:45 am]

BILLING CODE 4331–10–P

INTERNATIONAL TRADE COMMISSION

[Investigation No. 337–TA–1500]

Certain Semiconductor Devices, Products Containing Same, and Components Thereof; Notice of Institution of Investigation

AGENCY: U.S. International Trade Commission.

ACTION: Notice.

SUMMARY: Notice is hereby given that a complaint was filed with the U.S. International Trade Commission on March 26, 2026, under section 337 of the Tariff Act of 1930, as amended, on behalf of GlobalFoundries U.S. Inc. of Malta, New York. A supplement to the complaint was filed on April 1, 2026. The complaint, as supplemented, alleges violations of section 337 based upon the importation into the United States, the sale for importation, and the sale within the United States after importation of certain semiconductor devices, products containing same, and components thereof by reason of the infringement of certain claims of U.S Patent No. 8,330,235 (''the '235 patent''); U.S. Patent No. 8,507,983 (''the '983 patent''); U.S. Patent No. 9,093,425 (''the '425 patent''); U.S. Patent No. 9,865,546 (''the '546 patent''); U.S. Patent No. 10,062,748 (''the '748 patent''); and U.S. Patent 10,707,167 (''the '167 patent''). The complaint further alleges that an industry in the United States exists as required by the applicable Federal Statute.

The complainant requests that the Commission institute an investigation and, after the investigation, issue a limited exclusion order and cease and desist orders.

ADDRESSES: The complaint, except for any confidential information contained therein, may be viewed on the Commission's electronic docket (EDIS) at *https://edis.usitc.gov.* For help accessing EDIS, please email *EDIS3Help@usitc.gov.* Hearing impaired individuals are advised that information on this matter can be obtained by contacting the Commission's TDD terminal on (202) 205–1810. Persons with mobility impairments who will need special assistance in gaining access to the Commission should contact the Office of the Secretary at (202) 205–2000. General information concerning the Commission may also be obtained by accessing its internet server at *https://www.usitc.gov.*

FOR FURTHER INFORMATION CONTACT: Susan Orndoff, The Office of the Secretary, Docket Services Division,

U.S. International Trade Commission, telephone (202) 205–1802.

SUPPLEMENTARY INFORMATION:

Authority: The authority for institution of this investigation is contained in section 337 of the Tariff Act of 1930, as amended, 19 U.S.C. 1337, and in section 210.10 of the Commission's Rules of Practice and Procedure, 19 CFR 210.10 (2025).

Scope of Investigation: Having considered the complaint, the U.S. International Trade Commission, on April 27, 2026, *ordered that*—

(1) Pursuant to subsection (b) of section 337 of the Tariff Act of 1930, as amended, an investigation be instituted to determine whether there is a violation of subsection (a)(1)(B) of section 337 in the importation into the United States, the sale for importation, or the sale within the United States after importation of certain products identified in paragraph (2) by reason of infringement of one or more of claims 1, 5–12, and 15–19 of the '235 patent; claims 1–7, 13–18, and 20 of the '983 patent; claims 1–9 of the '425 patent; claims 1–14 of the '546 patent; claims 1–12, 14, and 16–18 of the '748 patent; and claims 1–6 of the '167 patent, and whether an industry in the United States exists as required by subsection (a)(2) of section 337;

(2) Pursuant to section 210.10(b)(1) of the Commission's Rules of Practice and Procedure, 19 CFR 210.10(b)(1), the plain language description of the accused products or category of accused products, which defines the scope of the investigation, is ''certain semiconductor devices manufactured using Tower's RF, power management, BCD, logic, SiGe, and BiCMOS processes, including wafers and chips, and components thereof'';

(3) For the purpose of the investigation so instituted, the following are hereby named as parties upon which this notice of investigation shall be served:

(a) The complainant is:

GlobalFoundries U.S. Inc., 400 Stonebreak Road Extension, Malta, NY 12020

(b) The respondents are the following entities alleged to be in violation of section 337, and are the parties upon which the complaint is to be served:

Tower Semiconductor Ltd., Ramat Gavriel Industrial Park, 20 Shaul Amor Avenue, P.O. Box 619, Migdal Haemek, 2310502, Israel

Tower Partners Semiconductor Co., Ltd., 800 Higashiyama, Uozu-city Toyama, 937–8585, Japan

Tower Semiconductor Italy S.R.L. (Italy), Via Marco De Marchi 7, 20121 Milano (MI), Italy

Tower US Holdings, Inc., 4321 Jamboree Road, Newport Beach, California 92660

Tower Semiconductor San Antonio, Inc., 9651 Westover Hills Boulevard, San Antonio, Texas 78251

Tower NPB Holdings, Inc., 2570 N 1st Street, Suite 480, San Jose, California 95131

Tower Semiconductor Newport Beach, Inc., 4321 Jamboree Road, Newport Beach, California 92660

Newport Fab LLC, 4321 Jamboree Road, Newport Beach, California 92660

(4) For the investigation so instituted, the Chief Administrative Law Judge, U.S. International Trade Commission, shall designate the presiding Administrative Law Judge.

The Office of Unfair Import Investigations will not participate as a party in this investigation.

Responses to the complaint and the notice of investigation must be submitted by the named respondents in accordance with section 210.13 of the Commission's Rules of Practice and Procedure, 19 CFR 210.13. Pursuant to 19 CFR 201.16(e) and 210.13(a), such responses will be considered by the Commission if received not later than 20 days after the date of service by the Commission of the complaint and the notice of investigation. Extensions of time for submitting responses to the complaint and the notice of investigation will not be granted unless good cause therefor is shown.

Failure of a respondent to file a timely response to each allegation in the complaint and in this notice may be deemed to constitute a waiver of the right to appear and contest the allegations of the complaint and this notice, and to authorize the administrative law judge and the Commission, without further notice to the respondent, to find the facts to be as alleged in the complaint and this notice and to enter an initial determination and a final determination containing such findings, and may result in the issuance of an exclusion order or a cease and desist order or both directed against the respondent.

By order of the Commission.

Issued: April 28, 2026.

Lisa Barton,

Secretary to the Commission.

[FR Doc. 2026–08439 Filed 4–29–26; 8:45 am]

BILLING CODE 7020–02–P

INTERNATIONAL TRADE COMMISSION

[Investigation No. 337–TA–1465]

Certain Semiconductor Devices, Computing Products Containing the Same, and Components Thereof; Notice of a Commission Determination Not To Review an Initial Determination Granting a Joint Motion To Terminate the Investigation in Its Entirety; Termination of the Investigation in Its Entirety

AGENCY: U.S. International Trade Commission.

ACTION: Notice.

SUMMARY: Notice is hereby given that the U.S. International Trade Commission has determined not to review the presiding administrative law judge's (''ALJ'') initial determination (''ID'') (Order No. 11), granting a joint motion to terminate the above-captioned investigation in its entirety based on a settlement agreement and withdrawal of the complaint. The investigation is terminated in its entirety.

FOR FURTHER INFORMATION CONTACT: Cathy Chen, Office of the General Counsel, U.S. International Trade Commission, 500 E Street SW, Washington, DC 20436, telephone 202–205–2392. Copies of non-confidential documents filed in connection with this investigation may be viewed on the Commission's electronic docket (EDIS) at *https://edis.usitc.gov.* For help accessing EDIS, please email *EDIS3Help@usitc.gov.* General information concerning the Commission may also be obtained by accessing its internet server at *https://www.usitc.gov.* Hearing-impaired persons are advised that information on this matter can be obtained by contacting the Commission's TDD terminal on (202) 205–1810.

SUPPLEMENTARY INFORMATION: The Commission instituted this investigation on December 19, 2025, based on a complaint filed on behalf of Adeia, Inc., Adeia Semiconductor Bonding Technologies, Inc., and Adeia Holdings Inc., all of San Jose, CA (collectively, ''Adeia''). 90 FR 59,579–580 (Dec. 19, 2025). The complaint, as supplemented, alleged violations of section 337 of the Tariff Act of 1930, as amended, 19 U.S.C. 1337, in the importation into the United States, the sale for importation, and the sale within the United States after importation of certain semiconductor devices, computing products containing the same, and components thereof by reason of the infringement of certain claims of U.S.

Patent No. 11,978,681; U.S. Patent No. 12,199,069; U.S. Patent No. 12,322,650; and U.S. Patent No. 12,381,173. The complaint, as supplemented, further alleged that an industry in the United States exists or is in the process of being established as required by the applicable Federal Statute. The Commission's notice of investigation named Advanced Micro Devices, Inc. (''AMD'') of Santa Clara, CA; Lenovo (United States) Inc. of Morrisville, NC; Lenovo Group Limited of Hong Kong; Lenovo Information Products (Shenzhen) Co., Ltd. of Shenzhen, China, and Super Micro Computer, Inc. of San Jose, CA, as respondents. *Id.* at 59,580. The Office of Unfair Import Investigations (''OUII'') was also named as a party in this investigation.

On March 11, 2026, Complainant Adeia and Respondent AMD moved to terminate the investigation based on a settlement agreement between Adeia and AMD. *See* Order No. 11 at 1 (Mar. 31, 2026). Additionally, Adeia moved to withdraw the complaint as to the other respondents in the investigation and limit service of the agreement. *Id.* On March 19, 2026, the ALJ issued Order No. 10, finding the motion did not comply with Commission Rule 210.21(b)(1) because the ''public version of the settlement agreement was over-redacted.'' Order No. 10 at 1–2 (Mar. 19, 2026); *see* 19 CFR 210.21(b)(1). The ALJ directed Adeia and AMD to file an amended public version of the agreement. *Id.* at 2. OUII filed a statement in support of the motion to the extent Adeia and AMD comply with Order No. 10. On March 27, 2026, an amended public version of the agreement was filed.

On March 31, 2026, the ALJ issued the subject ID (Order No. 11), granting the joint motion to terminate the above-captioned investigation as to AMD based on a settlement agreement and as to the remaining respondents based on withdrawal of the complaint. The ID found the motion with the amended public version of the settlement agreement complies with the Commission Rules. Order No. 11 at 2. The ID also found that there are no extraordinary circumstances that warrant denying the motion and there is no evidence indicating that terminating this investigation based on the agreement would be contrary to the public interest. *Id.* at 2–3. No petitions for review were filed.

The Commission has determined not to review the subject ID. The investigation is terminated in its entirety.

The Commission vote for this determination took place on April 27, 2026.

The authority for the Commission's determination is contained in section 337 of the Tariff Act of 1930, as amended, 19 U.S.C. 1337, and in Part 210 of the Commission's Rules of Practice and Procedure, 19 CFR part 210.

By order of the Commission.

Issued: April 27, 2026.

Lisa Barton,

Secretary to the Commission.

[FR Doc. 2026–08384 Filed 4–29–26; 8:45 am]

BILLING CODE 7020–02–P

INTERNATIONAL TRADE COMMISSION

[Investigation No. 731–TA–1046 (Fourth Review)]

Tetrahydrofurfuryl Alcohol From China; Determination

On the basis of the record [1] developed in the subject five-year review, the United States International Trade Commission (''Commission'') determines, pursuant to the Tariff Act of 1930 (''the Act''), that revocation of the antidumping duty order on Tetrahydrofurfuryl Alcohol from China would be likely to lead to continuation or recurrence of material injury to an industry in the United States within a reasonably foreseeable time.

Background

The Commission instituted this review on October 1, 2025 (90 FR 47328), and determined on February 23, 2026, that it would conduct an expedited review (91 FR 13334, March 19, 2026).[2]

The Commission made this determination pursuant to section 751(c) of the Act (19 U.S.C. 1675(c)). It completed and filed its determination in this review on April 27, 2026. The views of the Commission are contained in USITC Publication 5731 (April 2026), entitled *Tetrahydrofurfuryl Alcohol from China: Investigation No. 731–TA–1046 (Fourth Review).*

By order of the Commission.

[1] The record is defined in § 207.2(f) of the Commission's Rules of Practice and Procedure (19 CFR 207.2(f)).

[2] Due to the lapse in appropriations and ensuing cessation of Commission operations, the Commission tolled its schedule for this proceeding. The schedule was revised in a subsequent notice published in the **Federal Register** on December 2, 2025 (91 FR 13334).

Issued: April 27, 2026.

Lisa Barton,

Secretary to the Commission.

[FR Doc. 2026–08362 Filed 4–29–26; 8:45 am]

BILLING CODE 7020–02–P

DEPARTMENT OF JUSTICE

Notice of Lodging of Proposed Second Modification To Consent Decree Under the Comprehensive Environmental Response Compensation and Liability Act

On April 23, 2026, the Department of Justice lodged a proposed Second Modification to Consent Decree (the ''Modification'') with the United States District Court for the District of North Dakota in the lawsuit entitled *United States of America* v. *City of Minot,* Civil Action No. 4:95–cv–141.

The lawsuit was initiated by a complaint filed by the United States on October 26, 1995, alleging that the City of Minot (the ''City'') was liable for the release of hazardous substances at and from the Old Minot Landfill Superfund Site in Minot, North Dakota (the ''Site'') under the Comprehensive Environmental Response, Compensation and Liability Act of 1980. The complaint was resolved by settlement through a Consent Decree that was joined by the State of North Dakota and entered by the Court on February 7, 1996 (''1996 Consent Decree''). Under the 1996 Consent Decree, the City agreed to remediate the Old Minot Landfill and impose institutional controls restricting the future use of the land.

The Modification amends the 1996 Consent Decree to allow for the City to re-purpose the Site for recreational uses such as an 18-hole disc golf course, mountain biking trails, and cross-country running trails. The Modification is made possible by an Explanation of Significant Differences issued by EPA on September 28, 2022, which amended the original Record of Decision that had required a more restrictive post-cleanup land use for the Site. The Modification also makes several technical changes to the 1996 Consent Decree.

The publication of this notice opens a period for public comment on the proposed Modification, which should be addressed to the Assistant Attorney General, Environment and Natural Resources Division, and should refer to *United States of America* v. *City of Minot,* Civil Action No. 4:95–cv–141, D.J. Ref. No. 90–11–3–1107. All comments must be submitted no later than thirty (30) days after the publication date of this notice.

Comments may be submitted either by email or by mail:

To submit comments:	*Send them to:*
By email	*pubcomment-ees.enrd@usdoj.gov.*
By mail	Assistant Attorney General, U.S. DOJ—ENRD, P.O. Box 7611, Washington, DC 20044–7611.

Any comments submitted in writing may be filed by the United States in whole or in part on the public court docket without notice to the commenter.

During the public comment period, the proposed Consent Decree may be examined and downloaded at this Justice Department website: *https://www.justice.gov/enrd/consent-decrees.* If you require assistance accessing the proposed Consent Decree, you may request assistance by email or by mail to the addresses provided above for submitting comments.

Jason A. Dunn,

Assistant Section Chief, Environmental Enforcement Section, Environment and Natural Resources Division.

[FR Doc. 2026–08404 Filed 4–29–26; 8:45 am]

BILLING CODE 4410–15–P

DEPARTMENT OF LABOR

Agency Information Collection Activities; Workforce Recruitment Program

ACTION: Notice of availability; request for comments.

SUMMARY: The Department of Labor (DOL) is submitting this Office of Disability Employment Policy (ODEP)-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 June 1, 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.

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.

FOR FURTHER INFORMATION CONTACT: Nicole Bouchet by telephone at 202–693–0213, or by email at *DOL_PRA_PUBLIC@dol.gov.*

SUPPLEMENTARY INFORMATION: The Workforce Recruitment Program (WRP) is a recruitment program that connects students with disabilities to an opportunity for employment. Through participating colleges and universities, WRP creates a talent pool for Federal and interested private-sector employers nationwide to find college students and recent graduates with disabilities, including veterans, who are eager to demonstrate their abilities in the workplace through internships or permanent jobs. Candidates are not placed into jobs; they are simply applying to be part of a resume talent database of postsecondary students and recent graduates with disabilities that is made available to Federal employers directly and to the private sector through a contractor. Employers will then reach out to candidates directly if they are interested in interviewing or hiring them for a specific position. Candidates also have the opportunity to participate in program career development activities and receive communication about hiring fairs and other federal opportunities shared with the WRP. For additional substantive information about this ICR, see the related notice published in the **Federal Register** on Febuary 9, 2026 (91 FR 5782).

This information collection is subject to the PRA. A Federal agency generally cannot conduct or sponsor a collection of information, and the public is generally not required to respond to an information collection, unless 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–ODEP.

Title of Collection: Workforce Recruitment Program.

OMB Control Number: 1230–0017.

Affected Public: Private Sector—Individuals or Households.

Total Estimated Number of Respondents: 3,100.

Total Estimated Number of Responses: 3,100.

Total Estimated Annual Time Burden: 2,600 hours.

Total Estimated Annual Other Costs Burden: $0.

(Authority: 44 U.S.C. 3507(a)(1)(D).)

Nicole Bouchet,

Senior PRA Analyst.

[FR Doc. 2026–08382 Filed 4–29–26; 8:45 am]

BILLING CODE 4510–26–P

DEPARTMENT OF LABOR

Agency Information Collection Activities; Submission for OMB Review; Comment Request; CW–1 Application for Temporary Employment Certification

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 June 1, 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: This Information Collection Request (ICR) seeks approval under the Paperwork Reduction Act (PRA) to extend and revise this collection made necessary by a statutory requirement for a CW–1 temporary labor certification. More specifically, the Department of Labor (DOL or Department) proposes to extend the Form ETA–9142C, Application for Temporary Employment Certification and appendices, and Form ETA–9141C, Application for Prevailing Wage Determination to carry out responsibilities created for the Department under the Northern Mariana Islands U.S. Workforce Act of 2018 (Pub. L. 115–218).

The ETA Office of Foreign Labor Certification (OFLC) will continue to use this information collection to meet its statutory and regulatory responsibilities for administering the CW–1 temporary labor certification program. An employer seeking to employ CW–1 workers must file a completed CW–1 Application for Temporary Employment Certification (Form ETA–9142C), all appropriate appendices, and a valid Application for Prevailing Wage Determination, with the OFLC National Processing Center (NPC). These forms and all supporting documentation constitute the CW–1 application submitted by an employer to secure a temporary labor certification determination from the OFLC. For additional substantive information about this ICR, see the related notice published in the **Federal Register** on February 3, 2026 (90 FR 4952).

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 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: CW-1 Application for Temporary Employment Certification.

OMB Control Number: 1205–0534.

Affected Public: Private Sector.

Total Estimated Number of Respondents: 705.

Total Estimated Number of Responses: 16,775.

Total Estimated Annual Time Burden: 31,914 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. 2026–08380 Filed 4–29–26; 8:45 am]

BILLING CODE 4510–FN–P

DEPARTMENT OF LABOR

Bureau of Labor Statistics

Agency Information Activities: Proposed Information Collection; BLS Generic Clearance for the Collection of Qualitative Feedback on Agency Service Delivery

AGENCY: Bureau of Labor Statistics, Department of Labor.

ACTION: Request for comment.

SUMMARY: The Department of Labor, as part of its continuing effort to reduce paperwork and respondent burden, conducts a pre-clearance consultation program to provide the general public and Federal agencies with an opportunity to comment on proposed and/or continuing collections of information in accordance with the Paperwork Reduction Act of 1995. This program helps to ensure that requested data can be provided in the desired format, reporting burden (time and financial resources) is minimized, collection instruments are clearly understood, and the impact of collection requirements on respondents can be properly assessed. The Bureau of Labor Statistics (BLS) is soliciting comments concerning the proposed collection of the ''BLS Generic Clearance for the Collection of Qualitative Feedback on Agency Service Delivery.'' A copy of the proposed information collection request can be obtained by contacting the individual listed below in the **ADDRESSES** section of this notice.

DATES: Written comments must be submitted to the office listed in the Addresses section of this notice on or before June 29, 2026.

ADDRESSES: Send comments to Nora Kincaid, BLS Clearance Officer, Division of Management Systems, Bureau of Labor Statistics, by email to *BLS_PRA_Public@bls.gov.*

FOR FURTHER INFORMATION CONTACT: Nora Kincaid, BLS Clearance Officer, at 202–691–7628 (this is not a toll-free number). (See **ADDRESSES** section.)

SUPPLEMENTARY INFORMATION: Office of Management and Budget clearance is being sought for the BLS Generic Clearance for the Collection of Qualitative Feedback on Agency Service Delivery. This information collection activity will be used to garner customer and stakeholder feedback in accordance with the commitment to improving service delivery. The feedback sought is information that provides useful insights on perceptions and opinions, but are not used as statistical surveys that yield quantitative results that can be generalized to the population of study. These collections will: provide insights into customer or stakeholder perceptions, experiences, and expectations; provide an early warning of issues with service; focus attention on areas where communication, training, or changes, in operations might improve delivery of products or services; provide ongoing, collaborative, and actionable communications between BLS and its customers and stakeholders.

These collections will also allow feedback to contribute directly to the improvement of program management. Feedback collected under this generic clearance will provide useful information, but it will not yield data that can be generalized to the overall population.

This type of generic clearance for feedback information will not be designed to yield reliably actionable results such as, for example, monitoring trends over time or documenting program performance. Those sorts of data usages require more rigorous designs that address: The target population to which generalizations will be made; the sampling frame; the sample design (including stratification and clustering); the precision requirements or power calculations that justify the proposed sample size; the expected response rate; methods for assessing potential nonresponse bias;

the protocols for data collection; and any testing procedures that were or will be undertaken prior fielding the study.

Depending on the degree of influence the results are likely to have, such collections may still be eligible for submission for other generic mechanisms that are designed to yield quantitative results.

This information collection is subject to the PRA. A Federal agency generally cannot conduct or sponsor a collection of information, and the public is generally not required to respond to an information collection, unless 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.

BLS seeks PRA authorization for this information collection for three (3) years.

Desired Focus of Comments

The Bureau of Labor Statistics is particularly interested in comments that:

- Evaluate whether the proposed collection of information is necessary for the proper performance of the functions of the agency, including whether the information will have practical utility.
- Evaluate the accuracy of the agency's estimate of the burden of the proposed collection of information, including the validity of the methodology and assumptions used.
- Enhance the quality, utility, and clarity of the information to be collected.
- 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 submissions of responses.

Title of Collection: BLS Generic Clearance for the Collection of Qualitative Feedback on Agency Service Delivery.

OMB Number: 1220–0NEW.

Type of Review: New collection.

Affected Public: Individuals and Households; Private Sector; not-for-profit institutions; State, Local and Tribal Governments.

Annual Number of Respondents: 80,000.

Total Annual Responses: 80,000.

Estimated Annual Total Burden Hours: 8,000.

Comments submitted in response to this notice will be summarized and/or included in the request for Office of Management and Budget approval of the information collection request; they also will become a matter of public record.

Signed on April 27, 2026.

Lizabeth McLean,

Acting Chief, Division of Management Systems, Branch of Policy Analysis.

[FR Doc. 2026–08375 Filed 4–29–26; 8:45 am]

BILLING CODE 4510–24–P

DEPARTMENT OF LABOR

Bureau of Labor Statistics

Proposed Extension of Information Collection; Current Population Survey

AGENCY: Bureau of Labor Statistics, Department of Labor.

ACTION: Request for comment.

SUMMARY: The Department of Labor, as part of its continuing effort to reduce paperwork and respondent burden, conducts a pre-clearance consultation program to provide the general public and Federal agencies with an opportunity to comment on proposed and/or continuing collections of information in accordance with the Paperwork Reduction Act of 1995. This program helps to ensure that requested data can be provided in the desired format, reporting burden (time and financial resources) is minimized, collection instruments are clearly understood, and the impact of collection requirements on respondents can be properly assessed. The Bureau of Labor Statistics (BLS) is soliciting comments concerning the proposed extension of the ''Current Population Survey (CPS).'' A copy of the proposed information collection request can be obtained by contacting the individual listed below in the Addresses section of this notice.

DATES: Written comments must be submitted to the office listed in the **ADDRESSES** section of this notice on or before June 29, 2026.

ADDRESSES: Send comments to Morgan Scheinin, BLS Clearance Officer, Division of Management Systems, Bureau of Labor Statistics, by email to *BLS_PRA_Public@bls.gov*.

FOR FURTHER INFORMATION CONTACT: Morgan Scheinin, BLS Clearance Officer, at 202–691–7628 (this is not a toll free number). (See **ADDRESSES** section.)

SUPPLEMENTARY INFORMATION:

I. Background

The CPS has been the principal source of the official Government statistics on employment and unemployment for over 85 years. The CPS is a monthly sample survey of 60,000 eligible households. The labor force information gathered through the survey is of paramount importance in keeping track of the economic health of the Nation. The survey is the only source of monthly data on total employment and unemployment. The Employment Situation news release contains data from this survey and is designated as a Principal Federal Economic Indicator (PFEI). Moreover, the survey also yields data on the characteristics of people not in the labor force. The CPS data are used monthly, in conjunction with data from other sources, to analyze the extent to which, and with what success, the various components of the American population are participating in the economic life of the Nation.

The labor force data gathered through the CPS are provided to users in the greatest detail possible, in conjunction with the demographic information obtained in the survey. In brief, the labor force data can be broken down by sex, age, race, ethnicity, marital status, family composition, educational level, veteran status, certification and licensing status, disability status, and other characteristics. Through such breakdowns, one can focus on the employment situation of specific population groups as well as on general trends in employment and unemployment. Information of this type can be obtained only through demographically oriented surveys such as the CPS.

The basic CPS data are also used as an important platform on which to base the data derived from the various supplemental questions that are administered in conjunction with the survey. By coupling the basic data from the monthly survey with the special data from the supplements, one can get valuable insights on the behavior of American workers and on the social and economic health of their families.

There is considerable interest in the monthly CPS data among Government policymakers, legislators, economists, the media, and the general public. While the data from the CPS are used in conjunction with data from other surveys in assessing the economic health of the Nation, they are unique in various ways. Specifically, they are the basis for much of the monthly Employment Situation report, a PFEI. They provide a monthly, nationally representative measure of total employment, including farm work, self-employment, and unpaid family work; other surveys are generally restricted to

the nonagricultural wage and salary sector, or provide less timely information. The CPS provides data on all job seekers, and on all people outside the labor force, while payroll-based surveys cannot, by definition, cover these sectors of the population. Finally, the CPS data on employment, unemployment, and on people not in the labor force can be linked to the demographic characteristics of the many groups that make up the Nation's population, while the data from other surveys often have limited demographic information. Many groups, both in the government and in the private sector, are eager to analyze this wealth of demographic and labor force data.

II. Current Action

Office of Management and Budget clearance is being sought for the Current Population Survey (CPS). This survey collects demographic and labor force characteristics on individuals and households in the United States to produce estimates of labor market participation, earnings, and other labor force characteristics. Households are selected to ensure a nationally-representative demographic sample, and one individual from each household is selected to take part in a monthly Computer Assisted Interview for 8 months during a 16-month period. Interviewers ask respondents to report all of their labor market activities for the week prior to the survey.

The labor force information gathered through the survey is of paramount importance in keeping track of the economic health of the Nation. The survey is the only source of monthly data on total employment and unemployment. The Employment Situation news release contains data from this survey and is designated as a Principal Federal Economic Indicator (PFEI). Moreover, the survey also yields data on the characteristics of people not in the labor force. The CPS data are used monthly, in conjunction with data from other sources, to analyze the extent to which, and with what success, the various components of the American population are participating in the economic life of the Nation.

III. Desired Focus of Comments

The Bureau of Labor Statistics is particularly interested in comments that:

- Evaluate whether the proposed collection of information is necessary for the proper performance of the functions of the agency, including whether the information will have practical utility.
- Evaluate the accuracy of the agency's estimate of the burden of the proposed collection of information, including the validity of the methodology and assumptions used.
- Enhance the quality, utility, and clarity of the information to be collected.
- 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 submissions of responses.

Title of Collection: Current Population Survey (CPS).

OMB Number: 1220–0100.

Type of Review: Extension.

Affected Public: Households.

Annual Number of Respondents: 492,000 (41,000 per month).

Frequency: Monthly.

Total Annual Responses: 492,000.

Average Time per Response: 8.1 minutes.

Estimated Total Burden Hours: 66,420 hours.

Comments submitted in response to this notice will be summarized and/or included in the request for Office of Management and Budget approval of the information collection request; they also will become a matter of public record.

Signed on April 27, 2026.

Lizabeth McLean,

Acting Chief, Division of Management Systems, Branch of Policy Analysis.

[FR Doc. 2026–08383 Filed 4–29–26; 8:45 am]

BILLING CODE 4510–24–P

DEPARTMENT OF LABOR

Bureau of Labor Statistics

Proposed Extension of Information Collection; Consumer Price Index Commodities and Services Survey

AGENCY: Bureau of Labor Statistics, Department of Labor.

ACTION: Request for comment.

SUMMARY: The Department of Labor, as part of its continuing effort to reduce paperwork and respondent burden, conducts a pre-clearance consultation program to provide the general public and Federal agencies with an opportunity to comment on proposed and/or continuing collections of information in accordance with the Paperwork Reduction Act of 1995. This program helps to ensure that requested data can be provided in the desired format, reporting burden (time and financial resources) is minimized, collection instruments are clearly understood, and the impact of collection requirements on respondents can be properly assessed. The Bureau of Labor Statistics (BLS) is soliciting comments concerning the proposed extension of the ''Consumer Price Index Commodities and Services Survey.'' A copy of the proposed information collection request can be obtained by contacting the individual listed below in the **ADDRESSES** section of this notice.

DATES: Written comments must be submitted to the office listed in the **ADDRESSES** section of this notice on or before June 29, 2026.

ADDRESSES: Send comments to Nora Kincaid, BLS Clearance Officer, Division of Management Systems, Bureau of Labor Statistics, by email to *BLS_PRA_Public@bls.gov.*

FOR FURTHER INFORMATION CONTACT: Nora Kincaid, BLS Clearance Officer, at 202–691–7628 (this is not a toll free number). (See **ADDRESSES** section.)

SUPPLEMENTARY INFORMATION:

I. Background

Under the direction of the Secretary of Labor, the Bureau of Labor Statistics (BLS) is directed by law to collect, collate, and report full and complete statistics on the conditions of labor and the products and distribution of the products of the same; the Consumer Price Index (CPI) is one of these statistics. The collection of data from a wide spectrum of retail establishments and government agencies is essential for the timely and accurate calculation of the Commodities and Services (C&S) component of the CPI.

The CPI is the only index compiled by the U.S. Government that is designed to measure changes in the purchasing power of the urban consumer's dollar. The CPI is a measure of the average change in prices over time paid by urban consumers for a market basket of goods and services. The CPI is used most widely as a measure of inflation and serves as an indicator of the effectiveness of government economic policy. It is also used as a deflator of other economic series, that is, to adjust other series for price changes and to translate these series into inflation-free dollars. Examples include retail sales, hourly and weekly earnings, and components of the Gross Domestic Product.

A third major use of the CPI is to adjust dollar values. The CPI is often used to adjust consumers' income payments (for example, Social Security), to adjust income eligibility levels for government assistance, and to

automatically provide cost-of-living wage adjustments to millions of American workers.

At least fifteen states have laws that link the adjustment in state minimum wage to the changes in the CPI. The index affects the income of more than 100 million people as a result of statutory action: over 67 million Social Security beneficiaries and over 41 million Supplemental Nutrition Assistance Program (SNAP) recipients, among other programs. Changes in the CPI also affect the cost of lunches for over 28 million children who eat lunch at school as part of the National School Lunch Program (NSLP). Under the National School Lunch Act and Child Nutrition Act, national average payments for those lunches and breakfasts are adjusted annually by the Secretary of Agriculture on the basis of the change in the CPI series, ''Food away from Home.'' Many private firms and individuals use the CPI to keep rents, royalties, alimony payments and child support payments in line with changing prices. Since 1985, the CPI has been used to adjust the Federal income tax structure to prevent inflation-induced tax rate increases.

II. Current Action

Office of Management and Budget clearance is being sought for the Consumer Price Index Commodities and Services Survey.

The continuation of the collection of prices for the CPI is essential since the CPI is the nation's chief source of information on retail price changes. If the information on C&S prices were not collected, Federal fiscal and monetary policies would be hampered due to the lack of information on price changes in a major sector of the U.S. economy and estimates of the real value of the Gross National Product could not be made. The consequences to both the Federal and private sectors would be far reaching and would have serious repercussions on Federal government policy and institutions.

III. Desired Focus of Comments

The Bureau of Labor Statistics is particularly interested in comments that:

• Evaluate whether the proposed collection of information is necessary for the proper performance of the functions of the agency, including whether the information will have practical utility.

• Evaluate the accuracy of the agency's estimate of the burden of the proposed collection of information, including the validity of the methodology and assumptions used.

• Enhance the quality, utility, and clarity of the information to be collected.

• 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 submissions of responses.

Title of Collection: Consumer Price Index Commodities and Services Survey.

OMB Number: 1220–0039.

Type of Review: Extension.

Affected Public: Private Sector, Business or other for-profits, Not-for-profit institutions, State, Local, or Tribal Governments.

Form	Annual number of respondents	Number of responses per respondent	Total annual responses	Average annual burden (hours)	Estimated total burden (hours)
Pricing	30,966	8.7416	270,694	.33	89,329
Outlet rotation	8,605	1	8,605	1	8,605
Totals	39,571	.....	279,299	.....	97,934

Comments submitted in response to this notice will be summarized and/or included in the request for Office of Management and Budget approval of the information collection request; they also will become a matter of public record.

Signed on April 27, 2026.

Lizabeth McLean,

Acting Chief, Division of Management Systems, Branch of Policy Analysis.

[FR Doc. 2026–08377 Filed 4–29–26; 8:45 am]

BILLING CODE 4510–24–P

DEPARTMENT OF LABOR

Occupational Safety and Health Administration

[Docket No. OSHA–2010–0050]

The Standard on the Storage and Handling of Anhydrous Ammonia; Extension of the Office of Management and Budget's (OMB) Approval of Information Collection (Paperwork) Requirements

AGENCY: Occupational Safety and Health Administration (OSHA), Labor.

ACTION: Request for public comments.

SUMMARY: OSHA solicits public comments concerning its proposal to extend the Office of Management and Budget (OMB) approval of the information collection requirements specified in the Standard on the Storage and Handling of Anhydrous Ammonia (29 CFR 1910.111).

DATES: Comments must be submitted (postmarked, sent, or received) by June 29, 2026.

ADDRESSES:

Electronically: You may submit comments and attachments electronically at *https://www.regulations.gov,* which is the Federal eRulemaking Portal. Follow the instructions online for submitting comments.

Docket: To read or download comments or other material in the docket, go to *https://www.regulations.gov.* Documents in the docket are listed in the *https://www.regulations.gov* index; however, some information (*e.g.,* copyrighted material) is not publicly available to read or download through the websites. All submissions, including copyrighted material, are available for inspection through the OSHA Docket Office. Contact the OSHA Docket Office at (202) 693–2350 (TTY (877) 889–5627) for assistance in locating docket submissions.

Instructions: All submissions must include the agency name and OSHA docket number (OSHA–2010–0050) for the Information Collection Request

(ICR). OSHA will place all comments, including any personal information, in the public docket, which may be made available online. Therefore, OSHA cautions interested parties about submitting personal information such as social security numbers and birth dates.

For further information on submitting comments, see the ''Public Participation'' heading in the section of this notice titled **SUPPLEMENTARY INFORMATION**.

FOR FURTHER INFORMATION CONTACT: Belinda Cannon, Directorate of Standards and Guidance, OSHA, U.S. Department of Labor; telephone (202) 693–2222.

SUPPLEMENTARY INFORMATION:

I. Background

The Department of Labor, as part of the continuing effort to reduce paperwork and respondent (*i.e.,* employer) burden, conducts a preclearance consultation program to provide the public with an opportunity to comment on proposed and continuing information collection requirements in accordance with the Paperwork Reduction Act of 1995 (PRA) (44 U.S.C. 3506(c)(2)(A)). This program ensures that information is in the desired format, reporting burden (time and costs) is minimal, the collection instruments are clearly understood, and OSHA's estimate of the information collection burden is accurate. The Occupational Safety and Health Act of 1970 (OSH Act) (29 U.S.C. 651 *et seq.*) authorizes information collection by employers as necessary or appropriate for enforcement of the OSH Act or for developing information regarding the causes and prevention of occupational injuries, illnesses, and accidents (29 U.S.C. 657). The OSH Act also requires that OSHA obtain such information with minimum burden upon employers, especially those operating small businesses, and to reduce to the maximum extent feasible unnecessary duplication of effort in obtaining information (29 U.S.C. 657).

The Anhydrous Ammonia Storage and Handling Standard (29 CFR 1910.111) specifies a number of paperwork requirements. The following is a brief description of the collection of information requirements contained in the standard.

Paragraph (b)(3) of the Standard specifies that systems have nameplates if required, and that these nameplates ''be permanently attached to the system (as specified by paragraph (b)(3)(ii)(j)) so as to be readily accessible for inspection.'' In addition, this paragraph requires that markings on containers and systems covered by paragraphs (c) (''Systems utilizing stationary, non-refrigerated storage containers''), (f) (''Tank motor vehicles for the transportation of ammonia''), (g) (''Systems mounted on farm vehicles other than for the application of ammonia''), and (h) (''Systems mounted on farm vehicles for the application of ammonia'') provide information regarding nine specific characteristics of the containers and systems. Similarly, paragraph (b)(4) of the Standard specifies that refrigerated containers be marked with a nameplate on the outer covering in an accessible place that provides information regarding eight specific characteristics of the container.

The required markings ensure that employers use only properly designed and tested containers and systems to store anhydrous ammonia, thereby preventing accidental release of, and exposure of workers to, this highly toxic and corrosive substance.

II. Special Issues for Comment

OSHA has a particular interest in comments on the following issues:

- Whether the proposed information collection requirements are necessary for the proper performance of the agency's functions to protect workers, including whether the information is useful;
- The accuracy of OSHA's estimate of the burden (time and costs) of the information collection requirements, including the validity of the methodology and assumptions used;
- The quality, utility, and clarity of the information collected; and
- Ways to minimize the burden on employers who must comply; for example, by using automated or other technological information, and transmission techniques.

III. Proposed Actions

OSHA is requesting that OMB extend the approval of the information collection requirements contained in the Standard on the Storage and Handling of Anhydrous Ammonia. The agency is seeking an adjustment increase in burden of 2 hours going from 342 to 344 hours. The increase is due to an increase in the number of employers going from 2,500 to 6,125.

OSHA will summarize the comments submitted in response to this notice and will include this summary in the request to OMB to extend the approval of the information collection requirements.

Type of Review: Extension of a currently approved data collection.

Title: The Standard on the Storage and Handling of Anhydrous Ammonia (29 CFR 1910.111).

OMB Control Number: 1218–0208.

Affected Public: Business or other for-profits, farms.

Number of Respondents: 6,125.

Number of Responses: 2,077.

Frequency of Responses: On occasion.

Average Time per Response: Varies.

Estimated Total Burden Hours: 344.

Estimated Cost (Operation and Maintenance): $0.

IV. Public Participation—Submission of Comments on This Notice and internet Access to Comments and Submissions

You may submit comments in response to this document as follows: (1) electronically at *https://www.regulations.gov,* which is the Federal eRulemaking Portal; or (2) by facsimile (fax), if your comments, including attachments, are not longer than 10 pages you may fax them to the OSHA Docket Office at 202–693–1648. All comments, attachments, and other material must identify the agency name and the OSHA docket number for the ICR (OSHA–2010–0050). You may supplement electronic submission by uploading document files electronically.

Comments and submissions are posted without change at *https://www.regulations.gov.* Therefore, OSHA cautions commenters about submitting personal information such as social security numbers and dates of birth. Although all submissions are listed in the *https://www.regulations.gov* index, some information (*e.g.,* copyrighted material) is not publicly available to read or download from this website. All submissions, including copyrighted material, are available for inspection and copying at the OSHA Docket Office. Information on using the *https://www.regulations.gov* website to submit comments and access the docket is available at the website's ''User Tips'' link.

Contact the OSHA Docket Office at (202) 693–2350, (TTY (877) 889–5627) for information about materials not available from the website, and for assistance in using the internet to locate docket submissions.

V. Authority and Signature

Amanda Laihow, Principal Deputy Assistant Secretary of Labor for Occupational Safety and Health, directed the preparation of this notice. The authority for this notice is the Paperwork Reduction Act of 1995 (44 U.S.C. 3506 *et seq.*) and Secretary of Labor's Order No. 7–2025 (90 FR 27878).

Signed at Washington, DC, on April 27, 2026.

Amanda Laihow,

Principal Deputy Assistant Secretary of Labor for Occupational Safety and Health.

[FR Doc. 2026–08408 Filed 4–29–26; 8:45 am]

BILLING CODE 4510–26–P

NUCLEAR REGULATORY COMMISSION

[Docket No. 50–608; NRC–2019–0029]

In the Matter of SHINE Technologies, LLC; SHINE Medical Isotope Production Facility; Direct and Indirect Transfers of License

AGENCY: Nuclear Regulatory Commission.

ACTION: Order; issuance.

SUMMARY: The U.S. Nuclear Regulatory Commission (NRC) is issuing an order approving the license transfer application filed by SHINE Technologies, LLC, dated February 4, 2026, as supplemented on April 13, 2026. Specifically, the order approves the direct transfer of Construction Permit No. CPMIF–001 for the SHINE Medical Isotope Production Facility from SHINE Technologies, LLC to SHINE Chrysalis, LLC and a conforming license amendment. The order also approves the indirect transfer of control of the construction permit as a result of the establishment of SHINE Chrysalis Holdings, LLC as the direct parent company of SHINE Chrysalis, LLC. SHINE Chrysalis Holdings, LLC is a wholly owned subsidiary of Illuminated Holdings, Inc., the current parent company of SHINE Technologies, LLC.

DATES: The order was issued on April 22, 2026, and is effective for one year.

ADDRESSES: Please refer to Docket ID NRC–2019–0029 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–2019–0029. 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.* The ADAMS accession number for each document referenced (if it is available in ADAMS) is provided the first time that it is mentioned in this document.
- *NRC's PDR:* The PDR, where you may examine and order copies of publicly available documents, is open by appointment. To make an appointment to visit the PDR, please send an email to *PDR.Resource@nrc.gov* or call 1–800–397–4209 or 301–415–4737, between 8 a.m. and 4 p.m. eastern time (ET), Monday through Friday, except Federal holidays.

FOR FURTHER INFORMATION CONTACT: Michael Balazik, Office of Nuclear Reactor Regulation, U.S. Nuclear Regulatory Commission, Washington, DC 20555–0001; telephone: 301–415–2856; email: *Michael.Balazik@nrc.gov.*

SUPPLEMENTARY INFORMATION: The text of the Order is attached.

Dated: April 28, 2026.

For the Nuclear Regulatory Commission.

Michael Balazik,

Senior Project Manager, Non-Power Production and Utilization Facility Licensing Branch, Division of Advanced Reactors and Non-Power Production and Utilization Facilities, Office of Nuclear Reactor Regulation.

Attachment—Order Approving Direct and Indirect Transfers of License and Conforming Amendment

UNITED STATES OF AMERICA

NUCLEAR REGULATORY COMMISSION

In the Matter of: SHINE Technologies, LLC, Docket No. 50–608, SHINE Medical Isotope Production Facility, Construction Permit No. CPMIF–001.

ORDER APPROVING DIRECT AND INDIRECT TRANSFERS OF LICENSE AND CONFORMING AMENDMENT

I

SHINE Technologies, LLC (SHINE Technologies) is the holder of Construction Permit (CP) No. CPMIF–001, which the U.S. Nuclear Regulatory Commission (NRC, the Commission) issued on February 29, 2016, for the construction of the SHINE Medical Isotope Production Facility (SHINE facility) in Rock County, Wisconsin. SHINE Technologies is a wholly owned subsidiary of Illuminated Holdings, Inc. (Illuminated). The SHINE facility is currently being constructed.

II

Pursuant to section 184, ''Inalienability of Licenses,'' of the Atomic Energy Act of 1954, as amended (AEA), and title 10 of the *Code of Federal Regulations* (10 CFR) section 50.80, ''Transfer of licenses,'' by application dated February 4, 2026 (Agencywide Documents Access and Management System (ADAMS) Package Accession No. ML26035A418), as supplemented on April 13, 2026 (ML26103A270), SHINE Technologies requested that the NRC consent to the direct transfer and indirect transfer of control of CP No. CPMIF–001. SHINE Technologies stated that these transfers were necessitated by an advanced loan application with the U.S. Department of Energy (DOE) to provide funds for the completion of the construction of the SHINE facility. To facilitate the loan application and DOE loan, Illuminated would form a new wholly owned subsidiary, SHINE Chrysalis, LLC (SHINE Chrysalis). The direct transfer would occur when Illuminated transfers the CP and related assets from SHINE Technologies to SHINE Chrysalis. The indirect transfer of control would occur when, concurrent with the direct transfer, SHINE Chrysalis Holdings, LLC (Chrysalis Holdings), a direct subsidiary of Illuminated, becomes the direct parent company of SHINE Chrysalis. Pursuant to 10 CFR 50.90, ''Application for amendment of license, construction permit, or early site permit,'' SHINE Technologies also requested that the NRC approve a conforming administrative amendment to the CP to reflect the proposed direct transfer.

On March 6, 2026, the NRC published a notice of consideration of approval of the license transfer application in the **Federal Register** (FR) (91 FR 11089). This notice provided an opportunity to comment, request a hearing, and petition for leave to intervene on the license transfer application. The NRC received one public comment (ML26099A079) in support of approving the license transfer. The NRC did not receive any hearing requests in response to the notice.

Pursuant to 10 CFR 50.80, no license for a production or utilization facility, or any right thereunder, shall be transferred, either voluntarily or involuntarily, directly or indirectly, through transfer of control of the license to any person, unless the Commission gives its consent in writing. Upon review of the information in the license transfer application and other information before the Commission, and

relying upon the representations contained in the application, the NRC staff has determined that SHINE Chrysalis is qualified to be the holder of the license and Chrysalis Holdings is qualified to be the indirect holder of the license and that the transfers of the license, as described in the application, are otherwise consistent with applicable provisions of law, regulations, and orders issued by the Commission pursuant thereto.

Upon review of the request in the license transfer application for approval of a conforming administrative amendment to the license to reflect the direct transfer, the NRC staff has determined that: (1) the application for amendment complies with the standards and requirements of the AEA and the Commission's rules and regulations set forth in 10 CFR Chapter I, (2) the facility will be constructed in conformity with the application, the provisions of the AEA, and the rules and regulations of the Commission, (3) there is reasonable assurance that the activities authorized by the amendment can be conducted without endangering the health and safety of the public and that such activities will be conducted in compliance with the Commission's regulations, (4) the issuance of the amendment will not be inimical to the common defense and security or to the health and safety of the public, and (5) the issuance of the amendment is in accordance with 10 CFR part 51, ''Environmental Protection Regulations for Domestic Licensing and Related Regulatory Functions,'' of the Commission's regulations and all applicable requirements have been satisfied.

The findings set forth above are supported by an NRC staff safety evaluation dated the same date as this order, a public version of which is available at ADAMS Accession No. ML26090A297.

III

Accordingly, pursuant to Sections 161b, 161i, and 184 of the AEA, Title 42 of the *United States Code* Sections 2201(b), 2201(i), and 2234, and 10 CFR 50.80 and 10 CFR 50.90, *It is hereby ordered* that the license transfer application, as described herein, is approved.

It is further ordered that SHINE Technologies shall, at least 5 business days before the planned consummation of the license transfer actions, inform the Director of the Office of Nuclear Reactor Regulation in writing of the planned consummation date. Should the proposed transfers not be completed within 1 year of the date of this order, this order shall become null and void; provided, however, that upon written application to the Director of the Office of Nuclear Reactor Regulation and for good cause shown, such date may be extended by order.

It is further ordered that consistent with 10 CFR 2.1315(b), the license amendment that makes changes, as indicated in Enclosure 2 to the letter forwarding this order, to reflect the subject direct license transfer is approved. The amendment shall be issued and made effective when the proposed license transfer actions are completed.

This order is effective upon issuance.

For further details with respect to this order, see the license transfer application dated February 4, 2026 (ML26035A418), as supplemented on April 13, 2026 (ML26103A270), and the associated NRC staff safety evaluation dated the same date as this order. Publicly available documents created or received at the NRC are accessible electronically through ADAMS in the NRC Public Documents collection at *https://www.nrc.gov/reading-rm/adams.html.* Persons who do not have access to ADAMS or who encounter problems in accessing the documents located in ADAMS, should contact the NRC Public Document Room reference staff at 1–800–397–4209, at 301–415–4737, or by email to *PDR.Resource@nrc.gov.*

Dated: April 22, 2026

For the Nuclear Regulatory Commission.
Jeremy Groom,
Acting Director, Office of Nuclear Reactor Regulation

[FR Doc. 2026–08415 Filed 4–29–26; 8:45 am]

BILLING CODE 7590–01–P

POSTAL SERVICE

Privacy Act of 1974; System of Records

AGENCY: Postal Service.

ACTION: Notice of modified system of records.

SUMMARY: The United States Postal Service (USPS) is proposing to revise one General Privacy Act System of Records (SOR) to support the implementation of a new Legal Case Management System.

DATES: These revisions will become effective without further notice on June 1, 2026, unless responses to comments received on or before that date result in a contrary determination.

ADDRESSES: Comments may be submitted via email to the Privacy and Records Management Office, United States Postal Service Headquarters (*uspsprivacyfedregnotice@usps.gov*). To facilitate public inspection, arrangements to view copies of any written comments received will be made upon request.

FOR FURTHER INFORMATION CONTACT: Janine Castorina, Chief Privacy and Records Management Officer, Privacy and Records Management Office, at 202–268–2000 or *uspsprivacyfedregnotice@usps.gov.*

SUPPLEMENTARY INFORMATION: This notice is in accordance with the Privacy Act requirement that agencies publish their systems of records in the **Federal Register** when there is a revision, change, or addition, or when the agency establishes a new system of records. The Postal Service has determined General Privacy Act System of Records, USPS SOR 600.100 General Legal Records, should be revised to support the implementation of a new Legal Case Management System.

I. Background

USPS continues its efforts to serve every American by identifying opportunity for improvement. One identified area is the USPS Law Department's case management system. Currently, USPS leverages several disparate systems to manage its legal obligations and legal matters. USPS will, then, implement a new, streamlined solution to maximize the efficiency and effectiveness of its Law Department as it continues to support Postal operations and service.

II. Rationale for Changes to USPS Privacy Act Systems of Records

To accommodate the complexity of the new case management solution, this System of Records will be modified to reflect the types of legal information that will be contained in this new application and to further identify the granularity of some integrating systems. Such disclosure will allow enhanced data analysis and introspection into legal matters involving USPS, Finally, these changes will support the future implementation of AI-assisted functionality, further enhancing USPS Law Department capabilities and efficiency.

USPS 600.100 General Legal Records will, therefore, be modified as such:

Four new purposes, 6 through 9.

One modified Category of Records, 1.

Eight new Categories of Records, numbers 4 through 11.

One new Category of Individuals, number 5.

III. Description of the Modified System of Records

Pursuant to 5 U.S.C. 552a(e)(11), interested persons are invited to submit written data, views, or arguments on this proposal. A report of the proposed revisions has been sent to Congress and to the Office of Management and Budget (OMB) for their evaluations. The Postal Service does not expect this amended system of records to have any adverse effect on individual privacy rights. USPS SOR 600.100 is provided below in its entirety.

SYSTEM NAME AND NUMBER:

USPS 600.100 General Legal Records.

SECURITY CLASSIFICATION:

None.

SYSTEM LOCATION:

Law Department, USPS Headquarters and field offices; area and district facilities; Integrated Business Solutions Services Centers; National Tort Center; and Post Offices.

SYSTEM MANAGER(S) AND ADDRESS:

General Counsel and Executive Vice President, United States Postal Service, 475 L'Enfant Plaza SW, Washington, DC 20260.

AUTHORITY FOR MAINTENANCE OF THE SYSTEM:

39 U.S.C. 401, 409, 1206, and 1208.

PURPOSE(S) OF THE SYSTEM:

1. To provide legal advice and representation in NLRB cases, labor or employment litigation, and miscellaneous civil actions and litigation.

2. To facilitate the electronic presentment of Tort Claims and supporting documentation through a secure centralized claims presentment portal system.

3. To adjudicate, settle, or defend against tort claims made under the Federal Tort Claims Act;

4. To support program management by accident prevention and safety officers; and to provide pertinent information regarding safety, accidents, and claims to equipment providers and insurers.

5. To protect USPS intellectual property and patents.

6. To assign, track, and manage tasks and advice related to litigation cases and administrative matters.

7. To provide internal and external reports for performance, historical trends, and analysis.

8. To provide document management services for knowledge management and work product archival.

9. To provide data to an AI model, system, or application for machine learning and large language model functions.

CATEGORIES OF INDIVIDUALS COVERED BY THE SYSTEM:

1. Current or former USPS employees who are parties to National Labor Relations Board (NLRB) cases, or on whose behalf NLRB charges are filed by a collective bargaining representative, and other individuals involved in labor or employment litigation.

2. Claimants and claimant's representatives who are presenting tort claims, including individuals, attorneys, insurance companies, and businesses who claim to be involved in accidents related to USPS operations and who seek money damages under the Federal Tort Claims Act (FTCA).

3. Individuals investigated for possible infringement of USPS intellectual property rights, including inventors seeking patents for devices.

4. Individuals involved in other formal administrative proceedings or litigation in which USPS is a party or has an interest in which information or testimony is sought.

5. USPS Law Department Employees and Contractors

CATEGORIES OF RECORDS IN THE SYSTEM:

1. Records related to proceedings, including individuals' names, Social Security Numbers, postal assignment information, work contact information, finance number(s), duty location, pay location, USPS Law Department advice matters, assigned case or docket numbers, and other details related to the nature of the litigants and litigation subject matter including but not limited to court records, legal research, case files, litigation materials, exhibits, internal memoranda, internal reports, investigative reports, medical reports, property records, pleadings, correspondence.

2. Records pertaining to Torts Claims including but not limited to the Standard Form 95, Claim for Damage, Injury, or Death: claimant's name, address, claimant's representative name, type of employment, date of birth, marital status, date and day of accident, basis of claim, property damage: name and address of owner (if other than claimant), description of property, nature and extent of the damage and the location of where the property may be inspected; personal injury/wrongful death: nature and extent of each injury or cause of death, if other than claimant, name of the injured person or decedent; witnesses: name and address; amount of claim: property damage, personal injury, wrongful death, total; signature of claimant, phone number of claimant signing form, date of signature; insurance coverage: insurance company name, address, insurance policy number, coverage or deductible with deductible amount, action taken or proposed to be taken by insurer if claim filed; tort claims presented via letter, medical records, medical bills, Explanation of Benefits Forms, medical bill summaries, medical records summaries, lost wage information, tax returns, financial records, photographs, life care plans, economist reports, medical expert reports, business records, property repair estimates, total loss of property documentation, valuation reports, police reports, video footage, statements, birth certificates, death certificates, estate documentation, titles, deeds, license and registration information, and insurance policy information including declaration pages.

4. Document Management Records: Document Owner, Document Author, Document Modified Dates, Document Modified Values, Document Created Value, Document Deleted Values, Document Created Dates, Document Deleted Dates,

5. Law Department Information System User Records: EIN, Employee Name, Job Title, Residential Mailing Address, Manager, Facility/Duty Station, District/Division, Designation Activity Code, Area/HQ/Region, Finance Number, Duty Station Finance Number, Case ID, Industry, Fax Number, Phone Number, Alias

6. eDiscovery Legal Records: Name, Description, Number, Type, Business Unit/Company, eDP Notes, Status, Court/Jurisdiction, Date Filed, Date Served, Court Date, Close Date, In-house Counsel Name, Outside Counsel Name, Lead Attorney Name, Team Member Names.

7. EEO Case Management System Legal Records: Agency Number, Complainant's Name, Complainant's EIN, Complainant's Finance Number, Complainant's Facility Name, Complainant's Work City, Complainant's Work State, Complainant's Work Zip, Complainant's Preferred E-Mail, Complainant's Personal Cell Phone Number, Complainant's Home Phone Number, Complainant's Work Phone Number, Management Representative Name, Management Representative E-Mail, Management Representative Address, Complainant Representative Name, Complainant Representative, E-Mail, Complainant Representative Address, Management Officials and/or RMO Name, Claim Type(s)/Bases, Events, Documents, Prior case history based on EIN.

8. Judicial Officer System Legal Records: Case Number, Case Name, Date Added, Case Type, Case Status, Docket Number.

9. Personnel Legal Records: EIN, First Name, Last Name, Middle Name, Last Nature of Action Effective Date, Last Nature of Action, Last Nature of Action Description, Rate Schedule Code, Level, Designation/Activity Code, Occupation Code, Job Title, Area Code, Area, Performance Cluster Code, PFC, Business Area Code, Business Area, Hire Finance Number, Hire Finance name, City, State, Duty Station Finance Number, Duty Station Name, Organization Unit ID, Organization Unit Name.

10. NAOFA Legal Records: FINANCE_NUMBER, UNIT_NUMBER, BA, FDC, PFC, MPOO, FIN_STATUS, FINANCE_NUMBER_TYPE, NAME, BA_NAME, FDC_NAME, PFC_NAME, LEAD_FINANCE_NUMBER, EFFECTIVE_FINANCE_NUMBER, CORE_ADDRESS1, CORE_ADDRESS2, CORE_ADDRESS3, CORE_ADDRESS4, CORE_CITY, CORE_COUNTY, CORE_STATE, CORE_ZIP, CORE_ZIP_EXTENSION, UNIT_NAME, UNIT_ADDRESS1, UNIT_ADDRESS2, UNIT_ADDRESS3, UNIT_ADDRESS4, UNIT_CITY, UNIT_COUNTY, UNIT_STATE, UNIT_ZIP, UNIT_ZIP_EXTENSION.

11. Case Management Program Activity Records: Records pertaining to the use of USPS Case Management applications and software, including but not limited to Access Events, Account Events, Action Events, Activity Events, Application Events, Change Events, Content Events, Feed Events, Flow Events, History Events, Orchestration Events, Permissions Event, Share Events, User Events.

RECORD SOURCE CATEGORIES:

Subject individuals; their counsel or other representative; For FTCA, individuals, their counsel or other representative, insurance companies, corporate entities and businesses; external authorities such as the NLRB, Equal Employment Opportunity Commission, or Merit System Protection Board; customers; police; postal inspectors; witnesses; American Insurance Association Index reports; and other systems of records.

ROUTINE USES OF RECORDS MAINTAINED IN, THE SYSTEM, INCLUDING CATEGORIES OF USERS AND PURPOSES OF SUCH USES:

Standard routine uses 1. through 9. apply. In addition:

a. Tort claims records may be disclosed to members of the American Insurance Association Index System; to insurance companies that have issued policies under which the United States is or may be an (additional) insured; to equipment manufacturers, suppliers, and their insurers for claims considerations and possible improvement of equipment and supplies; and in response to a subpoena or other appropriate court order.

b. A record may be transferred and information from it disclosed to the Patent and Trademark Office or the Library of Congress when relevant in any proceeding involving the registration of Postal Service trademarks or issuance of patents.

POLICIES AND PRACTICES FOR STORAGE OF RECORDS:

Automated database, computer storage media, and paper.

POLICIES AND PRACTICES FOR RETRIEVAL OF RECORDS:

By name of subject individual, EIN, litigant, claimant, charging party, or individual on whose behalf a charge has been filed; case number, docket number, or topic title.

POLICIES AND PRACTICES FOR RETENTION AND DISPOSTAL OF RECORDS:

1. Labor litigation records are retained 5 years.

2. Tort claim files are retained 7 years after final adjudication or other closure. Tort litigation files are retained 5 years after closure.

3. Records of investigations of possible infringement of USPS intellectual property rights are retained 25 years after closure of the case.

4. Records of miscellaneous civil actions and administrative proceedings are retained 10 years.

Records existing on paper are destroyed by burning, pulping, or shredding. Records existing on computer storage media are destroyed according to the applicable USPS media sanitization practice.

ADMINISTRATIVE, TECHNICAL, AND PHYSICAL SAFEGUARDS:

Paper records, computers, and computer storage media are located in controlled-access areas under supervision of program personnel. Access to these areas is limited to authorized personnel, who must be identified with a badge.

Access to records is limited to individuals whose official duties require such access. Contractors and licensees are subject to contract controls and unannounced on-site audits and inspections.

Computers are protected by mechanical locks, card key systems, or other physical access control methods.

The use of computer systems is regulated with installed security software, computer logon identifications, and operating system controls including access controls, terminal and transaction logging, and file management software.

RECORD ACCESS PROCEDURES:

Requests for access must be made in accordance with the Notification Procedure above and USPS Privacy Act regulations regarding access to records and verification of identity under 39 CFR 266.5.

CONTESTING RECORD PROCEDURES:

See Notification Procedures and Record Access Procedures.

NOTIFICATION PROCEDURES:

Individuals wanting to know if information about them is maintained in this system of records must address inquiries to the system manager. Inquiries must include full name of litigant, charging party, or individual on whose behalf a charge has been filed, case number or docket number, if known, and the approximate date the action was instituted.

EXEMPTIONS PROMULGATED FOR THE SYSTEM:

Records in this system that have been compiled in reasonable anticipation of a civil action or proceeding are exempt from individual access as permitted by 5 U.S.C. 552a(d)(5). The USPS has also claimed exemption from certain provisions of the Act for several of its other systems of records at 39 CFR 266. To the extent that copies of exempted records from those other systems are incorporated into this system, the exemptions applicable to the original primary system continue to apply to the incorporated records.

HISTORY:

October 17, 2025, 90 FR 48365; October 24, 2011, 76 FR 65756.

Daria Valan,

Attorney, Ethics and Legal Compliance.

[FR Doc. 2026–08376 Filed 4–29–26; 8:45 am]

BILLING CODE 7710–12–P

SECURITIES AND EXCHANGE COMMISSION

[Investment Company Act Release No. 36130; 812–16019]

GCM Grosvenor Private Equity Capital Opportunities Fund and GCM Grosvenor Wealth L.P.

April 28, 2026.

AGENCY: Securities and Exchange Commission (''Commission'' or ''SEC'').

ACTION: Notice.

Notice of application for an order under section 6(c) of the Investment Company Act of 1940 (the ''Act'') granting an exemption from section 23(a)(1) of the Act.

Summary of Application: Applicants request an order to permit certain registered closed-end management investment companies and business development companies (as defined under section 2(a)(48) of the Act) to pay investment advisory fees (as described in the application) in shares of their common stock.

Applicants: GCM Grosvenor Private Equity Capital Opportunities Fund and GCM Grosvenor Wealth L.P.

Filing Dates: The application was filed on April 21, 2026.

Hearing or Notification of Hearing: An order granting the requested relief will be issued unless the Commission orders a hearing. Interested persons may request a hearing on any application by emailing the SEC's Secretary at *Secretarys-Office@sec.gov* and serving the Applicants with a copy of the request by email, if an email address is listed for the relevant Applicant below, or personally or by mail, if a physical address is listed for the relevant Applicant below. The email should include the file number referenced above. Hearing requests should be received by the Commission by 5:30 p.m., Eastern time, on May 26, 2026, and should be accompanied by proof of service on the Applicants, in the form of an affidavit, or, for lawyers, a certificate of service. Pursuant to rule 0–5 under the Act, hearing requests should state the nature of the writer's interest, any facts bearing upon the desirability of a hearing on the matter, the reason for the request, and the issues contested. Persons who wish to be notified of a hearing may request notification by emailing the Commission's Secretary.

ADDRESSES: The Commission: *Secretarys-Office@sec.gov*. Applicants: Girish S. Kashyap, Esq., GCM Grosvenor Private Equity Capital Opportunities Fund, *gkashyap@gcmlp.com,* with copies to Ryan P. Brizek, Esq., and Neesa Patel Sood, Esq., Simpson Thacher & Bartlett LLP, *ryan.brizek@stblaw.com* and *Neesa.Sood@stblaw.com*.

FOR FURTHER INFORMATION CONTACT: Trace W. Rakestraw, Senior Special Counsel, at (202) 551–6825 (Division of Investment Management, Chief Counsel's Office).

SUPPLEMENTARY INFORMATION: For Applicants' representations, legal analysis, and conditions, please refer to Applicants' application, dated April 21, 2026, which may be obtained via the Commission's website by searching for the file number at the top of this document, or for an Applicant using the Company name search field on the SEC's EDGAR system. The SEC's EDGAR system may be searched at *https://www.sec.gov/search-filings*. You may also call the SEC's Office of Investor Education and Assistance at (202) 551–8090.

For the Commission, by the Division of Investment Management, under delegated authority.

Vanessa A. Countryman,

Secretary.

[FR Doc. 2026–08434 Filed 4–29–26; 8:45 am]

BILLING CODE 8011–01–P

SECURITIES AND EXCHANGE COMMISSION

[Release No. 34–105319; File No. SR–FICC–2026–801]

Self-Regulatory Organizations; The Fixed Income Clearing Corporation; Notice of No Objection To Advance Notice To Raise Prefunded Default Liquidity Through the Commercial Paper Program

April 27, 2026.

I. Introduction

On February 26, 2026, The Fixed Income Clearing Corporation (''FICC'') filed with the Securities and Exchange Commission (''Commission'') advance notice SR–FICC–2026–801 pursuant to section 806(e)(1) of Title VIII of the Dodd-Frank Wall Street Reform and Consumer Protection Act, entitled Payment, Clearing and Settlement Supervision Act of 2010 (''Clearing Supervision Act'') [1] and Rule 19b–4(n)(1)(i) [2] under the Securities Exchange Act of 1934 (''Exchange Act'') [3] seeking no objection to establish a commercial paper program in order to raise prefunded default liquidity (hereinafter, the ''Advance Notice'').[4] On March 12, 2026, the Notice of Filing of the Advance Notice was published in the **Federal Register** to solicit public comment.[5] The Commission has not received comments regarding the changes proposed in the Advance Notice. The Commission is hereby providing notice of no objection to the Advance Notice.

II. Background

FICC is proposing to raise prefunded, default liquidity through the periodic issuance and private placement of short-term, unsecured commercial paper notes to institutional investors [6] in an aggregate amount not to exceed $10 billion (''Commercial Paper Program''). The proceeds from the Commercial Paper Program would supplement FICC's existing qualifying liquidity resources, which collectively provide FICC with liquidity to complete end-of-day settlement in the event of the default of a FICC GSD Netting Member or MBSD Clearing Member (collectively, ''Members'').[7]

FICC's current qualifying liquidity resources include (i) cash deposits to the GSD and MBSD Clearing Funds, and (ii) amounts available to FICC through its Rules-based committed repurchase facilities, each repurchase facility referred to as a Capped Contingency Liquidity Facility (''CCLF'').[8] FICC states that having an additional source of default liquidity should diversify FICC's existing sources of default liquidity and help mitigate the risk that FICC is unable to secure default liquidity resources in an amount necessary to meet its liquidity needs.[9] Additionally, FICC states that it anticipates significant increases in both the volume of activity submitted to GSD for clearing and associated liquidity obligations following the implementation of the Commission's amendments to the covered clearing agency standards that apply to covered

[1] 12 U.S.C. 5465(e)(1).

[2] 17 CFR 240.19b–4(n)(1)(i).

[3] 15 U.S.C. 78a *et seq*.

[4] *See* Notice of Filing *infra* note 5, 91 FR 12266. FICC requested accelerated Commission action with respect to a notice of no objection. *Id.* at 12270.

[5] Securities Exchange Act Release No. 104954 (Mar. 9, 2026), 91 FR 12266 (Mar. 12, 2026) (File No. SR–FICC–2026–801) (''Notice of Filing'').

[6] FICC states institutional investors would include qualified institutional buyers and institutional accredited investors. *See* Notice of Filing *supra* note 5, at 12267. *See also,* 17 CFR 230.144A *and* 17 CFR 230.501(a).

[7] Capitalized terms not defined herein are defined in the Government Securities Division (''GSD'') Rulebook and the Mortgage-Backed Securities Division (''MBSD'') Clearing Rules (collectively, the ''Rules''), *available at https://www.dtcc.com/legal/rules-and-procedures.*

[8] *See* GSD Rule 22A (Procedures for When the Corporation Ceases to Act), Section 2a, and MBSD Rule 17 (Procedures for When the Corporation Ceases to Act), Section 2a, *id.* Participation in the CCLF is a membership requirement for all GSD Netting Members and MBSD Clearing Members. Funding under the CCLF takes the form of a repurchase (''repo'') agreement. Once FICC declares a ''CCLF Event'' (as such term is defined in the Rules), Members are required to provide financing up to a predetermined cap amount by entering into repo transactions with FICC until they complete the associated closeout. The CCLF allows Members to manage their potential financing requirements with predetermined caps, which are set based on the liquidity exposure generated by Members' use of the clearing services of GSD and MBSD. *See id.*

[9] *See* Notice of Filing *supra* note 5, at 12267.

clearing agencies that clear transactions in U.S. Treasury securities.[10]

A. FICC's Liquidity Risk Management

As a central counterparty (''CCP''), FICC occupies an important role in the securities settlement system by interposing itself between counterparties to financial transactions thereby reducing the risk faced by its Members and contributing to global financial stability. FICC's liquidity risk management strategy plays an integral part in FICC's ability to perform its role as a CCP. Even if a Member defaults, FICC would need to complete end-of-day settlement of guaranteed transactions on the failing Member's behalf from the date of insolvency through the settlement date.

FICC's liquidity risk management strategy is to maintain liquidity resources sufficient to meet the potential amount of funding required to settle the outstanding transactions of a defaulting Member or affiliated family of Members in a timely manner.[11] Similarly, FICC's liquidity risk management strategy seeks to ensure that FICC meets its requirement to hold qualifying liquid resources, as such term is defined in Rule 17ad–22(a) under the Act,[12] sufficient to meet its minimum liquidity resource requirement in each relevant currency for which it has payment obligations owed to its Members.[13]

FICC states that it considers each of its existing default liquidity resources to be qualifying liquid resources.[14] As mentioned above, these resources include the cash deposits to the GSD and MBSD Clearing Funds and amounts available under the Rules-based CCLFs, which are both sourced entirely by FICC Members.[15] FICC would consider the proceeds from its Commercial Paper Program to be a qualifying liquid resource.[16] FICC states that the proceeds from the Commercial Paper Program would supplement these existing default liquidity resources and would not be used for any other purpose (that is, FICC would only use the proceeds of the Commercial Paper Program to help complete settlement in the event of a Member default and not for some other purpose).[17]

FICC states that, although its current available qualifying liquid resources are sufficient to satisfy the single-largest family default under stressed but plausible conditions,[18] the Commercial Paper Program would allow FICC to diversify its sources of default liquidity and mitigate risks that it is unable to secure default liquidity resources in an amount necessary to meet its liquidity needs.[19] More specifically, FICC states that the proposal would provide FICC with the flexibility to reduce its reliance on its Rules-based CCLF and meet expected as well as any increased liquidity needs it may face in the future.[20]

FICC states that its Commercial Paper Program could also diversify FICC's liquidity providers.[21] Currently, FICC's existing default liquidity resources are sourced entirely from FICC's Members, who are obligated as Members to make deposits to the respective Clearing Funds and participate in the CCLF in the circumstances and pursuant to the terms set forth in the Rules.[22] Although FICC would not limit the potential institutional investors that could purchase its commercial paper, meaning it would not specify that only certain entities could purchase its commercial paper, FICC states the investors would include, for example, insurance companies, asset managers, and pension funds.[23] Thus, while FICC is not able to ensure that the Commercial Paper Program would reduce concentration risk, given that the types of entities who typically invest in commercial paper are generally not members of FICC, the Commercial Paper Program could reduce the concentration risk related to FICC's liquidity providers.[24]

B. General Terms of the Commercial Paper Program

FICC is proposing to issue up to an aggregate amount of $10 billion under its Commercial Paper Program, as FICC deems reasonable, or as necessitated by its liquidity needs. While FICC states that it currently would not need to issue up to the aggregate amount of $10 billion,[25] FICC states it is advisable to authorize up to this aggregate amount in order to help manage its potential future liquidity needs without further reliance on its Members, as the existing liquidity providers under the rules-based CCLF.[26]

While the anticipated material terms and conditions of the Commercial Paper Program are summarized below, the actual terms of a future Commercial Paper Program issuance would depend on a number of factors, including FICC's liquidity needs and market conditions at the time of issuance.[27] Therefore, the anticipated terms summarized below may not reflect the actual terms of a future Commercial Paper Program issuance.[28]

The commercial paper would be represented by one or more master notes issued in the name of DTC, or its nominee.[29] The commercial paper would be issued only through the book-entry system of DTC and would not be certificated.[30] The commercial paper would either be interest bearing or would be sold at a discount from their face amount.[31] Interest payable on the commercial paper would be at market rates customary for such type of debt and reflective of the creditworthiness of FICC.[32]

The commercial paper would have a maturity not to exceed 397 calendar days from the date of issue, and FICC expects the average maturity of the aggregate commercial paper outstanding issued under the Commercial Paper Program to range between three and six months.[33] FICC would structure the Commercial Paper Program such that the maturities of the issued commercial

[10] *See id.* (citing to 17 CFR 240.17ad–22(e)(18)(iv)(A) and (B)). *See also,* Securities Exchange Act Release No. 99149 (Dec. 13, 2023), 89 FR 2714 (Jan. 16, 2024) (S7–23–22).

[11] FICC identifies and describes the liquidity resources it maintains for each of its two divisions, GSD and MBSD, in the Clearing Agency Liquidity Risk Management Framework (''Framework''). *See* Securities Exchange Act Release No. 82377 (Dec. 21, 2017), 82 FR 61617 (Dec. 28, 2017) (SR–DTC–2017–004; SR–FICC–2017–008; SR–NSCC2017–005). FICC, along with its affiliates, The National Securities Clearing Corporation (''NSCC'') and The Depository Trust Company (''DTC,'' and, together with NSCC and FICC, the ''Clearing Agencies''), maintain the Framework which sets forth the manner in which each Clearing Agency measures, monitors and manages the liquidity risks that arise in or are borne by it. Each of the Clearing Agencies is a wholly-owned subsidiary of The Depository Trust & Clearing Corporation, which operates on a shared service model with respect to the Clearing Agencies. Most corporate functions are established and managed on an enterprise-wide basis pursuant to intercompany agreements under which it is generally DTCC that provides relevant services to the Clearing Agencies.

[12] 17 CFR 240.17ad–22(a)(14).

[13] *See supra* note 11.

[14] *See* Notice of Filing *supra* note 5, at 12268.

[15] *See id.,* at 12267.

[16] *See id.,* at 12268.

[17] *See id.,* at 12269.

[18] Generally, FICC manages liquidity risks by maintaining sufficient liquid resources to settle its payment obligations under a wide range of foreseeable stress scenarios, including the default of the participant family that would generate the largest aggregate payment obligation for FICC in extreme but plausible market conditions. *See supra* note 11.

[19] *See* Notice of Filing *supra* note 5, at 12267.

[20] *See id.,* at 12268.

[21] *See id.,* at 12267.

[22] *See id.*

[23] *See id.,* at 12268.

[24] *See id.*

[25] FICC expects the average amount of commercial paper issued and outstanding at any time to be approximately $2–3 billion. *See id.*

[26] *See id.*

[27] *See id.*

[28] *See id.*

[29] *See id.*

[30] *See id.*

[31] *See id.*

[32] *See id.*

[33] *See id.*

paper are staggered to avoid concentrations of maturing liabilities.[34] The commercial paper would not be redeemable by FICC prior to maturity, nor would they contain any provision for extension, renewal, automatic rollover or voluntary prepayment.[35]

FICC would hold the proceeds from the Commercial Paper Program in either its cash deposit account at the Federal Reserve Bank of New York (''FRBNY'') or in accounts at other creditworthy financial institutions in accordance with the Clearing Agency Investment Policy.[36] These amounts would be available to draw to complete settlement as needed.[37]

III. Discussion and Notice of No Objection

Although the Clearing Supervision Act does not specify a standard of review for an advance notice, the stated purpose of the Clearing Supervision Act is instructive: to mitigate systemic risk in the financial system and promote financial stability by, among other things, promoting uniform risk management standards for systemically important financial market utilities (''SIFMUs'') and strengthening the liquidity of SIFMUs.[38]

Section 805(a)(2) of the Clearing Supervision Act authorizes the Commission to prescribe regulations containing risk management standards for the payment, clearing and settlement activities of designated clearing entities engaged in designated activities for which the Commission is the supervisory agency.[39] Section 805(b) of the Clearing Supervision Act provides the following objectives and principles for the Commission's risk management standards prescribed under section 805(a):[40]

- To promote robust risk management;
- To promote safety and soundness;
- To reduce systemic risks; and
- To support the stability of the broader financial system.

Section 805(c) provides that the Commission's risk management standards may address such areas as risk management and default policies and procedures, among other areas.[41]

The Commission has adopted risk management standards under section 805(a)(2) of the Clearing Supervision Act and section 17A of the Exchange Act (the ''Clearing Agency Rules'').[42] The Clearing Agency Rules require, among other things, each covered clearing agency (''CCA'') to establish, implement, maintain, and enforce written policies and procedures that are reasonably designed to meet certain minimum requirements for its operations and risk management practices on an ongoing basis.[43] As such, it is appropriate for the Commission to review advance notices against the Clearing Agency Rules and the objectives and principles of these risk management standards as described in section 805(b) of the Clearing Supervision Act. As discussed below, the changes proposed in the Advance Notice are consistent with the objectives and principles described in section 805(b) of the Clearing Supervision Act,[44] and in the Clearing Agency Rules, in particular Rule 17ad–22(e)(7).[45]

A. Consistency With Section 805(b) of the Clearing Supervision Act

The proposal contained in the Advance Notice is consistent with the stated objectives and principles of section 805(b) of the Clearing Supervision Act.[46] Specifically, as discussed below, the changes proposed in the Advance Notice are consistent with promoting robust risk management, promoting safety and soundness, reducing systemic risks, and supporting the stability of the broader financial system.

The proposal described in the Advance Notice is consistent with promoting robust risk management because the Commercial Paper Program would provide FICC with an additional liquid resource that FICC could access in the event of a Member default. The Commercial Paper Program would supplement FICC's existing default liquidity resources and diversify the type and source of such resources. The proposal to issue commercial paper up to an aggregate amount of $10 billion, and use the proceeds as a default liquidity resource, is designed to promote robust liquidity risk management at FICC by diversifying the set of liquid resources available to FICC in the event of a Member default. Doing so would, in turn, allow FICC to maintain sufficient liquid resources to complete settlement on each business day, with a high degree of confidence and notwithstanding the failure to settle of the Member, or affiliated family of Members, with the largest settlement obligation. While the Commercial Paper Program could bring certain financial risks,[47] in the event such risks were to materialize, the ability of FICC to use other liquidity tools[48] helps promote FICC's ability to manage liquidity risk through an overall diversified range of risk management tools.

The Commercial Paper Program would promote safety and soundness by enabling FICC to obtain additional and diversified liquid resources to cover a liquidity gap that could arise in the event of a Member default. By covering such a gap, the proposal complements FICC's ability to meet its settlement obligations in the event of a Member default, thereby reducing the risk of loss contagion (*i.e.,* the risk of losses arising at other Members if FICC is unable to complete settlement). Reducing the risk of loss contagion during a Member default, in turn, reduces the possibility that losses will compromise the ability of FICC and its Members to continue

[34] *See id.*

[35] *See id.*

[36] *See id. See also,* Securities Exchange Act Release Nos. 79528 (Dec. 12, 2016), 81 FR 91232 (Dec. 16, 2016) (SR–DTC–2016–007, SR–FICC–2016–005, SR–NSCC–2016–003); 84949 (Dec. 21, 2018), 83 FR 67779 (Dec. 31, 2018) (SR–DTC–2018–012, SR–FICC–2018–014, SR–NSCC–2018–013). FICC stated that following the issuance of a Notice of No Objection by the Commission of this proposal and prior to the initial issuance of Commercial Paper, the Clearing Agencies would file a proposed rule change to amend the Clearing Agency Investment Policy to include the proceeds of the Commercial Paper Program as default liquidity funds, within the definition of ''Investable Funds,'' as such term is defined therein, and provide that such amounts would be held in bank deposits at eligible commercial banks or at FICC's cash deposit account at the FRBNY. *See* Notice of Filing *supra* note 5, at 12268, n.16.

[37] *See* Notice of Filing *supra* note 5, at 12268.

[38] *See* 12 U.S.C. 5461(b).

[39] 12 U.S.C. 5464(a)(2).

[40] 12 U.S.C. 5464(b).

[41] 12 U.S.C. 5464(c).

[42] 17 CFR 240.17ad–22. *See* Securities Exchange Act Release No. 68080 (Oct. 22, 2012), 77 FR 66220 (Nov. 2, 2012) (S7–08–11). *See also* Securities Exchange Act Release No. 78961 (Sept. 28, 2016), 81 FR 70786, 70806 (Oct. 13, 2016) (S7–03–14) (''Covered Clearing Agency Standards''). FICC is a ''covered clearing agency'' as defined in Rule 17ad–22(a).

[43] 17 CFR 240.17ad–22.

[44] 12 U.S.C. 5464(b).

[45] 17 CFR 240.17ad–22(e)(7).

[46] 12 U.S.C. 5464(b).

[47] For example, one risk associated with the Commercial Paper Program would be the risk that FICC does not have sufficient funds to repay issued commercial paper when the commercial paper matures. FICC would mitigate this risk by only using the proceeds from a commercial paper issuance in the event of a Member default, which FICC could replenish such proceeds through the close out of the defaulting Member's portfolio. If such closeout proceeds are insufficient, FICC would look to its loss waterfall to repay any outstanding liquidity borrowings. *See* GSD Rule 4 (Clearing Fund and Loss Allocation), Section 7 and MBSD Rule 4 (Clearing Fund and Loss Allocation), Section 7, *supra* note 8. A second risk is that FICC may be unable to issue commercial paper as issued commercial paper matures due to, for example, stressed markets at the time the issued commercial paper matures. FICC plans to mitigate this risk by staggering maturities of the issued commercial paper to avoid concentration of maturing liabilities. *See* Notice of Filing, *supra* note 5, at 12269.

[48] FICC's other qualifying liquidity resources include cash deposits to the GSD and MBSD Clearing Funds and CCLFs. *See supra* note 8. *See also,* Notice of Filing, *supra* note 5, at 12268.

operations. This enhances the ability of FICC and its Members to continue to provide stability and safety to the financial markets they serve. Therefore, by enhancing FICC's ability to address losses and liquidity pressures that otherwise might cause financial distress to FICC or its Members, the proposal described in the Advance Notice promotes safety and soundness.

The proposal described in the Advance Notice is consistent with promoting safety and soundness, reducing systemic risks, and supporting the stability of the broader financial system. Reducing the risk of loss contagion would attenuate the transmission of financial shocks from defaulting Members to non-defaulting Members. Thus, the proposal described in the Advance Notice is consistent with the stated objectives and principles of section 805(b) of the Clearing Supervision Act.[49]

B. Consistency With Rule 17ad–22(e)(7) Under the Exchange Act

The proposal described in the Advance Notice is consistent with the requirements of Rule 17ad–22(e)(7) under the Exchange Act.[50] Rule 17ad–22(e)(7) requires FICC to establish, implement, maintain, and enforce written policies and procedures reasonably designed to effectively measure, monitor, and manage liquidity risk that arises in or is borne by FICC, including measuring, monitoring, and managing its settlement and funding flows on an ongoing and timely basis, and its use of intraday liquidity, as specified in the rule.[51]

Consistency With Rule 17ad–22(e)(7)(ii)

Rule 17ad–22(e)(7)(ii) under the Exchange Act requires each CCA to establish, implement, maintain, and enforce written policies and procedures reasonably designed to effectively measure, monitor, and manage the liquidity risk that arises in or is borne by it, including measuring, monitoring, and managing its settlement and funding flows on an ongoing and timely basis, and its use of intraday liquidity by, at a minimum holding qualifying liquid resources sufficient to meet the minimum liquidity resource requirement under paragraph (e)(7)(i)[52] in each relevant currency for which the CCA has payment obligations owed to clearing members.[53] Rule 17ad–22(a)(14) under the Exchange Act defines ''qualifying liquid resources'' to include, among other things, cash held either at the central bank of issue or at creditworthy commercial banks.[54]

As described above, the Commercial Paper Program would increase the liquidity resources available to FICC to continue to meet its liquidity obligations in a timely fashion in the event of a Member's default. These funds should help FICC maintain sufficient liquidity resources to effect same-day and, where appropriate, intraday and multiday settlement of payment obligations with a high degree of confidence under a wide range of foreseeable stress scenarios. As also discussed above, the Commercial Paper Program is designed to help ensure that FICC has sufficient, readily available qualifying liquid resources to complete settlement on each business day, with a high degree of confidence and notwithstanding the failure to settle of the Member, or affiliated family of Members, with the largest settlement obligation.

Additionally, the Commercial Paper Program would enable FICC to hold additional cash proceeds from the issuance of commercial paper in a cash deposit account at the FRBNY or in accounts at other creditworthy financial institutions in accordance with the Clearing Agency Investment Policy. Because the funds would be held at the FRBNY or a creditworthy commercial bank, they would be a qualifying liquid resource, as that term is defined in Rule 17ad–22(a)(14).[55] Therefore, the proposal is consistent with Rule 17ad–22(e)(7)(ii).[56]

IV. Conclusion

It is therefore noticed, pursuant to section 806(e)(1)(I) of the Clearing Supervision Act, that the Commission *does not object* to Advance Notice (SR–FICC–2026–801) and that FICC is *authorized* to implement the proposed changes as of the date of this notice.

By the Commission.

Vanessa A. Countryman,

Secretary.

[FR Doc. 2026–08389 Filed 4–29–26; 8:45 am]

BILLING CODE 8011–01–P

[49] 12 U.S.C. 5464(b).

[50] 17 CFR 240.17ad–22(e)(7).

[51] *Id.*

[52] Rule 17ad–22(e)(7)(i) requires FICC to establish, implement, maintain and enforce written policies and procedures reasonably designed to effectively measure, monitor, and manage the liquidity risk that arises in or is borne by it, including measuring, monitoring, and managing its settlement and funding flows on an ongoing and timely basis, and its use of intraday liquidity by, at a minimum, maintaining sufficient liquid resources at the minimum in all relevant currencies to effect same-day and, where appropriate, intraday and multiday settlement of payment obligations with a high degree of confidence under a wide range of foreseeable stress scenarios that includes, but is not limited to, the default of the participant family that would generate the largest aggregate payment of obligation for the CCA in extreme but plausible market conditions. 17 CFR 240.17ad–22(e)(7)(i).

[53] 17 CFR 240.17ad–22(e)(7)(ii).

[54] 17 CFR 240.17ad–22(a)(14).

[55] 17 CFR 240.17ad–22(a)(14) (''Qualifying liquid resources means, for any covered clearing agency, . . . (i) cash held either at the central bank of issue or at creditworthy commercial banks . . .'').

[56] 17 CFR 240.17ad–22(e)(7)(ii).

SECURITIES AND EXCHANGE COMMISSION

[Release No. 34–105318; File No. SR–FINRA–2026–008]

Self-Regulatory Organizations; Financial Industry Regulatory Authority, Inc.; Notice of Filing and Immediate Effectiveness of a Proposed Rule Change To Amend FINRA Rule 8210 (Provision of Information and Testimony and Inspection and Copying of Books)

April 27, 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 20, 2026, the Financial Industry Regulatory Authority, Inc. (''FINRA'') 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 FINRA. FINRA has designated the proposed rule change as constituting a ''non-controversial'' rule change under paragraph (f)(6) of Rule 19b–4 under the Act,[3] which renders the proposal effective upon receipt of this filing by the Commission. 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

FINRA is proposing to amend FINRA Rule 8210(d) to specify that FINRA will deliver electronically its requests for information and testimony to member firms through FINRA Gateway.

The text of the proposed rule change is available on FINRA's website at *http://www.finra.org* and at the principal office of FINRA.

II. Self-Regulatory Organization's Statement of the Purpose of, and Statutory Basis for, the Proposed Rule Change

In its filing with the Commission, FINRA included statements concerning the purpose of and basis for the

[1] 15 U.S.C. 78s(b)(1).

[2] 17 CFR 240.19b–4.

[3] 17 CFR 240.19b–4(f)(6).

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. FINRA 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

FINRA Rule 8210 (Provision of Information and Testimony and Inspection and Copying of Books) requires a member, person associated with a member, or other person over whom FINRA has jurisdiction to produce documents, provide testimony, or supply written responses or electronic data in connection with an investigation, complaint, examination or adjudicatory proceeding.[4] Rule 8210 is used by several departments, particularly those with examination, risk monitoring, and enforcement responsibilities. Rule 8210(d) outlines FINRA's obligations when providing notice to member firms and currently and formerly associated persons (including registered persons) from which it is requesting information or testimony under the rule.

The proposed rule change amends Rule 8210(d) to modernize and streamline the delivery of information and testimony requests to member firms by specifying that FINRA will deliver electronically its requests through FINRA Gateway.[5] Electronic delivery through FINRA Gateway aligns with modern communication practices and leverages a platform that all member firms already use for registration and other compliance functions. The proposed rule change maintains the existing principle that notice is deemed received when transmitted but modernizes the transmission method from mail to electronic delivery.

The proposed rule change reflects both technological advances and operational experiences FINRA has gained since Rule 8210(d) was last amended in 2012.[6] Since that time, the broker-dealer industry has undergone significant technological changes. Member firms have substantially transitioned away from paper-based operations, a shift accelerated by virtual work environments during the COVID–19 pandemic. Concurrently, FINRA has made substantial investments in secure electronic systems, including FINRA Gateway. Access to FINRA Gateway is effectively required for registration by both FINRA member broker-dealers and non-FINRA member broker-dealers, as all firms must access CRD through FINRA Gateway to file and amend certain registration forms.[7] Additionally, member firms use FINRA Gateway to update contact information as required by FINRA Rule 4517(c). Given FINRA Gateway's widespread adoption among member firms, it is a natural and appropriate choice for delivery of 8210 requests.

With the industry shift toward electronic delivery and based on member firms' preferences, FINRA staff already sends 8210 requests to member firms through FINRA Gateway. However, FINRA staff must also mail the same 8210 request to comply with the current rule. This approach creates administrative inefficiencies for both FINRA staff and member firms.

Member firms interface with 8210 requests through the Requests and Filings section of FINRA Gateway, which provides secure document transmission with tracking features. Member firms can also submit responses to requests via FINRA Gateway. In addition, counsel known to be representing a member firm or associated person in a particular matter can access 8210 requests through FINRA Gateway.[8] Outside counsel receive an email notifying them that there is correspondence in FINRA Gateway.

The proposed rule change would therefore amend the first paragraph of Rule 8210(d) by removing reference to the member firm's last known business address for mailing purposes and replacing it with FINRA Gateway. In the second paragraph, reference to the member also would be removed. That paragraph outlines FINRA's responsibilities for transmitting 8210 requests when there is actual knowledge that the address in CRD is out of date or inaccurate.

The proposed rule change affects notification to member firms only and does not change the delivery requirements for 8210 requests sent to associated persons (including registered persons), which will continue to be delivered via mail or personal service. The proposed rule change also would not change the way member firms may respond to 8210 requests.

FINRA has filed the proposed rule change for immediate effectiveness. The implementation date of the proposed rule change will be May 26, 2026.

2. Statutory Basis

FINRA believes that the proposed rule change is consistent with the provisions of Section 15A(b)(6) of the Act,[9] which requires, among other things, that FINRA rules be designed to prevent fraudulent and manipulative acts and practices, to promote just and equitable principles of trade, and, in general, to protect investors and the public interest. FINRA believes that the proposed rule change is also consistent with Section 15A(b)(8) of the Act,[10] which requires, among other things, that FINRA rules provide a fair procedure for the disciplining of members and persons associated with members.

FINRA believes that the proposed rule change protects investors and the public interest by modernizing its rules to specify that FINRA will deliver electronically its requests for information and testimony to member firms through FINRA Gateway. Rule 8210 requests are a critical tool for collecting timely information that can assist FINRA in detecting, deterring, and addressing activities that may harm investors or undermine market integrity. The proposed rule change promotes efficiency by using modern technology, FINRA Gateway, to securely and expeditiously transmit 8210 requests to member firms. FINRA's ability to efficiently send 8210 requests, and to collect accurate and complete

[4] Rule 8210 applies to all members, associated persons, and other persons over which FINRA has jurisdiction, including former associated persons subject to FINRA's jurisdiction as described in the FINRA By-Laws. *See* FINRA By-Laws, Article V, Section 4(a) (Retention of Jurisdiction).

[5] FINRA Gateway is an electronic compliance portal designed to streamline the compliance and reporting experience for member firms and provide consolidated access to, among other things, uniform registration forms, such as Form BR and Form U4. *See* FINRA Gateway, *https://www.finra.org/filing-reporting/finra-gateway*. Member firms use FINRA Gateway to file registration forms and amendments in the Central Registration Depository (CRD) system, the central licensing and registration system used by the U.S. securities industry and its regulators. In general, the CRD system includes information reported on the uniform registration forms that member firms and regulatory authorities complete and maintain as part of the securities industry registration and licensing process. FINRA, state, and other regulatory authorities use the information in the CRD system in connection with their licensing and regulatory activities. FINRA Gateway also has other functionalities, including a request and filings section that facilitates the electronic exchange of information between firms and FINRA, including viewing and responding to requests sent pursuant to FINRA Rule 8210.

[6] *See* Securities Exchange Act Release No. 68386 (December 7, 2012), 77 FR 74253 (December 13, 2012) (Order Approving File No. SR–FINRA–2009–060).

[7] FINRA Gateway became the platform for filing registration forms starting in 2021 with a phase-in process for Forms U4, U5 and BR.

[8] FINRA Rule 8210(d) already provides flexibility for electronic delivery, including email or FINRA Gateway, to outside counsel.

[9] 15 U.S.C. 78*o*–3(b)(6).

[10] 15 U.S.C. 78*o*–3(b)(8).

information, not only protects investors but also supports fair and timely resolution of examinations and investigations for its members.

B. Self-Regulatory Organization's Statement on Burden on Competition

FINRA does not believe that the proposed rule change will result in any burden on competition that is not necessary or appropriate in furtherance of the purposes of the Act.

As mentioned above, FINRA staff already sends 8210 requests to member firms through FINRA Gateway, in addition to sending the same 8210 request via physical mail to comply with the current rule. The proposed rule change would allow FINRA to use only electronic means. FINRA believes that the proposed rule change would create administrative efficiencies for both FINRA staff and member firms. Member firms that receive physical mail in FINRA correspondence incur administrative costs to open and manage the material, which may include converting to electronic format, even if they also receive electronic correspondence.[11]

The proposed rule change would eliminate these activities and the associated costs. This streamlining may also result in faster and more reliable communication of regulatory requests and responses. Member firms' familiarity with the functionality of FINRA Gateway should minimize one-time implementation challenges and costs. Member firms may need to update internal procedures, and those that prefer internal paper-based processes would need to print the 8210 requests on an ongoing basis. Where an 8210 request is sent to outside counsel of a member firm who does not currently have access to FINRA Gateway, there would be a minimal cost of time associated with setting up access.

FINRA believes that there would be no material competitive impacts on member firms. Because FINRA Gateway access is universal among member firms regardless of size or business model, all member firms are similarly positioned to receive electronic delivery of 8210 requests. The proposed amendment does not differentiate by firm size or business model, ensuring consistent application across FINRA's membership.

[11] The proposed amendments to Rule 8210(d) are consistent with FINRA's amendments to the Rule 9000 Series (effective October 2025), which require use of the Office of Hearing Officers (OHO) Docket Portal instead of email as the primary method of filing and service of most papers in OHO proceedings. *See Regulatory Notice* 25–10 (Sept. 17, 2025).

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

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) of the Act[12] and Rule 19b–4(f)(6) 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–FINRA–2026–008 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–FINRA–2026–008. 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 FINRA. 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–FINRA–2026–008 and should be submitted on or before May 21, 2026.

For the Commission, by the Division of Trading and Markets, pursuant to delegated authority.[14]

J. Matthew DeLesDernier,

Deputy Secretary.

[FR Doc. 2026–08369 Filed 4–29–26; 8:45 am]

BILLING CODE 8011–01–P

[12] 15 U.S.C. 78s(b)(3)(A).

[13] 17 CFR 240.19b–4(f)(6).

[14] 17 CFR 200.30–3(a)(12).

SECURITIES AND EXCHANGE COMMISSION

[Investment Company Act Release No. 36129; File No. 812–16009]

AAM/Wilshire Infrastructure Fund and Advisors Asset Management, Inc.

April 27, 2026.

AGENCY: Securities and Exchange Commission (''Commission'' or ''SEC'').

ACTION: Notice.

Notice of an application under section 6(c) of the Investment Company Act of 1940 (the ''Act'') for an exemption from sections 18(a)(2), 18(c) and 18(i) of the Act, under sections 6(c) and 23(c) of the Act for an exemption from rule 23c–3 under the Act, and for an order pursuant to section 17(d) of the Act and rule 17d–1 under the Act.

SUMMARY OF APPLICATION: Applicants request an order to permit certain registered closed-end investment companies to issue multiple classes of shares and to impose early withdrawal charges and asset-based distribution and/or service fees.

APPLICANTS: AAM/Wilshire Infrastructure Fund and Advisors Asset Management, Inc.

FILING DATE: The application was filed on March 20, 2026.

HEARING OR NOTIFICATION OF HEARING: An order granting the requested relief will be issued unless the Commission orders a hearing. Interested persons may request a hearing on any application by emailing the SEC' s Secretary at *Secretarys-Office@sec.gov* and serving the Applicants with a copy of the request by email, if an email address is

listed for the relevant Applicants below, or personally or by mail, if a physical address is listed for the relevant Applicants below. The email should include the file number referenced above. Hearing requests should be received by the Commission by 5:30 p.m., Eastern time on May 22, 2026, and should be accompanied by proof of service on the Applicants in the form of an affidavit, or, for lawyers, a certificate of service. Pursuant to rule 0–5 under the Act, hearing requests should state the nature of the writer's interest, any facts bearing upon the desirability of a hearing on the matter, the reason for the request, and the issues contested. Persons who wish to be notified of a hearing may request notification by emailing the Commission's Secretary.

ADDRESSES: The Commission: *Secretarys-Office@sec.gov.* Applicants: Diane J. Drake, AAM/Wilshire Infrastructure Fund, c/o Mutual Fund Administration, LLC, 2220 E. Route 66, Suite 226, Glendora, CA 91740, *diane.drake@mfac-ca.com,* Debra Fisherman, CFA, and Giacomo Guardavaccaro, Advisors Asset Management, Inc., 300 Carnegie Center, Suite 100, Princeton, NJ 08540, *debra.fisherman@aamlive.com* and *giacomo.guardavaccaro@aamlive.com;* with a copy to Laurie Anne Dee, Morgan, Lewis & Bockius LLP, 600 Anton Boulevard, Suite 1800, Costa Mesa, CA 92626–7653, *laurie.dee@morganlewis.com.*

FOR FURTHER INFORMATION CONTACT: Trace W. Rakestraw, Senior Special Counsel, at (202) 551–6825 (Division of Investment Management, Chief Counsel's Office).

SUPPLEMENTARY INFORMATION: For Applicants' representations, legal analysis, and conditions, please refer to Applicants' application, filed March 20, 2026, which may be obtained via the Commission's website by searching for the file number at the top of this document, or for an Applicant using the Company name search field on the SEC's EDGAR system. The SEC's EDGAR system may be searched at *https://www.sec.gov/search-filings.* You may also call the SEC's Office of Investor Education and Assistance at (202) 551–8090.

For the Commission, by the Division of Investment Management, under delegated authority.

Vanessa A. Countryman,

Secretary.

[FR Doc. 2026–08360 Filed 4–29–26; 8:45 am]

BILLING CODE 8011–01–P

SECURITIES AND EXCHANGE COMMISSION

[Investment Company Act Release No. 36128; 812–16004]

Wasatch Funds Trust and Wasatch Advisors LP

April 27, 2026.

AGENCY: Securities and Exchange Commission (''Commission'' or ''SEC'').

ACTION: Notice.

Notice of an application under section 6(c) of the Investment Company Act of 1940 (''Act'') for an exemption from section 15(a) of the Act, as well as from certain disclosure requirements in rule 20a–1 under the Act, Item 19(a)(3) of Form N–1A, Items 22(c)(1)(ii), 22(c)(1)(iii), 22(c)(8) and 22(c)(9) of Schedule 14A under the Securities Exchange Act of 1934, and sections 6–07(2)(a), (b), and (c) of Regulation S–X (''Disclosure Requirements'').

SUMMARY OF APPLICATION: The requested exemption would permit Applicants to enter into and materially amend subadvisory agreements with subadvisers without shareholder approval and would grant relief from the Disclosure Requirements as they relate to fees paid to the subadvisers.

APPLICANTS: Wasatch Funds Trust and Wasatch Advisors LP.

FILING DATES: The application was filed on March 11, 2026.

HEARING OR NOTIFICATION OF HEARING: An order granting the requested relief will be issued unless the Commission orders a hearing. Interested persons may request a hearing on any application by emailing the SEC's Secretary at *Secretarys-Office@sec.gov* and serving the Applicants with a copy of the request by email, if an email address is listed for the relevant Applicant below, or personally or by mail, if a physical address is listed for the relevant Applicant below. The email should include the file number referenced above. Hearing requests should be received by the Commission by 5:30 p.m., Eastern time, on May 22, 2026, and should be accompanied by proof of service on the Applicants, in the form of an affidavit, or, for lawyers, a certificate of service. Pursuant to rule 0–5 under the Act, hearing requests should state the nature of the writer's interest, any facts bearing upon the desirability of a hearing on the matter, the reason for the request, and the issues contested. Persons who wish to be notified of a hearing may request notification by emailing the Commission's Secretary.

ADDRESSES: *The Commission: Secretarys-Office@sec.gov.*

Applicants: Eric F. Fess, Felice R. Foundos, Chapman and Cutler LLP, 320 South Canal Street, Chicago, Illinois 60606, with a copy to Russell Biles, Wasatch Advisors LP, 505 Wakara Way, 3rd Floor, Salt Lake City, Utah 84108.

FOR FURTHER INFORMATION CONTACT: Rachel Loko, Senior Special Counsel, at (202) 551–6825 (Division of Investment Management, Chief Counsel's Office).

SUPPLEMENTARY INFORMATION: For Applicants' representations, legal analysis, and conditions, please refer to Applicants' application, dated March 11, 2026, which may be obtained via the Commission's website by searching for the file number at the top of this document, or for an Applicant using the Company name search field on the SEC's EDGAR system. The SEC's EDGAR system may be searched at *https://www.sec.gov/search-filings.*

You may also call the SEC's Office of Investor Education and Advocacy at (202) 551–8090.

For the Commission, by the Division of Investment Management, under delegated authority.

Vanessa A. Countryman,

Secretary.

[FR Doc. 2026–08359 Filed 4–29–26; 8:45 am]

BILLING CODE 8011–01–P

SECURITIES AND EXCHANGE COMMISSION

[Release No. 34–105313; File No. SR–ISE–2026–19]

Self-Regulatory Organizations; Nasdaq ISE, LLC; Notice of Filing and Immediate Effectiveness of Proposed Rule Change To Amend the Short Term Options Series Program

April 27, 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 24, 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 Short Term Option Series Program in Supplementary Material .03 of Options 4, Section 5 to add clarifying language concerning the listing and treatment of Monday and Wednesday Short Term Daily Expirations for Qualifying Securities when an Earnings Announcement [3] occurs after market close.

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 Short Term Option Series Program in Supplementary Material .03 of Options 4, Section 5. The amendment would add clarifying language concerning Monday and Wednesday expiration listings for options on certain individual stocks or Exchange-Traded Fund Shares (collectively, ''Qualifying Securities'') that are required to be marked closing only. Other technical changes are also proposed to Options 4, Section 5, Series of Options Contracts Open for Trading. The Exchange also proposes an amendment to Options 6C, Margins. Each change will be described below.

Short Term Options Series

Currently, the Exchange permits certain Qualifying Securities to list up to two Monday and Wednesday Short Term Daily Expirations in addition to the Friday weekly expiration, provided they meet the eligibility requirements [4] noted in Supplementary Material .03 of Options 4, Section 5. Each calendar quarter, the Exchange applies the above criteria to individual stocks and Exchange-Traded Fund Shares to determine eligibility for the following quarter as a Qualifying Security.[5] ISE makes the list of Qualifying Securities available by close of business on the first trading day of the quarter on its website.

For individual stocks on Qualifying Securities, the Exchange does not list a Monday or Wednesday Short Term Daily Expiration on a day when an Earnings Announcement occurs after market close. If a Monday or Wednesday Short Term Option Daily Expiration is listed and an Earnings Announcement is subsequently made after the listing becomes available for trading, the Exchange immediately takes one of the following actions: (1) delists the affected expiration if there is no open interest, or (2) marks the affected expiration as closing only. This is the Exchange's current practice to avoid violating the listing requirements of Supplementary Material .03 of Options 4, Section 5.

At this time, the Exchange proposes to codify this practice in its rule text to provide Members with clear expectations regarding listing availability. The Exchange proposes to state,

For individual stocks on Qualifying Securities, the Exchange will not list a Monday or Wednesday Short Term Option Daily Expiration on a day when an Earnings Announcement will occur after market close. If a Monday or Wednesday Short Term Option Daily Expiration is listed and an Earnings Announcement is subsequently made after the listing becomes available for trading, the Exchange will: (1) delist the affected expiration if there is no open interest; or (2) if there is open interest, designate the affected expiration as closing only. ''Earnings Announcement'' shall include official public quarterly or yearly earnings filed with the Securities and Exchange Commission.

Additionally, the Exchange proposes to remove current text in Supplementary Material .03 to Options 4, Section 5 which states that, ''For Qualifying Securities, the Exchange would not list an expiry on a day when there will be an Earnings Announcement that takes place after market close.'' The proposed rule text makes this sentence unnecessary. Finally, the Exchange proposes to relocate the current description of an Earnings Announcement into the proposed text.

The Exchange also proposes other technical amendments to Options 4, Section 5 to reorganize the rule text. The Exchange proposes to relocate current Supplementary Material .07 to Options 4, Section 5 regarding listing Short Term Option Series in equity options, excluding Exchange-Traded Fund Shares and ETNs, which have an expiration date more than twenty-one days from the listing date to a new Supplementary Material .03(g). Also, the Exchange proposes to amend the citations in current Supplementary Material .07 to Options 4, Section 5 to reflect the relocation to current Supplementary Material .03(g) to Options 4, Section 5.

Other Amendments to Options 4, Section 5

The Exchange proposes to renumber current Supplementary Material .08 to Options 4, Section 5 (Low Priced Stock Strike Price Interval Program) as Supplementary Material .07 and also proposes to renumber current Supplementary Material .09 to Options 4, Section 5 (Monthly Options Series Program) as Supplementary Material .08.

Margin

Currently, Options 6C, Section 3, Margin Requirements, provides at subparagraph (a) that a Member must elect to be bound by the initial and maintenance margin requirements of either the Chicago Board of Options Exchange (''Cboe'') or the New York Stock Exchange as the same may be in

[3] An Earnings Announcement shall include official public quarterly or yearly earnings filed with the Securities and Exchange Commission.

[4] Qualifying Securities must meet the following criteria on a quarterly basis: (1) an underlying security, as measured on the last day of the prior calendar quarter, must have: (A) a market capitalization of greater than 700 billion dollars for an individual stock based on the closing price, or (B) Assets under Management (''AUM'') greater than 50 billion dollars for an Exchange-Traded Fund Share based on net asset value; (2) monthly options volume, as measured by sides traded in the last month preceding the quarter end, of greater than 10 million options; (3) a position limit of at least 250,000 contracts; and (4) participate in the Penny Interval Program. *See* Supplementary Material .03 of Options 4, Section 5.

[5] Beginning on the second trading day in the first month of each calendar quarter, the market capitalization of individual stocks is calculated based on the closing price established on the primary exchange on the last trading day of the prior calendar quarter and the AUM for Exchange-Traded Fund Shares is calculated based on the NAV established on the primary exchange on the last trading day of the prior calendar quarter. The data establishing the volume thresholds is established by using data from the last month of the prior calendar quarter from The Options Clearing Corporation. For options listed on the first trading day of a given calendar quarter, the volume is calculated using the last month of the quarter prior to that calendar quarter. For example, if the Exchange were to list Qualifying Securities in Q3 of 2026, ISE would look at the volume, measured in sides, for the last month of Q2 2026 or June 2026.

effect from time to time.[6] The Exchange proposes to update Cboe's name from ''Chicago Board of Options Exchange'' to ''Cboe Exchange, Inc.''

2. Statutory Basis

The Exchange believes that its proposal is consistent with Section 6(b) of the Act,[7] in general, and furthers the objectives of Section 6(b)(5) of the Act,[8] 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 believes that codifying its existing practice regarding the treatment of Monday and Wednesday Short Term Daily Expiration listings for Qualifying Securities promotes just and equitable principles of trade by providing Members with clear and transparent expectations concerning the availability of such listings. Under the proposed rule text, Members will have express notice that the Exchange will not list a Monday or Wednesday Short Term Daily Expiration on a day when an Earnings Announcement is scheduled to occur after market close, and that in the event an Earnings Announcement is announced after such a listing becomes available for trading, the Exchange will either delist the affected expiration if there is no open interest or mark the expiration as closing only. By memorializing this practice in the rule text, the Exchange ensures that all market participants are informed of the manner in which the Exchange administers its Short Term Option Series Program with respect to Qualifying Securities, thereby promoting fairness and transparency in the marketplace.

The Exchange further believes the proposal removes impediments to and perfects the mechanism of a free and open market and a national market system by ensuring that Monday or Wednesday Short Term Daily Expirations are not listed or do not remain available for new opening positions in circumstances that could expose investors to heightened risks associated with post-market-close Earnings Announcements. Options expiring on a day following an after-hours Earnings Announcement may be subject to significant price volatility and uncertainty that could disadvantage investors who are unable to react to material information disclosed after the close of trading. By formalizing the Exchange's practice of either not listing such expirations or marking them as closing only when an Earnings Announcement is announced after listing, depending on whether there is open interest, the proposal helps ensure that the options market operates in a manner that mitigates these risks and supports the integrity of the national market system.

The Exchange notes that the proposal does not raise any new or novel regulatory concerns. The proposed rule change merely codifies the Exchange's current practice, which has been in effect to ensure compliance with Supplementary Material .03 of Options 4, Section 5. The Exchange is not proposing to alter its existing approach to administering the Short Term Option Series Program for Qualifying Securities; rather, the Exchange seeks to formalize that approach in its rule text to enhance clarity and predictability for Members and other market participants.

The Exchange's proposal to amend citations, relocate Supplementary Material .07 to Options 4, Section 5, and renumber current Supplementary Material .08 to Options 4, Section 5 (Low Priced Stock Strike Price Interval Program) and Supplementary Material .09 to Options 4, Section 5 (Monthly Options Series Program) are non-substantive amendments intended to reorganize the Exchange's current rules.

The amendment to Options 6C, Section 3 to change Cboe's name is a non-substantive technical amendment.

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.

With respect to intra-market competition, the Exchange does not believe the proposal will place any category of market participant at a competitive disadvantage relative to any other category of market participant. All market participants will be subject to the same rules regarding the listing and treatment of Monday and Wednesday Short Term Daily Expirations for Qualifying Securities when an Earnings Announcement occurs after market close.

With respect to inter-market competition, the Exchange does not believe the proposal will place the Exchange at a competitive disadvantage relative to other options exchanges or impose any burden on competition among options exchanges. The proposed rule change does not alter the competitive landscape for options trading, as it merely formalizes the Exchange's current practice in rule text which practice is consistent with that of other options exchanges that have the same listing rules.

The Exchange's proposal to amend citations, relocate Supplementary Material .07 to Options 4, Section 5 and renumber current Supplementary Material .08 to Options 4, Section 5 (Low Priced Stock Strike Price Interval Program) and Supplementary Material .09 to Options 4, Section 5 (Monthly Options Series Program) are non-substantive amendments intended to reorganize the Exchange's current rules.

The amendment to Options 6C, Section 3 to change Cboe's name is a non-substantive technical amendment.

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 Act[9] and subparagraph (f)(6) of Rule 19b–4 thereunder.[10]

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

[6] MRX Options 6C Rules incorporate by reference ISE's Options 6C Rules.

[7] 15 U.S.C. 78f(b).

[8] 15 U.S.C. 78f(b)(5).

[9] 15 U.S.C. 78s(b)(3)(A)(iii).

[10] 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.

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–2026–19 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–2026–19. 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–ISE–2026–19 and should be submitted on or before May 21, 2026.

For the Commission, by the Division of Trading and Markets, pursuant to delegated authority.[11]

Vanessa A. Countryman,

Secretary.

[FR Doc. 2026–08365 Filed 4–29–26; 8:45 am]

BILLING CODE 8011–01–P

SECURITIES AND EXCHANGE COMMISSION

[Release No. 34–105311; File No. SR–NYSEARCA–2026–42]

Self-Regulatory Organizations; NYSE Arca, Inc.; Notice of Filing of Proposed Rule Change To Amend Rule 8.201–E (Generic) To Modify the Generic Listing Standards for Commodity-Based Trust Shares

April 27, 2026.

Pursuant to Section 19(b)(1)[1] of the Securities Exchange Act of 1934 (''Act'')[2] and Rule 19b–4 thereunder,[3] notice is hereby given that on April 22, 2026, NYSE Arca, Inc. (''NYSE Arca'' or the ''Exchange'') filed with the Securities and Exchange Commission (the ''Commission'') the proposed rule change as described in Items I, II, and III below, which Items have been prepared by the Exchange. The Commission is publishing this notice to 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 Rule 8.201–E (Generic) to modify the generic listing standards for Commodity-Based Trust Shares. The proposed rule change is available on the Exchange's website at *www.nyse.com* and at the principal office of the Exchange.

II. Self-Regulatory Organization's Statement of the Purpose of, and Statutory Basis for, the Proposed Rule Change

In its filing with the Commission, the self-regulatory organization included statements concerning the purpose of, and basis for, the proposed rule change and discussed any comments it received on the proposed rule change. The text of those statements may be examined at the places specified in Item IV below. The Exchange has prepared summaries, set forth in sections A, B, and C below, of the most significant parts of such statements.

A. Self-Regulatory Organization's Statement of the Purpose of, and the Statutory Basis for, the Proposed Rule Change

1. Purpose

The Exchange proposes to amend the generic listing standards for Commodity-Based Trust Shares, as set forth in Rule 8.201–E (Generic).[4] Specifically, the Exchange proposes to (1) amend Rule 8.201–E(d) (Generic) to require that at least 85% of the net asset value (''NAV'') of the Commodity-Based Trust Shares holdings consist of assets that are already allowed under the generic listing standards, and (2) amend the definition of ''commodity,'' as set forth in Rule 8.201–E(c)(2) (Generic), to clarify the scope of commodities covered under the generic listing standards.[5]

Background

Currently, the generic listing standards in Rule 8.201–E(c)(1)(iii) (Generic) contemplate that Commodity-Based Trust Shares may hold one or more commodities or commodity-based assets, and, in addition to such commodities or commodity-based assets, may hold securities, cash, and cash equivalents.[6] Rule 8.201–E(d) (Generic) sets forth specific eligibility requirements that the commodity, commodity-based asset, and security holdings of Commodity-Based Trust Shares must meet on an initial and, with the exception of subparagraph (d)(1)(iii) as described below, continuing basis. Specifically, each commodity or commodity that underlies a commodity-based asset held by a trust issuing Commodity-Based Trust Shares must meet at least one of the following criteria:

- On an initial and continuing basis, the commodity trades on a market that is an Intermarket Surveillance Group (''ISG'') member, provided that the Exchange may obtain information about trading in such commodity from the ISG member (Rule 8.201–E(d)(1)(i) (Generic));
- On an initial and continuing basis, the commodity underlies a futures contract that has been made available to trade on a designated contract market for at least six months; provided that the Exchange has a comprehensive surveillance sharing agreement, whether directly or through common membership in ISG, with such designated contract market (Rule 8.201–E(d)(1)(ii) (Generic)); or
- On an initial basis, an exchange-traded fund designed to provide economic exposure of no less than 40% of its net asset value to the commodity lists and trades on a national securities exchange (Rule 8.201–E(d)(1)(iii) (Generic)).

The current generic listing standards therefore require that all commodity or commodity-based asset holdings of Commodity-Based Trust Shares must meet one or more of the above eligibility criteria. These criteria are generally

[11] 17 CFR 200.30–3(a)(12).

[1] 15 U.S.C. 78s(b)(1).

[2] 15 U.S.C. 78a.

[3] 17 CFR 240.19b–4.

[4] *See* Securities Exchange Act Release No. 103995 (September 17, 2025), 90 FR 45414 (September 22, 2025) (SR–NASDAQ–2025–056; SR–CboeBZX–2025–104; SR–NYSEARCA–2025–54) (Order Granting Accelerated Approval of Proposed Rule Changes, as Modified by Amendments Thereto, to Adopt Generic Listing Standards for Commodity-Based Trust Shares).

[5] The Exchange notes that this proposal is substantially the same as a proposed rule change submitted by The Nasdaq Stock Market LLC. *See* SR–NASDAQ–2026–032, available at *https://listingcenter.nasdaq.com/assets/rulebook/nasdaq/filings/SR-NASDAQ-2026-032.pdf*.

[6] *See* Rules 8.201–E(c)(2) (defining commodity); 8.201–E(c)(3) (defining commodity-based asset); 8.201–E(c)(4) (defining cash equivalent).

designed to ensure that the Exchange can obtain information regarding trading in the commodities or commodities underlying commodity-based assets held by a trust issuing Commodity-Based Trust Shares, which would assist in monitoring trading in such shares on the Exchange and in deterring and detecting violations of Exchange rules and applicable federal securities laws, thereby making trading in the Commodity-Based Trust Shares less readily susceptible to fraud and manipulation.

In addition, Rule 8.201–E(d)(2) (Generic) sets forth the eligibility requirements for a trust's security holdings. Specifically, if the trust holds any securities, each such security would need to meet the criteria of Rule 8.600–E (Managed Fund Shares), Commentary .01(a) and (b), or, if the security is a listed option, trade on an ISG market. In other words, the generic listing standards require that the security holdings of Commodity-Based Trust Shares be either an equity security or fixed income security, as defined in Rule 8.600–E, Commentary .01(a) and (b), respectively, and meet the listing standards thereunder, or a listed option that trades on an ISG market. The Commission previously found the generic listing standards for Managed Fund Shares to be consistent with the Act, including the requirements relating to the component equity and fixed income securities underlying Managed Fund Shares.[7] In addition, with respect to listed options, ISG membership would help facilitate the availability of information necessary to detect and deter potential manipulation and other trading abuses, thereby making trading in the Commodity-Based Trust Shares less readily susceptible to manipulation.

Proposed Rule Change

The Exchange proposes to amend Rule 8.201–E(d) (Generic) to require that at least 85% of the NAV of the holdings of Commodity-Based Trust Shares be comprised of assets that are already allowed under the generic listing standards. Specifically, as proposed, Rule 8.201–E(d) (Generic) would provide that at least 85% of the NAV of the holdings of Commodity-Based Trust Shares listed under Rule 8.201–E (Generic) would consist of (i) commodities, commodity-based assets, and securities that meet the eligibility criteria set forth in subparagraphs (d)(1) and (d)(2) of the Rule and/or (ii) cash and cash equivalents. Rule 8.201–E(d) (Generic) would further specify that, for purposes of calculating the 85% limitation, holdings in listed and over-the-counter (''OTC'') derivatives will be calculated as the aggregate gross notional value of the derivatives.[8]

As proposed, the remaining holdings of a trust issuing Commodity-Based Trust Shares may consist of other assets like commodities, commodity-based assets, or securities that do not independently satisfy the eligibility criteria in Rules 8.201–E(d)(1) or (d)(2) (Generic), provided that such holdings do not exceed 15% of the NAV of the trust's holdings and the trust otherwise complies with all applicable requirements of the generic listing standards. The sponsor of the Commodity-Based Trust Shares must monitor compliance with this 85% threshold daily and must promptly notify the Exchange if the Commodity-Based Trust Shares breach this requirement.[9]

The following examples illustrate the application of the 85/15 proposal:

- A trust issuing Commodity-Based Trust Shares holds $95 million in market value of bitcoin, ether, Solana, and XRP, each of which currently qualify as eligible commodities under Rules 8.201–E(d)(1)(ii) and (iii) (Generic) (*i.e.,* each commodity underlies a futures contract that has been trading on an ISG market for at least 6 months and, for each commodity, there is an ETF that provides at least 40% economic exposure to the commodity). The trust also holds $5 million in market value in several digital asset commodities that do not currently qualify as eligible commodities under the generic listing standards, for total holdings of $100 million. Because at least 95% of the trust's NAV ($95 million/$100 million = 95%) meets the eligibility criteria under Rules 8.201–E(d)(1)(ii) and (iii) (Generic), the Commodity-Based Trust Shares exceed the 85% threshold and would satisfy the generic listing standards, as proposed.
- A trust issuing Commodity-Based Trust Shares holds gold and gold futures contracts. The trust's assets currently qualify as an eligible commodity or commodity-based asset under Rule 8.201–E(d)(1)(ii) (Generic) because gold underlies futures contracts that have been trading on an ISG market for at least six months. The gold held by the trust has a market value of $80 million, and the trust holds gold futures contracts with a gross notional value of $40 million,[10] for total holdings of $120 million. Because 100% of the trust's NAV meets the eligibility criteria under Rule 8.201–E(d)(1)(ii) (Generic), the Commodity-Based Trust Shares exceed the 85% threshold and would satisfy the generic listing standards, as proposed.
- A trust issuing Commodity-Based Trust Shares holds bitcoin and OTC call options on a bitcoin ETF. Bitcoin currently qualifies as an eligible commodity under Rules 8.201–E(d)(1)(ii) and (iii) (Generic) (*i.e.,* bitcoin underlies a futures contract that has been trading on an ISG market for at least 6 months, and there is an ETF that provides at least 40% economic exposure to bitcoin). The OTC call options on a bitcoin ETF do not meet the generic listing standards because these options are traded OTC rather than on an ISG market. The bitcoin held by the trust has a market value of $100 million, and the trust's OTC call options on a bitcoin ETF have a gross notional value of $40 million,[11] for total holdings of $140 million. Because only the bitcoin holdings of $100 million, representing approximately 71% of the trust's NAV ($100 million/$140 million = 71.42%) meet the eligibility criteria under Rules 8.201–E(d)(1)(ii) and (iii) (Generic), the Commodity-Based Trust Shares do not meet the required 85% threshold and would not satisfy the generic listing standards, as proposed.

The Exchange notes that the proposed 85% threshold for Commodity-Based Trust Shares holdings is consistent with thresholds recently approved by the Commission for similar commodity-

[7] *See* Securities Exchange Act Release Nos. 78397 (July 22, 2016), 81 FR 49320 (July 27, 2016) (SR–NYSEARCA–2015–110) (approving NYSE Arca's generic listing standards for Managed Fund Shares); 78396 (July 22, 2016), 81 FR 49698 (July 28, 2016) (SR–BATS2015–100) (approving BZX's generic listing standards for Managed Fund Shares); 78918 (September 23, 2016), 81 FR 67033 (September 29, 2016) (SR–NASDAQ–2016–104) (approving Nasdaq's generic listing standards for Managed Fund Shares).

[8] The Exchange similarly calculates percentage limitations on listed and OTC derivatives in its Managed Fund Shares rule based on the aggregate gross notional value of the listed and OTC derivatives. *See* Rule 8.600–E, Commentary .01(d)(1) and (e).

[9] The Exchange notes that, generally speaking, an issuer of securities listed under Rule 8–E must provide the Exchange with prompt notification after the issuer becomes aware of any non-compliance by the issuer with the applicable continued listing requirements. *See* Rule 5.2–E(b). In addition, Rule 8.201–E(k) (Generic) requires that an issuer of Commodity-Based Trust Shares must promptly notify the Exchange of any non-compliance with any of the applicable continued listing standards set forth in Rule 8.201–E (Generic).

[10] Assume the trust holds 100 gold futures contracts, the gold futures contract trading unit size is 100 troy ounces, and an ounce of gold is currently worth $4,000 (100 contracts * 100 troy ounces * $4,000 = $40 million).

[11] Assume the trust holds 5,000 OTC call options, with each option contract representing 100 shares, on a bitcoin ETF with a market price of $80 per share (5,000 option contracts * 100 option contract multiplier * $80 share price = $40 million).

based ETPs.[12] Specifically, the Commission approved the listing and trading of commodity-based ETPs holding a diversified portfolio of underlying commodities that tracked transparent, rules-based indices. There, the Commission found that the requirement that the trusts hold at least 85% of their investments in assets approved by the Commission to underlie an ETP as primary investments would enable adequate surveillance of the shares on the Exchange and found that the Exchange's rules were designed to prevent fraud and manipulation.[13] Although the ETPs in the Grayscale Order and Bitwise Order were listed under Rule 8.500–E for Trust Units, the Exchange believes that the policy rationale underlying the 85% threshold applies equally to Commodity-Based Trust Shares listed under Rule 8.201–E (Generic). Here, the Exchange proposes to require that at least 85% of the NAV of a trust's holdings be composed of assets that already meet the eligibility criteria under the generic listing standards (*i.e.,* commodities, commodity-based assets, and securities that meet the eligibility criteria in Rule 8.201–E(d) (Generic), as well as cash and cash equivalents). These eligibility criteria are designed to assist the Exchange in monitoring trading in such shares on the Exchange, thereby mitigating risks related to fraud and manipulation. The Exchange therefore believes that its proposal similarly strikes an appropriate balance between ensuring that the primary exposure of the ETP is to assets meeting established eligibility standards approved by the Commission and allowing limited exposure to additional assets that enhance diversification and flexibility without undermining market integrity or investor protection.

The Exchange also proposes to amend the definition of ''commodity'' in Rule 8.201–E(c)(2) (Generic) by excluding non-fungible assets and collectibles from its scope. This proposed change is intended to exclude those assets from the definition of eligible commodities under the generic listing standards but would not preclude the Exchange from submitting a separate rule change proposing the listing and trading of Commodity-Based Trust Shares that include such assets if it determines to do so. The Exchange notes that generic listing standards are generally intended to apply to products that were known and contemplated at the time of adoption; they are not intended to apply to novel products or materially distinct structures that were not considered when the standards were adopted. With respect to the generic listing standards for Commodity-Based Trust Shares, the commodities that were known and contemplated at the time of adoption included precious metals and digital asset commodities, but not non-fungible assets or collectibles. Accordingly, the Exchange believes it is appropriate to exclude such assets from the definition of ''commodity'' for purposes of the generic listing standards.

2. Statutory Basis

The proposed rule change is consistent with Section 6(b) of the Act,[14] in general, and furthers the objectives of Section 6(b)(5),[15] in particular, because it is 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 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 believes that the proposed rule change is designed to perfect the mechanism of a free an open market and a national market system and, in general, to protect investors and the public interest because it would facilitate the listing and trading of additional Commodity-Based Trust Shares, which would enhance competition among market participants, to the benefit of investors and the marketplace. As noted above, the Exchange proposes to require that at least 85% of the NAV of a trust's holdings be composed of assets that already meet the eligibility criteria under the generic listing standards (*i.e.,* commodities, commodity-based assets, and securities that meet the eligibility criteria in Rule 8.201–E(d) (Generic), as well as cash and cash equivalents). By requiring that the primary exposure of generically listed Commodity-Based Trust Shares be in assets that meet the established eligibility criteria under Rule 8.201–E (Generic), the Exchange believes that the proposed rule change would provide for flexibility in product innovation while maintaining robust investor protections. As discussed above, the current eligibility criteria are generally designed to ensure that the Exchange can obtain information regarding trading in the assets held by a trust issuing Commodity-Based Trust Shares to assist in monitoring the trading in such shares on the Exchange and in deterring and detecting violations of Exchange rules and applicable federal securities laws, thereby making Commodity-Based Trust Shares less readily susceptible to fraud and manipulation.

The Exchange also believes that the proposed change to exclude non-fungible assets and collectibles from the definition of ''commodity'' would perfect the mechanism of a free an open market and a national market system and, in general, protect investors and the public interest. As noted above, these assets were not contemplated for inclusion in the universe of eligible commodities at the time the generic listing standards were adopted, and, in general, generic listing standards are not intended to cover novel products that were not considered when such standards were adopted. Accordingly, while the Exchange proposes to exclude such assets from the definition of ''commodity'' set forth in Rule 8.201–E(c)(2) (Generic), this proposed change is not intended to preclude the Exchange from submitting a separate proposed rule change to list and trade Commodity-Based Trust Shares that include such assets if it determines to do so.

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. Instead, the Exchange believes that the proposed rule change would facilitate the listing and trading of additional types of Commodity-Based Trust Shares pursuant to generic listing standards, provided that the applicable requirements are satisfied. The proposed rule change is designed to encourage product innovation and efficient listing processes, which would enhance competition among issuers and

[12] *See, e.g.,* Securities Exchange Act Release Nos. 103996 (September 17, 2025), 90 FR 45440 (September 22, 2025) (SR–NYSEARCA–2024–87) (Order Setting Aside Action by Delegated Authority and Approving a Proposed Rule Change, as Modified by Amendment No. 1, to Amend NYSE Arca Rule 8.500–E (Trust Units) and to List and Trade Shares of the Grayscale Digital Large Cap Fund LLC under Amended NYSE Arca Rule 8.500–E (Trust Units)) (the ''Grayscale Order''); 104212 (November 18, 2025), 90 FR 52724 (November 21, 2025) (SR–NYSEARCA–2024–98) (Order Setting Aside Action by Delegated Authority and Approving a Proposed Rule Change, as Modified by Amendment No. 1, to Amend NYSE Arca Rule 8.500–E (Trust Units) and to List and Trade Shares of the Bitwise 10 Crypto Index ETF under Amended NYSE Arca Rule 8.500–E (Trust Units)) (the ''Bitwise Order'').

[13] *See id.*

[14] 15 U.S.C. 78f(b).

[15] 15 U.S.C. 78f(b)(5).

listing venues, to the benefit of investors and the marketplace.

C. Self-Regulatory Organization's Statement on Comments on the Proposed Rule Change Received From Members, Participants, or Others

No written comments were solicited or received with respect to the proposed rule change.

III. Date of Effectiveness of the Proposed Rule Change and Timing for Commission Action

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–NYSEARCA–2026–42 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–NYSEARCA–2026–42. 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–NYSEARCA–2026–42 and should be submitted on or before May 21, 2026.

For the Commission, by the Division of Trading and Markets, pursuant to delegated authority.[16]

Vanessa A. Countryman,

Secretary.

[FR Doc. 2026–08368 Filed 4–29–26; 8:45 am]

BILLING CODE 8011–01–P

SECURITIES AND EXCHANGE COMMISSION

[Release No. 34–105316; File No. SR–CboeBZX–2026–004]

Self-Regulatory Organizations; Cboe BZX Exchange, Inc.; Order Instituting Proceedings To Determine Whether To Approve or Disapprove a Proposed Rule Change To Amend the Opening Auction Process Provided Under Rule 11.23(b)(2)(B) to Delay the Opening Auction Under Certain Market Conditions

April 27, 2026.

On January 8, 2026, Cboe BZX Exchange, Inc. (the ''Exchange'' or ''BZX'') filed with the Securities and Exchange Commission (''Commission''), pursuant to Section 19(b)(1) of the Securities Exchange Act of 1934 (''Act'')[1] and Rule 19b–4 thereunder,[2] a proposed rule change to amend the Opening Auction Process provided under Rule 11.23(b)(2)(B) to delay the Opening Auction under certain market conditions. The proposed rule change was published for comment in the **Federal Register** on January 27, 2026.[3] On March 11, 2026, pursuant to Section 19(b)(2) of the Act,[4] the Commission designated a longer period within which to approve the proposed rule change, disapprove the proposed rule change, or institute proceedings to determine whether to disapprove the proposed rule change.[5] The Commission has received no comments on the proposed rule change. This order institutes proceedings under Section 19(b)(2)(B) of the Act[6] to determine whether to approve or disapprove the proposed rule change.

I. Summary of the Proposed Rule Change[7]

BZX holds an Opening Auction for each security listed on the Exchange. During an Opening Auction, all executions, if any, occur at a single price, and that price must be within a certain range established by the Exchange. The Exchange proposes to amend its Opening Auction process by, under certain circumstances, delaying the Opening Auction and if necessary gradually widening the bands within which the Opening Auction price must fall. The Exchange also proposes associated changes reflecting the proposed modifications to its process.[8]

The Current Opening Auction Process

Each Opening Auction price is the price level within the Collar Price Range[9] that maximizes the number of shares executed between the Continuous Book[10] and Auction Book[11]

[16] 17 CFR 200.30–3(a)(12).

[1] 15 U.S.C. 78s(b)(1).

[2] 17 CFR 240.19b–4.

[3] *See* Securities Exchange Act Release No. 104654 (Jan. 22, 2026), 91 FR 3588 (''Notice'').

[4] 15 U.S.C. 78s(b)(2).

[5] *See* Securities Exchange Act Release No. 104975, 91 FR 12649 (Mar. 16, 2026). The Commission designated April 27, 2026 as the date by which the Commission shall approve or disapprove, or institute proceedings to determine whether to disapprove, the proposed rule change.

[6] 15 U.S.C. 78s(b)(2)(B).

[7] For a full description of all aspects of the proposed rule change, including BZX's justification for it, please see the Notice, *supra* note 3.

[8] For example, the Exchange proposes to amend BZX Rules 11.23(b)(1)(A) and (B), to reflect that the Opening Auction may occur at a time other than 9:30 a.m. It also proposes to amend BZX Rule 11.23(b)(1)(B) to provide that Eligible Auction Orders designated for the Opening Auction may not be cancelled or modified from 9:28 a.m. until the Opening Auction has concluded except that Regular Hours Only (''RHO'') limit orders designated for the Opening Auction may be modified, but not cancelled, from 9:28 a.m. until the time the Opening Auction has concluded. Any such RHO limit orders modified from 9:28 a.m. until the Opening Auction has concluded would be treated as late-limit-on-open orders.

[9] ''Collar Price Range'' is defined in BZX Rule 11.23(a)(6) as ''the range from a set percentage below the Collar Midpoint (as defined below) to above the Collar Midpoint, such set percentage being dependent on the value of the Collar Midpoint at the time of the auction, as described below. The Collar Midpoint will be the Volume Based Tie Breaker for all applicable auctions, except for IPO Auctions in ETPs (as defined in Rule 11.8, Interpretation and Policy .02(d)(2)), for which the Collar Midpoint will be the issue price. Specifically, the Collar Price Range will be determined as follows: where the Collar Midpoint is $25.00 or less, the Collar Price Range shall be the range from 10% below the Collar Midpoint to 10% above the Collar Midpoint; where the Collar Midpoint is greater than $25.00 but less than or equal to $50.00, the Collar Price Range shall be the range from 5% below the Collar Midpoint to 5% above the Collar Midpoint; and where the Collar Midpoint is greater than $50.00, the Collar Price Range shall be the range from 3% below the Collar Midpoint to 3% above the Collar Midpoint.''

[10] ''Continuous Book'' is defined in BZX Rule 11.23(a)(7) as ''all orders on the BZX Book that are not Eligible Auction Orders.''

[11] ''Auction Book'' is defined in BZX Rule 11.23(a)(1) as ''all Eligible Auction Orders on the BZX Book.''

in the Opening Auction.[12] In the event of a volume based tie at multiple price levels, the Opening Auction price is the price that results in the minimum total imbalance. In the event of a volume based tie and a tie in minimum total imbalance at multiple price levels, the Opening Auction price is the price closest to the Volume Based Tie Breaker.[13] The Volume Based Tie Breaker for an Opening Auction is the midpoint of the NBBO[14] where there is a Valid NBBO[15]; where there is no Valid NBBO, the Volume Based Tie Breaker is the Final Last Sale Eligible Trade (''FLSET'').[16]

The Collar Price Range for an Opening Auction is the range from a set percentage below the Collar Midpoint (which is generally the Volume Based Tie Breaker) to above the Collar Midpoint.[17] The Collar Midpoint (and Volume Based Tie Breaker) will be the midpoint of the NBBO where there is a Valid NBBO. Where there is no Valid NBBO, the FLSET will be used as the Collar Midpoint (and Volume Based Tie Breaker).

Proposed Changes to the Opening Auction Process

The Exchange proposes to change its Opening Auction in circumstances where the Indicative Price[18] is outside the Collar Price Range—whether an FLSET-established Collar Price Range or NBBO-established Collar Price Range.[19] In these circumstances, BZX proposes to delay the Opening Auction, as follows:

1. BZX would implement an initial five-second delay period (9:30:00–9:30:05 a.m.). During this delay period, the system will check every second to determine whether (1) there is a Valid NBBO and the Indicative Price is within the NBBO-established Collar Price Range, or (2) there is no Valid NBBO and the Indicative Price is within the FLSET-established Collar Price Range. If either condition is met, the Opening Auction price will be established pursuant to the Standard Opening Auction Process. If during any one-second check, there is no Indicative Price (meaning there is no longer crossed interest), the Opening Auction would occur immediately pursuant to proposed Rule 11.23(2)(B)(v), which provides that the BZX Official Opening Price will be the price of the FLSET.

2. If the Opening Auction has not occurred by 9:30:05, the System would widen the Collar Price Range in the direction of the Indicative Price by 5% of the Volume Based Tie Breaker[20] as of 9:30:05 a.m. (''Widening Amount'').[21] The System would check to see whether the Indicative Price is inside the widened Collar Price Range every second between 9:30:05 and 9:30:30 a.m.

a. If the Indicative Price is within the widened Collar Price Range, the Opening Auction price would be established pursuant to the Standard Opening Auction Process.

b. If the Indicative Price is not within the widened Collar Price Range, the Opening Auction would be further delayed, as discussed below.

3. If by 9:30:30 a.m. the Indicative Price is not within the widened Collar Price Range, the Collar Price Range would again widen by the Widening Amount. The System would check to see whether the Indicative Price is inside the widened Collar Price Range every second between 9:30:30 and 9:31:30 a.m.

a. If an Indicative Price is inside the widened Collar Price Range during a check, the Opening Auction price would be established pursuant to the Standard Opening Auction Process.

b. If the Indicative Price is not within the widened Collar Price Range, the Opening Auction would be further delayed, as discussed below.

4. If by 9:31:30 a.m. the Indicative Price is not within the widened Collar Price Range, the System will check to see whether the Indicative Price is inside the widened Collar Price Range every second between 9:31:30 and 9:34:30 a.m.

a. If an Indicative Price is inside the widened Collar Price Range during a check, the Opening Auction price would be established pursuant to the Standard Opening Auction Process.

b. Unless the Opening Auction has occurred, the Collar Price Range would widen in the direction of the Indicative Price by the Widening Amount each minute from 9:31:30 to 9:34:30.

5. If no Opening Auction has occurred by 9:34:30 a.m., the Opening Auction would occur pursuant to the Standard Opening Auction Process using the expanded Collar Price Range as of 9:34:30.

In summary, the Opening Auction would be delayed until either: (1) the NBBO becomes a Valid NBBO; (2) the Indicative Price is within the Collar Price Range (*i.e.,* if the Opening Auction occurred between 9:30:01 and 9:30:05) or within the widened Collar Price Range (*i.e.,* if the Opening Auction occurred between 9:30:06 and 9:34:30); (3) there no longer is an Indicative Price; or (4) four minutes and 30 seconds elapsed.

BZX states that the proposal is designed to increase the likelihood that auction eligible orders priced equally or more aggressive than the Indicative Price are able to participate in the Opening Auction at a price that reflects current market conditions, instead of being canceled because they are priced outside the FLSET-established Collar Price Range.[22]

BZX also proposes to modify the definition of BZX Official Opening Price in Rule 11.23(a)(5) to mean the price disseminated to the consolidated tape as the market center open (rather than market center opening trade). This proposed change would allow the Exchange to determine the BZX Official Opening Price by execution of either a round-lot or an odd-lot trade in the Opening Auction.

The BZX Official Opening Price and Limit Up Limit Down Bands

The Exchange states that the proposal will result in (1) fewer limit up-limit down (''LULD'') halts due to LULD bands that are based on a stale price; and (2) more accurate Collar Price Ranges that are based on current market

[12] *See* BZX Rule 11.23(b)(2)(B) (governing the determination of the BZX Official Opening Price).

[13] Volume Based Tie Breaker is defined in BZX Rule 11.23(a)(23).

[14] NBBO is defined in BZX Rule 1.5(o) as ''the national best bid or offer.''

[15] Valid NBBO is defined in BZX Rule 11.23(a)(23) as an NBBO where: ''(i) there is both a NBB and NBO for the security; (ii) the NBBO is not crossed; and (iii) the midpoint of the NBBO is less than the Maximum Percentage away from both the NBB and the NBO.'' The Maximum Percentage will be determined by the Exchange and will be published in a circular distributed to Members with reasonable advance notice. *Id.*

[16] FLSET is defined in BZX Rule 11.23(a)(9) as ''the last round lot trade occurring during Regular Trading Hours on the Exchange if the trade was executed within the last one second prior to either the Closing Auction or, for Halt Auctions, trading in the security being halted. Where the trade was not executed within the last one second, the last round lot trade reported to the consolidated tape received by the Exchange during Regular Trading Hours and, where applicable, prior to trading in the security being halted will be used. If there is no qualifying trade for the current day, the BZX Official Closing Price from the previous trading day will be used.''

[17] *See supra* note 9.

[18] The term ''Indicative Price'' means the price at which the most shares from the Auction Book and the Continuous Book would match. In the event of a volume based tie at multiple price levels, the Indicative Price will be the price which results in the minimum total imbalance. In the event of a volume based tie and a tie in the minimum total imbalance at multiple price levels, the Indicative Price will be the price closest to the Volume Based Tie Breaker. See BZX Rule 11.23(a)(10).

[19] *See* Notice. at 3589–90.

[20] If there is no Valid NBBO, the FLSET would be used as the Volume Based Tie Breaker. *See* BZX Rule 11.23(a)(23).

[21] The Widening Amount would be locked-in as of 9:30:05, and will not change between 9:30:05 and 9:34:30 even in the event that a round lot trade reported to the consolidated tape was received by the Exchange during that time (*i.e.,* a FLSET).

[22] *See* Notice, at 3592.

conditions rather than the BZX Official Closing Price.[23] BZX believes that this proposal strikes an appropriate balance by providing additional time for the Opening Auction Process to facilitate more meaningful price formation that better reflects current market conditions for BZX-listed securities, while limiting any delay to ensure the BZX Office Price is still reported to the Securities Information Processor (''SIP'') by 9:35 a.m. and used to set the LULD price bands. The Exchange notes that, while there will be no LULD price bands until the Exchange disseminates a reference price and thus there will be no LULD price bands during the period before the Opening Auction Process occurs, this is a tradeoff that already exists as it relates to the opening process on the New York Stock Exchange LLC (''NYSE''), which may delay the opening process for an indefinite period of time.[24] Further, the Exchange states that any potential drawback in the delay of the LULD price bands is mitigated by the limited circumstances in which the delay would occur and that any LULD price bands disseminated during such delay may not be reflective of current market conditions.[25]

II. Proceedings To Determine Whether To Approve or Disapprove SR–CboeBZX–2026–004 and Grounds for Disapproval Under Consideration

The Commission is instituting proceedings pursuant to Section 19(b)(2)(B) of the Exchange Act [26] to determine whether the proposed rule change should be approved or disapproved. Institution of such proceedings is appropriate at this time in view of the legal and policy issues raised by the proposed rule change. Institution of proceedings does not indicate that the Commission has reached any conclusions with respect to any of the issues involved. Rather, as described below, the Commission seeks and encourages interested persons to provide comments on the proposed rule change to inform the Commission's analysis of whether to approve or disapprove the proposal.

Pursuant to Section 19(b)(2)(B) of the Exchange Act,[27] the Commission is providing notice of the grounds for disapproval under consideration. The Commission is instituting proceedings to allow for additional analysis of, and input from commenters with respect to, the consistency of the proposal with Section 6(b)(5) of the Act,[28] which requires, among other things, that the rules of a national securities exchange be designed to prevent fraudulent and manipulative acts and practices, promote just and equitable principles of trade, protect investors and the public interest; and not be designed to regulate by virtue of any authority conferred by the Exchange Act matters not related to the purposes of the Exchange Act or the administration of the exchange.

Pursuant to Section 19(b)(2)(B) of the Act,[29] the Commission is providing notice of the grounds for disapproval under consideration. As described above, the Exchange has proposed to amend the Opening Auction Process Provided Under Rule 11.23(b)(2)(B). In certain cases, the proposed Opening Auction Process would result in a delay in the calculation of the BZX Official Opening Price, which in most cases is the reference price for initial LULD price bands for BZX-listed securities. In particular, the Commission seeks comment on whether the proposal includes sufficient analysis to support a conclusion that the proposal is consistent with the requirements of Section 6(b)(5) of the Act,[30] including the requirements that the rules of a national securities exchange be designed to prevent fraudulent and manipulative acts and practices, promote just and equitable principles of trade, protect investors and the public interest; and not be designed to regulate by virtue of any authority conferred by the Exchange Act matters not related to the purposes of the Exchange Act or the administration of the exchange.

III. Procedure: Request for Written Comments

The Commission requests that interested persons provide written submissions of their data, views, and arguments with respect to the issues identified above, as well as any other concerns they may have with the proposal. In particular, the Commission invites the written views of interested persons concerning whether the proposed rule change is consistent with the Act, and the rules and regulations thereunder. Although there do not appear to be any issues relevant to approval or disapproval that would be facilitated by an oral presentation of data, views, and arguments, the Commission will consider, pursuant to Rule 19b–4 under the Act,[31] any request for an opportunity to make an oral presentation.[32]

Interested persons are invited to submit written data, views, and arguments regarding whether the proposed rule change should be approved or disapproved by May 21, 2026. Any person who wishes to file a rebuttal to any other person's submission must file that rebuttal by June 4, 2026.

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–2026–004 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–2026–004. 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–2026–004 and should be submitted by May 21, 2026. Rebuttal comments should be submitted by June 4, 2026.

For the Commission, by the Division of Trading and Markets, pursuant to delegated authority.[33]

Vanessa A. Countryman,

Secretary.

[FR Doc. 2026–08366 Filed 4–29–26; 8:45 am]

BILLING CODE 8011–01–P

[23] *See id.*

[24] *See id.*

[25] *See id.*

[26] 15 U.S.C. 78s(b)(2)(B).

[27] *Id.*

[28] 15 U.S.C. 78f(b)(5).

[29] *Id.*

[30] 15 U.S.C. 78f(b)(5).

[31] 17 CFR 240.19b–4.

[32] Section 19(b)(2) of the Act, as amended by the Securities Acts Amendments of 1975, Public Law 94–29 (June 4, 1975), grants to the Commission flexibility to determine what type of proceeding—either oral or notice and opportunity for written comments—is appropriate for consideration of a particular proposal by a self-regulatory organization. *See* Securities Acts Amendments of 1975, Senate Comm. on Banking, Housing & Urban Affairs, S. Rep. No. 75, 94th Cong., 1st Sess. 30 (1975).

[33] 17 CFR 200.30–3(a)(57).

SECURITIES AND EXCHANGE COMMISSION

[Release No. 34–105317; File No. SR–ISE–2025–26]

Self-Regulatory Organizations; Nasdaq ISE, LLC; Order Approving a Proposed Rule Change, as Modified by Amendment No. 5, To Amend the Position and Exercise Limits for IBIT Options

April 27, 2026.

I. Introduction

On November 13, 2025, Nasdaq ISE, LLC (''Exchange'' or ''ISE'') filed with the Securities and Exchange Commission (''Commission''), pursuant to Section 19(b)(1) of the Securities Exchange Act of 1934 (''Act'') [1] and Rule 19b–4 thereunder,[2] a proposed rule change to increase the position and exercise limits for options on the iShares Bitcoin Trust ETF (''IBIT'') and to amend its rules regarding the position and exercise limits for Flexible Exchange (''FLEX'') IBIT options. The proposed rule change was published for comment in the **Federal Register** on November 26, 2025.[3] On November 24, 2025, the Exchange filed Amendment No. 1 to the proposed rule change. On January 5, 2026, pursuant to Section 19(b)(2) of the Act,[4] the Commission designated a longer period within which to approve the proposed rule change, disapprove the proposed rule change, or institute proceedings to determine whether to disapprove the proposed rule change.[5] On January 26, 2026, the Exchange filed Amendment No. 2 to the proposed rule change. On January 27, 2026, the Exchange filed Amendment No. 3 to the proposed rule change, withdrew Amendment Nos. 2 and 3, and filed Amendment No. 4 to the proposed rule change. On February 20, 2026, the Exchange filed Amendment No. 5 to the proposed rule change, which supersedes and replaces the original proposal, as modified by Amendment Nos. 1 and 4, in its entirety.[6] On February 24, 2026, the Commission issued notice of filing of Amendment No. 5 and instituted proceedings under Section 19(b)(2)(B) of the Act [7] to determine whether to approve or disapprove the proposed rule change, as modified by Amendment No. 5.[8] The Commission received no comments regarding the proposal. This order approves the proposed rule change, as modified by Amendment No. 5.

II. Description of the Proposed Rule Change, as Modified by Amendment No. 5

Under Exchange Options 9, Sections 13 and 15, IBIT options currently are subject to position and exercise limits of 250,000 contracts on the same side of the market.[9] As described more fully in the Order Instituting Proceedings,[10] the Exchange proposes to amend its rules to increase the position and exercise limits for IBIT options to 1,000,000 contracts on the same side of the market.[11] The Exchange states that the current position and exercise limits will impede the activities of investors using IBIT options in hedging or income-generating strategies.[12] The Exchange further states that the liquidity and market capitalization of IBIT reduce concerns regarding the potential for market manipulation or disruption of the underlying markets in connection with the proposed position and exercise limits.[13] In addition, the Exchange states that the proposed position limits and exercise limits for IBIT options are consistent with existing position and exercise limits for options on the iShares MSCI Emerging Markets ETF (''EEM''), the iShares China Large-Cap ETF (''FXI''), and the iShares MSCI EAFE ETF (''EFA'').[14]

The Exchange states that, as of February 11, 2026, the market capitalization of IBIT was $52,661,063,818 and its average daily volume (''ADV'') for the preceding six months was 61,803,035 shares.[15] The Exchange states that, in comparison, EEM had ADV of 29,459,889 shares and assets under management (''AUM'') of $27,761,941,292; FXI had ADV of 31,656,532 shares and AUM of $6,594,337,253; and EFA had ADV of 17,215,037 shares and AUM of $76,788,457,200.[16]

In addition, the Exchange reviewed IBIT's data relative to the market capitalization of the entire bitcoin market.[17] The Exchange states that, as of February 11, 2026, the market capitalization of bitcoin was greater than $1.374 trillion and that a position limit of 1,000,000 contracts would represent 7.474% of the outstanding shares of IBIT.[18] In addition, the Exchange states that because IBIT has a creation and redemption process managed through the issuer, the position limit can be compared to the total market capitalization of the bitcoin market. The Exchange states that the exercisable risk for options on IBIT would represent 0.278% of all bitcoin outstanding.[19] The Exchange further states that, given the proposed 1,000,000-contract position and exercise limits, if all options on IBIT shares were exercised, it would have a virtually unnoticed impact on the entire bitcoin market.[20] The Exchange states that this analysis demonstrates that the proposed 1,000,000-contract per same side position and exercise limit is appropriate for options on IBIT given its liquidity.[21]

The Exchange states that IBIT options have more than sufficient liquidity to garner an increased position and exercise limit of 1,000,000 contracts and that any concerns related to manipulation and protection of investors are mollified by the significant liquidity provision in IBIT.[22] The Exchange states that the reporting requirements for IBIT options will remain unchanged and will continue to serve as an important part of the

[1] 15 U.S.C. 78s(b)(1).

[2] 17 CFR 240.19b–4.

[3] *See* Securities Exchange Act Release No. 104235 (Nov. 21, 2025), 90 FR 54414.

[4] 15 U.S.C. 78s(b)(2).

[5] *See* Securities Exchange Act Release No. 104542, 90 FR 750 (Jan. 8, 2026). The Commission designated February 24, 2026, as the date by which the Commission shall either approve, disapprove, or institute proceedings to determine whether to disapprove the proposed rule change.

[6] Amendment No. 5 revises the proposal to provide updated information regarding IBIT's trading volume, market capitalization, and other metrics discussed in the proposal; eliminate the proposed changes related to the position and exercise limits for FLEX IBIT options; remove statements indicating that the proposed position and exercise limits would be reviewed on a six-month basis pursuant to Options 9, Section 13(d); and eliminate references to reports provided in connection with the Penny Program.

[7] 15 U.S.C. 78s(b)(2)(B).

[8] *See* Securities Exchange Act Release No. 104884 (Feb. 24, 2026), 91 FR 9904 (Feb. 27, 2028) (''Order Instituting Proceedings'').

[9] *See* Order Instituting Proceedings, 91 FR at 9905, footnote 10.

[10] *See supra* note 8.

[11] *See* proposed Exchange Options 9, Section 13, Supplementary Material .01, and Options 9, Section 15, Supplementary Material .01.

[12] *See* Order Instituting Proceedings, 91 FR at 9905.

[13] *See id.* at 9906.

[14] *See id.* at 9905. *See also* Exchange Options 9, Section 13, Supplementary Material .01, and Exchange Options 9, Section 15, Supplementary Material .01.

[15] *See* Order Instituting Proceedings, 91 FR at 9906.

[16] *See id.*

[17] *See id.* at 9909.

[18] *See id.* The Exchange states that options on the SPDR Gold Shares (''GLD''), the iShares Silver Trust (''SLV''), and the ProShares Bitcoin ETF (''BITO'') each have position and exercise limits of 250,000 contracts on the same side of the market, and that these limits represent 6.63% of the float of GLD, 4.53% of the float of SLV, and 12.44% of the float of BITO. *See id.* at 9910.

[19] *See id.* at 9909–10.

[20] *See id.* at 9910.

[21] *See id.*

[22] *See id.* at 9910–11.

Exchange's surveillance efforts.[23] In addition, the Exchange states that its existing surveillance procedures and reporting requirements are capable of properly identifying disruptive and/or manipulative trading activity.[24]

III. Discussion and Commission Findings

After careful review, the Commission finds that the proposed rule change, as modified by Amendment No. 5, is consistent with the requirements of the Act and the rules and regulations thereunder applicable to a national securities exchange.[25] In particular, the Commission finds that the proposed rule change, as modified by Amendment No. 5, is consistent with Section 6(b)(5) of the Act,[26] which requires, among other things, that the rules of an exchange be designed to prevent fraudulent and manipulative acts and practices and to protect investors and the public interest.

Position and exercise limits serve as a regulatory tool designed to deter manipulative schemes and adverse market impact surrounding the use of options. Since the inception of standardized options trading, the options exchanges have had rules limiting the aggregate number of options contracts that a member or customer may hold or exercise. Options position and exercise limits are intended to prevent the establishment of options positions that can be used or might create incentives to manipulate or disrupt the underlying market to benefit the options position.[27] In addition, such limits serve to reduce the possibility of disruption in the options market itself, especially in illiquid classes.[28] As the Commission has previously recognized, markets with active and deep trading interest, as well as with broad public ownership, are more difficult to manipulate or disrupt than less active and deep markets with smaller public floats.[29] The Commission also has recognized that position and exercise limits must be sufficient to prevent investors from disrupting the market for the underlying security by acquiring and exercising a number of options contracts disproportionate to the deliverable supply and average trading volume of the underlying security.[30] At the same time, the Commission has recognized that limits must not be established at levels that are so low as to discourage participation in the options market by institutions and other investors with substantial hedging needs or to prevent specialists and market-makers from adequately meeting their obligations to maintain a fair and orderly market.[31]

Currently, the position and exercise limits in ISE Options 9, Sections 13 and 15, respectively, apply to IBIT options, and, under these rules, IBIT options have position and exercise limits of 250,000 contracts on the same side of the market.[32] ISE proposes to amend its rules to increase the position and exercise limits for IBIT options to 1,000,000 contracts on the same side of the market.[33]

The Exchange provided data and analysis supporting the proposed position and exercise limits. The Exchange states that, as of February 11, 2026, IBIT had 1,337,920,000 shares outstanding and market capitalization of $52,661,063,818.[34] The Exchange states that a position limit of 1,000,000 contracts would represent 7.474% of the outstanding shares of IBIT.[35] The Exchange further states that any concerns that the proposed limits might raise with respect to market manipulation and investor protection ''are mollified by the significant liquidity provision in IBIT.'' [36]

The Exchange also compared the size of the proposed position and exercise limits to the market capitalization of the bitcoin market, which, according to the Exchange, was greater than $1.374 trillion as of February 11, 2026.[37] The Exchange calculates that with a position limit of 1,000,000 contracts (which represents 100,000,000 shares of IBIT), the exercisable risk for options on IBIT would represent 0.278% of all bitcoin outstanding.[38] The Exchange states that, assuming a scenario where all options on IBIT shares were exercised given a 1,000,000-contract position and exercise limit, it ''would have a virtually unnoticed impact on the entire Bitcoin market,'' and, further, that the Exchange's analysis ''demonstrates that the proposed 1,000,000 per same side position and exercise limit is appropriate for options on IBIT given its liquidity.'' [39]

The Commission finds that the proposed position and exercise limits are consistent with the Act, and in particular, with the requirements in Section 6(b)(5) that the rules of a national securities exchange be designed to prevent fraudulent and manipulative acts and practices and to protect investors and the public interest. As discussed above, the Commission has recognized that position and exercise limits must be sufficient to prevent investors from disrupting the market for the underlying security by acquiring and exercising a number of option contracts disproportionate to the deliverable supply and average trading volume of the underlying security.[40] In addition, the Commission has stated previously that rules regarding position and exercise limits are intended to prevent the establishment of options positions that can be used or might create incentives to manipulate or disrupt the underlying market so as to benefit the options position.[41] Based on its review of the data and analysis provided by the Exchange, the Commission concludes that the proposed position and exercise limits satisfy these objectives. Specifically, the Commission has considered and reviewed the Exchange's analysis that, based on data from February 11, 2026, a position limit of 1,000,000 contracts would represent 7.474% of the outstanding shares of IBIT.[42] The Commission also has considered and reviewed the Exchange's statements that, as of February 11, 2026, IBIT had 1,337,920,000 shares outstanding, market capitalization of $52,661,063,818, and ADV of 61,803,035 shares for the preceding six months.[43]

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[23] *See id.* at 9911. *See also* Options 9, Section 16.

[24] *See* Order Instituting Proceedings, 91 FR at 9911.

[25] In approving this proposed rule change, the Commission has considered the proposed rule's impact on efficiency, competition, and capital formation. *See* 15 U.S.C. 78c(f).

[26] 15 U.S.C. 78f(b)(5).

[27] *See* Securities Exchange Act Release No. 39489 (Dec. 24, 1997), 63 FR 276, 279 (Jan. 5, 1998) (order approving File No. SR-Cboe–97–11).

[28] *See id.*

[29] *See id.*

[30] *See, e.g.,* Securities Exchange Act Release Nos. 21907 (Mar. 29, 1985), 50 FR 13440, 13441 (Apr. 4, 1985) (order approving File Nos. SR–CBOE–84–21, SR–Amex–84–30, SR–Phlx–84–25, and SR–PSE–85–1); and 40875 (Dec. 31, 1998), 64 FR 1842, 1843 (Jan. 12, 1999) (order approving File Nos. SR–CBOE–98–25; Amex–98–22; PCX–98–33; and Phlx-98–36).

[31] *See id.*

[32] *See* Order Instituting Proceedings, 91 FR at 9905, footnote 10.

[33] *See* proposed ISE Options 9, Section 13, Supplementary Material .01, and ISE Options 9, Section 15, Supplementary Material .01.

[34] *See* Order Instituting Proceedings, 91 FR at 9906.

[35] *See id.* at 9909.

[36] *Id.* at 9911.

[37] *See id.* at 9909.

[38] *See id.* at 9909–10.

[39] *Id.* at 9910.

[40] *See supra* note 30 and accompanying text.

[41] *See supra* note 27 and accompanying text.

[42] *See* Order Instituting Proceedings, 91 FR at 9910.

[43] *See id.* at 9906. In addition, the Commission has considered and reviewed the Exchange's statements that the position and exercise limits for options on GLD, SLV, and BITO would represent 6.63%, 4.53%, and 12.44%, respectively, of the outstanding shares of those exchange-traded products. *See id.* at 9910. Further, the Commission has considered and reviewed the Exchange's statements regarding the ADV and assets under

Based on the Commission's review of this information and analysis, the Commission concludes that the proposed position and exercise limits are designed to prevent market participants from disrupting the market for the underlying securities by acquiring and exercising a number of options contracts disproportionate to the deliverable supply and average trading volume of the underlying security, and to prevent the establishment of options positions that can be used or might create incentives to manipulate or disrupt the underlying market so as to benefit the options position.

IV. Conclusion

It is therefore ordered, pursuant to Section 19(b)(2) of the Act,[44] that the proposed rule change (SR–ISE–2025–26), as modified by Amendment No. 5 be, and hereby is, approved.

For the Commission, by the Division of Trading and Markets, pursuant to delegated authority.[45]

Vanessa A. Countryman,

Secretary.

[FR Doc. 2026–08367 Filed 4–29–26; 8:45 am]

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management of EEM, FXI, and EFA, each of which underlies options that have position and exercise limits of 1,000,000 contracts. *See* ISE Options 9, Section 13, Supplementary Material .01.

[44] 15 U.S.C. 78s(b)(2).

[45] 17 CFR 200.30–3(a)(12).

SURFACE TRANSPORTATION BOARD

30-Day Notice of Intent To Seek Extension of Approval of Collections: Complaints

AGENCY: Surface Transportation Board.

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 of 1995 (PRA), the Surface Transportation Board (STB or Board) gives notice of its intent to seek approval from the Office of Management and Budget (OMB) for an extension of approval for the information collection required from those seeking to file complaints, as described below. The Board previously published a notice about this collection in the **Federal Register** on February 26, 2026. That notice allowed for a 60-day public review and comment period. No comments were received.

DATES: Comments on these information collections should be submitted by May 30, 2026.

ADDRESSES: Written comments should be identified as ''Paperwork Reduction Act Comments, Surface Transportation Board: Complaints.'' Written comments for the proposed information collection should be submitted via *www.reginfo.gov/public/do/PRAMain.* This information collection can be accessed by selecting ''Currently under Review—Open for Public Comments'' or by using the search function. As an alternative, written comments may be directed to the Office of Management and Budget, Office of Information and Regulatory Affairs, Attention: Yasmine Di Giulio, Surface Transportation Board Desk Officer: by email at *oira_submission@omb.eop.gov;* by fax at (202) 395–1743; or by mail to 725 17th Street NW, Washington, DC 20503.

Please also direct comments to Chris Oehrle, PRA Officer, Surface Transportation Board, 395 E Street SW, Washington, DC 20423–0001 and to *PRA@stb.gov.* For further information regarding this collection, contact Michael Higgins, Deputy Director, Office of Public Assistance, Governmental Affairs (OPAGAC), and Compliance, at (202) 245–0284 or *michael.higgins@stb.gov.* Assistance for the hearing impaired is available through the Federal Relay Service at (800) 877–8339.

SUPPLEMENTARY INFORMATION: Comments are requested concerning each collection as to (1) whether the particular collection of information is necessary for the proper performance of the functions of the Board, including whether the collection has practical utility; (2) the accuracy of the Board's burden estimates; (3) ways to enhance the quality, utility, and clarity of the information collected; and (4) 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, when appropriate. Submitted comments will be included and summarized in the Board's request for OMB approval.

Subjects: In this notice, the Board is requesting comments on the following information collection:

Description of Collection

Title: Complaints under 49 CFR 1111.

OMB Control Number: 2140–0029.

STB Form Number: None.

Type of Review: Extension without change.

Respondents: Affected shippers, railroads and communities that seek redress for alleged violations related to unreasonable rates, unreasonable practices, service issues, and other statutory claims.

Number of Respondents: Two.

Estimated Time per Response: 250 hours.

Frequency: On occasion. For years 2023–2025, respondents filed an average of two complaints of this type with the Board.

Total Burden Hours (annually including all respondents): 500 (estimated hours per complaint (250) × average number of complaints (2)).

Total ''*Non-hour Burden*'' *Cost:* $3,050 (estimated non-hour burden cost per complaint ($1,525) × average number of complaints (2)).

Needs and Uses: Under the Board's regulations, persons may file complaints before the Board pursuant to 49 CFR part 1111 seeking redress for alleged violations of provisions of the Interstate Commerce Act, 49 U.S.C. 10101 *et seq.* The required content of a complaint is outlined at 49 CFR 1111.1(a). Generally, the most significant complaints filed at the Board allege that railroads are charging unreasonable rates or that they are engaging in unreasonable practices. The collection by the Board of these complaints, and the agency's action in conducting proceedings and ruling on the complaints, enables the Board to implement its governing statute.

Under the PRA, a federal agency that conducts or sponsors a collection of information must display a currently valid OMB control number. A collection of information, which is defined in 44 U.S.C. 3502(3) and 5 CFR 1320.3(c), includes agency requirements that persons submit reports, keep records, or provide information to the agency, third parties, or the public. Section 3507(b) of the PRA requires, concurrent with an agency's submitting a collection to OMB for approval, a 30-day notice and comment period through publication in the **Federal Register** concerning each proposed collection of information, including each proposed extension of an existing collection of information.

Dated: April 28, 2026.

Kenyatta Clay,

Clearance Clerk.

[FR Doc. 2026–08407 Filed 4–29–26; 8:45 am]

BILLING CODE 4915–01–P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

[Docket No. FAA–2025–5634]

Agency Information Collection Activities: Requests for Comments; Clearance of a Renewed Approval of Information Collection: Flight and Duty Limitations and Rest Requirements—Flightcrew Members

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Notice and request for comments.

SUMMARY: In accordance with the Paperwork Reduction Act of 1995, FAA invites public comments about our intention to request the Office of Management and Budget (OMB) approval to renew an information collection. The collection involves reporting exceeded flight duty periods and flight times, including scheduled maximum and actual flight duty periods and flight times, basic flight information (*e.g.,* city pairs, departure times, flight number), and reason for exceedance. Reporting and recordkeeping are required any time a certificated air carrier has exceeded a maximum daily flight time limit or a maximum daily Flight Duty Period (FDP) limit. It is also required for the voluntary development of a Fatigue Risk Management System (FRMS), and for fatigue training. The information is necessary to monitor trends in exceedance and possible underlying systemic causes requiring operator action, and to determine whether operator is scheduling realistically.

DATES: Written comments should be submitted by June 29, 2026.

ADDRESSES: Please send written comments:

By Electronic Docket: www.regulations.gov (Enter docket number into search field).

By mail: Näleé D. Romero, Federal Aviation Administration National headquarters, 10A, 8th Floor, AFS, 800 Independence Ave. SW, Washington, DC 20591.

By fax: TBD.

FOR FURTHER INFORMATION CONTACT: Näleé D. Romero by email at: *Nalee.Romero@faa.gov;* phone: 202–267–4702.

SUPPLEMENTARY INFORMATION:

Public Comments Invited: You are asked to comment on any aspect of this information collection, including (a) Whether the proposed collection of information is necessary for FAA's performance; (b) the accuracy of the estimated burden; (c) ways for FAA to enhance the quality, utility and clarity of the information collection; and (d) ways that the burden could be minimized 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.

OMB Control Number: 2120–0751.

Title: Flight and Duty Limitations and Rest Requirements—Flightcrew Members.

Form Numbers: None.

Type of Review: Renewal of an information collection.

Background: The FAA collects reports from air carriers conducting passenger operations certificated under 14 CFR part 121 as prescribed in 14 CFR part 117 Flightcrew Member Duty and Rest Requirements, §§§ 117.11, 117.19, and 117.29. Air carriers are required to submit a report of exceeded flight duty periods and flight times, including scheduled maximum and actual flight duty periods and flight times, basic flight information (*e.g.,* city pairs, departure times, flight number), and reason for exceedance. The purpose for the reports is to notify the FAA that the certificate holder has extended a flight time and/or FDP limitation. This information enables FAA to monitor trends in exceedance and possible underlying systemic causes requiring operator action as well as determine whether operators are scheduling realistically. Additionally, if air carriers choose to develop a Fatigue Risk Management System (FRMS) under § 117.7 they are required to collect data specific to the need of the operation for which they will seek an FRMS authorization. It results in an annual recordkeeping and reporting burden when carriers adopt the system because they need to report the related activities to the FAA. Each air carrier is also required to develop specific elements and incorporate these elements into their training program (§ 117.9). Once the elements have been incorporated, the air carrier must submit the revised training program for approval.

Respondents: 52 Air Carriers.

Frequency: On Occasion.

Estimated Average Burden per Response: 12 Hours.

Estimated Total Annual Burden: 30,954 Hours.

Issued in Washington, DC, on April 26, 2026.

Sandra L. Ray,

Aviation Safety Inspector, AFS–200.

[FR Doc. 2026–08401 Filed 4–29–26; 8:45 am]

BILLING CODE 4910–13–P

DEPARTMENT OF TRANSPORTATION

Federal Motor Carrier Safety Administration

[Docket No. FMCSA–2025–0919]

Agency Information Collection Activities; Renewal of an Approved Information Collection Request: Training Certification for Drivers of Longer Combination Vehicles

AGENCY: Federal Motor Carrier Safety Administration (FMCSA), Department of Transportation (DOT).

ACTION: Notice and request for comments.

SUMMARY: In accordance with the Paperwork Reduction Act of 1995, FMCSA announces its plan to submit the Information Collection Request (ICR) described below to the Office of Management and Budget (OMB) for review and approval. FMCSA requests approval to renew an ICR titled, ''Training Certification for Drivers of Longer Combination Vehicles,'' OMB Control No. 2126–0026. This ICR relates to Agency requirements for drivers to be certified to operate longer combination vehicles (LCVs), and associated recordkeeping requirements that motor carriers must satisfy before permitting their drivers to operate LCVs. Motor carriers, upon inquiry by authorized Federal, State, or local officials, must produce an LCV Driver-Training Certificate for each of their LCV drivers. No comments were received in response to the 60-day **Federal Register** notice.

DATES: Comments on this notice must be received on or before June 1, 2026.

ADDRESSES: Written comments and recommendations for the proposed information collection should be submitted within 30 days of publication of this notice to *www.reginfo.gov/public/do/PRAMain.* Find this information collection by selecting ''Currently under 30-day Review—Open for Public Comments'' or by using the search function.

FOR FURTHER INFORMATION CONTACT: Bernadette Walker, FMCSA, Driver and Carrier Operations Division, DOT, FMCSA, 1200 New Jersey Avenue SE, Washington, DC 20590; (202) 385–2415; *bernadette.walker@dot.gov.*

SUPPLEMENTARY INFORMATION: *Title:* Training Certification for Drivers of LCVs.

OMB Control Number: 2126–0026.

Type of Request: Renewal of an information collection.

Respondents: LCV training providers, drivers, and motor carriers employing LCV drivers.

Estimated Number of Respondents: 59,333, consisting of 178 LCV training providers, 178 newly certified LCV drivers seeking employment, 29,400 currently certified LCV drivers seeking employment, and 29,577 motor carriers employing LCV drivers.

Estimated Time per Response: 10 minutes for preparation of LCV Driver-Training Certificates for drivers who successfully complete the LCV training, and 10 minutes for activities associated with the LCV Driver-Training Certificate during the hiring process.

Expiration Date: July 31, 2026.

Frequency of Response: On occasion.

Estimated Total Annual Burden: 4,959.

Background: An LCV is any combination of a truck-tractor and two or more semi-trailers or trailers that operates on the National System of Interstate and Defense Highways (according to 23 CFR part 470.107) and has a gross vehicle weight greater than 80,000 pounds. To enhance the safety of LCV operations on our Nation's highways, section 4007(b) of the Motor Carrier Act of 1991 directed the Secretary of Transportation (Secretary) to establish Federal minimum training requirements for drivers of LCVs (Intermodal Surface Transportation Efficiency Act of 1991, Public Law 102–240, 105 Stat. 1914, 2152). The Secretary delegated responsibility for establishing these requirements to FMCSA (49 CFR part 1.87), and on March 30, 2004, after appropriate notice and solicitation of public comment, FMCSA established the current training requirements for operators of LCVs (69 FR 16722). The regulations bar motor carriers from permitting their drivers to operate an LCV if they have not been properly trained in accordance with the requirements of § 380.113. Drivers receive an LCV Driver-Training Certificate upon successful completion of these training requirements. Motor carriers employing an LCV driver must verify the driver's qualifications to operate an LCV and must maintain a copy of the LCV Driver-Training Certificate and present it to authorized Federal, State, or local officials upon request.

Renewal of This Information Collection (IC)

The current burden estimate associated with this IC, approved by OMB on July 3, 2023, is 4,360 hours. The expiration date of the current ICR is July 31, 2026. Through this ICR renewal, the Agency requests an increase in the burden hours from 4,360 hours to 4,959 hours. The increase is the result of the increase in estimated driver population as well as the increase in expected industry growth rate for drivers from 2024 to 2034.

Public Comments Invited: You are asked to comment on any aspect of this information collection, including: (1) whether the proposed collection is necessary for the performance of FMCSA's functions; (2) the accuracy of the estimated burden; (3) ways for FMCSA to enhance the quality, usefulness, and clarity of the collected information; and (4) ways that the burden could be minimized without reducing the quality of the collected information.

Issued under the authority of 49 CFR 1.87.

David M. Sutula,

Acting Associate Administrator, Office of Research and Registration.

[FR Doc. 2026–08391 Filed 4–29–26; 8:45 am]

BILLING CODE 4910–EX–P

DEPARTMENT OF TRANSPORTATION

Federal Motor Carrier Safety Administration

[Docket No. FMCSA–2026–0694]

Parts and Accessories Necessary for Safe Operation; Application for Exemption From ROSHO Automotive Solutions

AGENCY: Federal Motor Carrier Safety Administration (FMCSA), Department of Transportation (DOT).

ACTION: Notice of application for exemption; request for comments.

SUMMARY: FMCSA requests public comment on an application for exemption submitted by ROSHO Automotive Solutions (ROSHO) to allow motor carriers to operate commercial motor vehicles (CMV) equipped with ROSHO's camera-based ''Mirror System'' installed as an alternative to the two rear-vision mirrors required by the Federal Motor Carrier Safety Regulations (FMCSRs). FMCSA is required by statute to publish a notice explaining each exemption request. This notice does not indicate what decision FMCSA will ultimately reach on the request. After reviewing the application, safety analyses, and public comments submitted, FMCSA will grant or deny the exemption.

DATES: Comments must be received on or before June 1, 2026.

ADDRESSES: You may submit comments identified by Docket Number FMCSA–2026–0694 by any of the following methods:

- *Federal eRulemaking Portal: www.regulations.gov.* See the Public Participation and Request for Comments section below for further information.
- *Mail:* Dockets Operations, U.S. Department of Transportation, 1200 New Jersey Avenue SE, W58–213, West Building, Washington, DC 20590–0001.
- *Hand Delivery or Courier:* Dockets Operations, U.S. Department of Transportation, 1200 New Jersey Avenue SE, W58–213, West Building, Washington, DC 20590–0001 between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays.
- *Fax:* (202) 493–2251.

Each submission must include the Agency name and the docket number (FMCSA–2026–0694) for this notice. Note that DOT posts all comments received without change to *www.regulations.gov,* including any personal information included in a comment. Please see the Privacy Act heading below.

Privacy Act: In accordance with 49 U.S.C. 31315(b), DOT solicits comments from the public to better inform its exemption process. DOT posts these comments, including any personal information the commenter provides, to *www.regulations.gov,* as described in the system of records notice DOT/ALL–14 FDMS (Federal Docket Management System (FDMS)), which can be reviewed at *https://www.transportation.gov/individuals/privacy/privacy-act-system-records-notices.* The comments are posted without edit and are searchable by the name of the submitter.

FOR FURTHER INFORMATION CONTACT: Mr. Vinay Nagabhushana, Acting Chief, Vehicle and Roadside Operations Division, Office of Carrier, Driver, and Vehicle Safety, FMCSA; (202) 897–8923, or by email at *MCPSV@dot.gov.* If you have questions on viewing or submitting material to the docket, contact Dockets Operations at (202) 366–9826.

SUPPLEMENTARY INFORMATION:

I. Public Participation and Request for Comments

FMCSA encourages you to participate by submitting comments and related materials.

A. Submitting Comments

If you submit a comment, please include the docket number for this notice (FMCSA–2026–0694), indicate the specific section of this document to which your comment applies, and provide a reason for each suggestion or recommendation. You may submit your comments and material online or by fax, mail, or hand delivery, but please use only one of these means. FMCSA recommends that you include your name and a mailing address, an email

address, or a phone number in the body of your document so the Agency can contact you if it has questions regarding your submission.

To submit your comment online, go to *https://www.regulations.gov/docket/FMCSA-2026-0694/document,* click on this notice, click ''Comment,'' and type your comment into the text box on the following screen.

If you submit your comments by mail or hand delivery, submit them in an unbound format, no larger than 8½ by 11 inches, suitable for copying and electronic filing.

FMCSA will consider all comments and material received during the comment period. Comments received after the comment closing date will be filed in the public docket and will be considered to the extent practicable.

B. Confidential Business Information (CBI)

CBI is commercial or financial information that is both customarily and actually treated as private by its owner. Under the Freedom of Information Act (5 U.S.C. 552), CBI is exempt from public disclosure. If your comments responsive to the notice contain commercial or financial information that is customarily treated as private, that you actually treat as private, and that is relevant or responsive to the notice, it is important that you clearly designate the submitted comments as CBI. Please mark each page of your submission that constitutes CBI as ''PROPIN'' to indicate it contains proprietary information. FMCSA will treat such marked submissions as confidential under the Freedom of Information Act, and they will not be placed in the public docket of the notice. Submissions containing CBI should be sent to Brian Dahlin, Chief, Regulatory Evaluation Division, Office of Policy, FMCSA, 1200 New Jersey Avenue SE, Washington, DC 20590–0001 or via email at *brian.g.dahlin@dot.gov.* At this time, you need not send a duplicate hardcopy of your electronic CBI submissions to FMCSA headquarters. Any comments FMCSA receives not specifically designated as CBI will be placed in the public docket for this notice.

C. Viewing Comments and Documents

To view comments, as well as any documents mentioned in this preamble as being available in the docket, go to *https://www.regulations.gov,* insert FMCSA–2026–0694 in the keyword box, select the document tab and choose the document to review. To view comments, click this notice, then click ''Browse Comments.'' If you do not have access to the internet, you may view the docket by visiting Docket Operations in room W58–213 of the DOT West Building, 1200 New Jersey Avenue SE, Washington, DC 20590–0001, between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays. To be sure someone is there to help you, please call (202) 366–9317 or (202) 366–9826 before visiting Dockets Operations.

II. Legal Basis

FMCSA has authority under 49 U.S.C. 31136(e) and 31315(b) to grant exemptions from FMCSRs. FMCSA must publish a notice of each exemption request in the **Federal Register** (49 CFR 381.315(a)). The Agency must provide the public an opportunity to inspect the information relevant to the application, including the applicant's safety analysis. The Agency must provide an opportunity for public comment on the request.

The Agency reviews the application, safety analyses, and public comments submitted and determines whether granting the exemption would likely achieve a level of safety equivalent to, or greater than, the level that would be achieved without the exemption, pursuant to the standard set forth in 49 CFR 381.305(a). The Agency must publish its decision in the **Federal Register** (49 CFR 381.315(b)). If granted, the notice will identify the regulatory provision from which the applicant will be exempt, the effective period, and all terms and conditions of the exemption (49 CFR 381.315(c)(1)). If the exemption is denied, the notice will explain the reason for the denial (49 CFR 381.315(c)(2)). The exemption may be renewed (49 CFR 381.300(b)).

III. Applicant's Request

Current Regulatory Requirements

Section 393.80(a) of the FMCSRs requires that each bus, truck, and truck-tractor be equipped with two rear-vision mirrors, one at each side. The mirrors must be positioned to reflect to the driver a view of the highway to the rear and the area along both sides of the CMV. Section 393.80(a) cross-references the National Highway Traffic Safety Administration's standards for mirrors on motor vehicles (49 CFR 571.111, Federal Motor Vehicle Safety Standard (FMVSS) No. 111). Paragraph S7.1 of FMVSS No. 111 provides requirements for mirrors on multipurpose passenger vehicles and trucks with a gross vehicle weight rating (GVWR) greater than 4,536 kg and less than 11,340 kg and each bus, other than a school bus, with a GVWR of more than 4,536 kg. Paragraph S8.1 provides requirements for mirrors on multipurpose passenger vehicles and trucks with a GVWR of 11,340 kg or more.

Applicant's Request

ROSHO has applied for an exemption from § 393.80(a) to allow motor carriers to operate CMVs equipped with the company's ''ROSHO Mirror System'' installed as an alternative to the two rear-vision mirrors required by the FMCSRs. Despite its name, this technology is a camera-based rear visibility system. According to ROSHO, its system provides safety benefits that include an expanded field of view, enhanced image quality, fail-safe system design, and reduced driver fatigue.

ROSHO states its ''Mirror System'' is designed to fully replace traditional Class II, IV, and V physical mirrors on CMVs and is compliant with international standards such as UNECE R46 and ISO 16505. ROSHO states that its ''Mirror System'' also delivers low-latency and clear images with cameras that feature a high dynamic range and anti-glare coating, LED flicker suppression and mitigation, and manual or automatic heating functions to remove frost and fog. According to ROSHO, the ''Mirror System'' can also detect dirt, debris and blind spots, thereby improving driving safety.

ROSHO also highlights the system's night vision capability, low-light sensitivity features, and the ergonomic design of the system to minimize lateral head movement and reduce eye strain, thereby increasing driver comfort and mitigating fatigue-related incidents.

A copy of ROSHO's application for exemption, and all supporting materials, are available for review in the docket for this notice.

IV. Request for Comments

In accordance with 49 U.S.C. 31315(b), FMCSA requests public comment from all interested persons on ROSHO's application for a 5-year exemption from 49 CFR 393.80(a). All comments received before the close of business on the comment closing date will be considered and will be available for examination in the docket at the location listed under the Addresses section of this notice. Comments received after the comment closing date will be filed in the public docket and may be considered to the extent practicable. In addition to late comments, FMCSA will also continue to file, in the public docket, relevant information that becomes available after the comment closing date. Interested

persons should continue to examine the public docket for new material.

Larry W. Minor,

Associate Administrator for Policy.

[FR Doc. 2026–08361 Filed 4–29–26; 8:45 am]

BILLING CODE 4910–EX–P

DEPARTMENT OF TRANSPORTATION

Maritime Administration

[Docket No. MARAD–2026–0661]

Request Notice: Use of Foreign-Built Small Passenger Vessel in United States Coastwise Trade, M/V PIXAN KAAB

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 June 1, 2026.

ADDRESSES: You may submit comments identified by DOT Docket Number MARAD–2026–0661 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.

[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.

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.

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. 2026–08448 Filed 4–29–26; 8:45 am]

BILLING CODE 4910–81–P

DEPARTMENT OF TRANSPORTATION

Maritime Administration

[Docket No. MARAD–2026–0663]

Request Notice: Use of Foreign-Built Small Passenger Vessel in United States Coastwise Trade, S/V KARINA

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 June 1, 2026.

ADDRESSES: You may submit comments identified by DOT Docket Number MARAD–2026–0663 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.

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. 2026–08450 Filed 4–29–26; 8:45 am]

BILLING CODE 4910–81–P

[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.

DEPARTMENT OF TRANSPORTATION

Maritime Administration

[Docket No. MARAD–2026–0665]

Request Notice: Use of Foreign-Built Small Passenger Vessel in United States Coastwise Trade, S/V MARTHA SEABURY

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 June 1, 2026.

ADDRESSES: You may submit comments identified by DOT Docket Number MARAD–2026–0665 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.

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. 2026–08449 Filed 4–29–26; 8:45 am]

BILLING CODE 4910–81–P

[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.

DEPARTMENT OF TRANSPORTATION

Maritime Administration

[Docket No. MARAD–2026–0667]

Request Notice: Use of Foreign-Built Small Passenger Vessel in United States Coastwise Trade, M/V DOG DAZE

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 June 1, 2026.

ADDRESSES: You may submit comments identified by DOT Docket Number MARAD–2026–0667 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.

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. 2026–08452 Filed 4–29–26; 8:45 am]

BILLING CODE 4910–81–P

[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.

DEPARTMENT OF TRANSPORTATION

Maritime Administration

[Docket No. MARAD–2026–0666]

Request Notice: Use of Foreign-Built Small Passenger Vessel in United States Coastwise Trade, M/V SEA WARE

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 June 1, 2026.

ADDRESSES: You may submit comments identified by DOT Docket Number MARAD–2026–0666 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.

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. 2026–08447 Filed 4–29–26; 8:45 am]

BILLING CODE 4910–81–P

[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.

DEPARTMENT OF TRANSPORTATION

Maritime Administration

[Docket No. MARAD–2026–0662]

Request Notice: Use of Foreign-Built Small Passenger Vessel in United States Coastwise Trade, M/V ENDEAVOUR

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 June 1, 2026.

ADDRESSES: You may submit comments identified by DOT Docket Number MARAD–2026–0662 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.

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. 2026–08451 Filed 4–29–26; 8:45 am]

BILLING CODE 4910–81–P

[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.

DEPARTMENT OF THE TREASURY

Office of the Comptroller of the Currency

Agency Information Collection Activities: Information Collection Renewal; Submission for OMB Review; Reporting, Recordkeeping, and Disclosure Requirements Associated With Proprietary Trading and Certain Interests in and Relationships With Covered Funds

AGENCY: Office of the Comptroller of the Currency (OCC), Treasury.

ACTION: Notice and request for comment.

SUMMARY: The OCC, as part of its continuing effort to reduce paperwork and respondent burden, invites comment on a continuing information collection, as required by the Paperwork Reduction Act of 1995 (PRA). In accordance with the requirements of the PRA, the OCC may not conduct or sponsor, and the respondent is not required to respond to, an information collection unless it displays a currently valid Office of Management and Budget (OMB) control number. The OCC is soliciting comment concerning the renewal of its information collection titled, ''Reporting, Recordkeeping, and Disclosure Requirements Associated with Proprietary Trading and Certain Interests in and Relationships with Covered Funds.'' The OCC also is giving notice that it has sent the collection to OMB for review.

DATES: Comments must be received by June 1, 2026.

ADDRESSES: Commenters are encouraged to submit comments by email, if possible. You may submit comments by any of the following methods:

- *Email: prainfo@occ.treas.gov.*
- *Mail:* Chief Counsel's Office, Attention: Comment Processing, Office of the Comptroller of the Currency, Attention: 1557–0309, 400 7th Street SW, Suite 3E–218, Washington, DC 20219.
- *Hand Delivery/Courier:* 400 7th Street SW, Suite 3E–218, Washington, DC 20219.
- *Fax:* (571) 293–4835.

Instructions: You must include ''OCC'' as the agency name and ''1557–0309'' in your comment. In general, the OCC will publish comments on *www.reginfo.gov* without change, including any business or personal information provided, such as name and address information, email addresses, or phone numbers. Comments received, including attachments and other supporting materials, are part of the public record and subject to public disclosure. Do not include any information in your comment or supporting materials that you consider confidential or inappropriate for public disclosure.

Written comments and recommendations for the proposed information collection should also be sent within 30 days of publication of this notice to *www.reginfo.gov/public/do/PRAMain.* You can find this information collection by selecting ''Currently under 30-day Review—Open for Public Comments'' or by using the search function.

You may review comments and other related materials that pertain to this information collection following the close of the 30-day comment period for this notice by the method set forth in the next bullet.

- *Viewing Comments Electronically:* Go to *www.reginfo.gov.* Hover over the ''Information Collection Review'' tab and click on ''Information Collection Review'' from the drop-down menu. From the ''Currently under Review'' drop-down menu, select ''Department of the Treasury'' and then click ''submit.'' This information collection can be located by searching OMB control number ''1557–0309'' or ''Reporting, Recordkeeping, and Disclosure Requirements Associated with Proprietary Trading and Certain Interests in and Relationships with Covered Funds.'' Upon finding the appropriate information collection, click on the related ''ICR Reference Number.'' On the next screen, select ''View Supporting Statement and Other Documents'' and then click on the link to any comment listed at the bottom of the screen.
- For assistance in navigating *www.reginfo.gov,* please contact the Regulatory Information Service Center at (202) 482–7340.

FOR FURTHER INFORMATION CONTACT: Shaquita Merritt, Clearance Officer, (202) 649–5490, Chief Counsel's Office, Office of the Comptroller of the Currency, 400 7th Street SW, Washington, DC 20219. If you are deaf, hard of hearing, or have a speech disability, please dial 7–1–1 to access telecommunications relay services.

SUPPLEMENTARY INFORMATION: Under the PRA (44 U.S.C. 3501 *et seq.*), Federal agencies must obtain approval from the OMB for each collection of information that they conduct or sponsor. ''Collection of information'' is defined in 44 U.S.C. 3502(3) and 5 CFR 1320.3(c) to include agency requests or requirements that members of the public submit reports, keep records, or provide information to a third party. The OCC asks the OMB to extend its approval of the collection in this notice.

Title: Reporting, Recordkeeping, and Disclosure Requirements Associated with Proprietary Trading and Certain Interests in and Relationships with Covered Funds.

OMB Control No.: 1557–0309.

Type of Review: Regular.

Affected Public: Businesses or other for-profit.

Description: This submission covers an existing regulation and involves no change to the regulation or to the information collection requirements. The OCC requests only that OMB renew its approval of the collection.

Section 13 of the Bank Holding Company (BHC) Act generally prohibits any banking entity from engaging in proprietary trading or from acquiring or retaining an ownership interest in, sponsoring, or having certain relationships with a hedge fund or private equity fund (covered fund), subject to certain exemptions. The exemptions allow certain types of permissible trading and covered fund activities. The initial regulations implementing section 13 became effective on April 1, 2014. Section 44.20(d) and Appendix A of the implementing regulations require certain of the largest banking entities to report to the appropriate agency certain quantitative measurements.

This collection of information was established pursuant to a rule [1] required by the Dodd-Frank Wall Street Reform and Consumer Protection Act (Dodd-Frank Act), which was enacted on July 21, 2010.[2] The rule implemented section 619 of the Dodd-Frank Act, which added section 13 of the BHC Act (codified at 12 U.S.C. 1851). The OCC's version of the rule is codified at 12 CFR part 44. The reporting, recordkeeping, and disclosure requirements associated with the rule permit banking entities and the OCC to enforce compliance with section 13 of the BHC Act and the rule and to identify, monitor, and limit risks of activities permitted under section 13.

Section-by-Section Analysis

Section 44.3(d)(3), regarding excluded liquidity management activities, includes recordkeeping requirements for security, foreign exchange forward, foreign exchange swap, or cross-currency swap transactions.

Section 44.4(b)(3)(i)(A), regarding permitted market making activities, provides that a trading desk or other

[1] 79 FR 5536 (January 31, 2014).

[2] Dodd-Frank Wall Street Reform and Consumer Protection Act, Public Law 111–203, 124 Stat. 1376 (2010).

organizational unit of another banking entity is not a client, customer, or counterparty of a trading desk relying on the market-making exemption if that other entity has trading assets and liabilities of $50 billion or more unless the trading desk documents how and why a particular trading desk or other organizational unit of the other entity should be treated as a client, customer, or counterparty of the trading desk.

Section 44.4(c)(3)(i) requires a banking entity that relies on the market making presumption of compliance to make available to the OCC upon request records regarding (1) any limit that is exceeded and (2) any temporary or permanent increase to any limit(s), in each case in the form and manner as directed by the OCC.

Section 44.5(c) includes documentation requirements for banking entities that have significant trading assets and liabilities and rely on the risk-mitigating hedging exemption.

Section 44.10(c)(18)(ii)(C)(1) requires a banking entity relying on the exclusion from the covered fund definition for customer facilitation vehicles to maintain documentation outlining how the banking entity intends to facilitate the customer's exposure to a transaction, investment strategy, or service.

Section 44.11(a)(2) requires a banking entity (or an affiliate thereof) that organizes and offers a covered fund in connection with the provision of *bona fide* trust, fiduciary, investment advisory, or commodity trading advisory services to persons that are customers of such services of the banking entity (or an affiliate thereof) to organize and offer the fund pursuant to a written plan or similar documentation outlining how the banking entity or such affiliate intends to provide advisory or similar services to its customers through organizing and offering such fund.

Section 44.11(a)(8)(i) requires a banking entity that organizes and offers covered funds to make certain disclosures to investors in such funds. This provision also applies to banking entities relying on exclusions for credit funds, venture capital funds, family wealth management vehicles, or customer facilitation vehicles. *See* § 44.10(c)(15)(iii)(A), (c)(16)(ii)(A), (c)(17)(ii)(C), and (c)(18)(ii)(C)(3).

Section 44.12(e) outlines the requirements for requesting an extension of time to divest an ownership interest in a covered fund.

Section 44.20(b) requires a compliance program from banking entities with significant trading assets and liabilities including, among other things, records sufficient to demonstrate compliance with section 13 of the BHC Act and 12 CFR part 44. A banking entity must promptly provide these records to the OCC upon request and retain them for a period of no less than 5 years or such longer period as required by the OCC.

Section 44.20(c) requires a CEO attestation from any banking entity that has significant trading assets and liabilities.

Section 44.20(d) requires a banking entity with significant trading assets and liabilities (or any other banking entity to which the OCC has provided written notification) to report metrics specified in Appendix A. Section 20(d) further specifies that a banking entity that is required to report these metrics must do so within 30 days of the end of each calendar quarter.

Section 44.20(e) requires a banking entity with significant trading assets and liabilities to maintain additional documentation relating to certain exclusions or exceptions.

Section 44.20(f)(1) provides that a banking entity with no covered activities (other than trading activities permitted pursuant to § 44.6(a) of subpart B) can satisfy the requirements of § 44.20 by establishing the required compliance program prior to becoming engaged in such activities or making such investments.

Section 44.20(f)(2) provides that a banking entity with moderate trading assets and liabilities may satisfy the requirements of § 44.20 by including in its existing compliance policies and procedures appropriate references to the requirements of section 13 of the BHC Act and part 44 and adjustments as appropriate given its activities, size, scope, and complexity.

Section 44.20(i) covers notice and response procedures. The OCC will notify a banking entity in writing of any determination requiring notice under part 44 and will provide an explanation of the determination. The banking entity may respond to the notice and should include any matters that the banking entity would have the OCC consider in deciding whether to make the determination. The response must be in writing and delivered to the designated OCC official within 30 days after the date on which the banking entity received the notice.

Estimated Burden

Estimated Frequency of Response: On occasion.

Estimated Number of Respondents: 39.

Estimated Total Annual Responses: 2242.

Estimated Total Annual Burden: 20,410 hours.

Comments: On February 12, 2026, the OCC published a 60-day notice for this information collection, (91 FR 6729). No comments were received.

Comments continue to be invited on:

(a) Whether the collection of information is necessary for the proper performance of the functions of the OCC, including whether the information has practical utility;

(b) The accuracy of the OCC's estimate of the burden of the collection of information;

(c) Ways to enhance the quality, utility, and clarity of the information to be collected;

(d) Ways to minimize the burden of the collection on respondents, including through the use of automated collection techniques or other forms of information technology; and

(e) Estimates of capital or start-up costs and costs of operation, maintenance, and purchase of services to provide information.

Eden Gray,

Assistant Director, Office of the Comptroller of the Currency.

[FR Doc. 2026–08405 Filed 4–29–26; 8:45 am]

BILLING CODE 4810–33–P

DEPARTMENT OF THE TREASURY

Office of the Comptroller of the Currency

Agency Information Collection Activities: Information Collection Renewal; Submission for OMB Review; Recordkeeping Requirements for Securities Transactions

AGENCY: Office of the Comptroller of the Currency (OCC), Treasury.

ACTION: Notice and request for comment.

SUMMARY: The OCC, as part of its continuing effort to reduce paperwork and respondent burden, invites comment on a continuing information collection, as required by the Paperwork Reduction Act of 1995 (PRA). In accordance with the requirements of the PRA, the OCC may not conduct or sponsor, and the respondent is not required to respond to, an information collection unless it displays a currently valid Office of Management and Budget (OMB) control number. The OCC is soliciting comment concerning the renewal of its information collection titled, ''Recordkeeping Requirements for Securities Transactions.'' The OCC also is giving notice that it has sent the collection to OMB for review.

DATES: Comments must be received by June 1, 2026.

ADDRESSES: Commenters are encouraged to submit comments by email, if possible. You may submit comments by any of the following methods:

- *Email: prainfo@occ.treas.gov.*
- *Mail:* Chief Counsel's Office, Attention: Comment Processing, Office of the Comptroller of the Currency, Attention: 1557–0142, 400 7th Street SW, Suite 3E–218, Washington, DC 20219.
- *Hand Delivery/Courier:* 400 7th Street SW, Suite 3E–218, Washington, DC 20219.
- *Fax:* (571) 293–4835.

Instructions: You must include ''OCC'' as the agency name and ''1557–0142'' in your comment. In general, the OCC will publish comments on *www.reginfo.gov* without change, including any business or personal information provided, such as name and address information, email addresses, or phone numbers. Comments received, including attachments and other supporting materials, are part of the public record and subject to public disclosure. Do not include any information in your comment or supporting materials that you consider confidential or inappropriate for public disclosure.

Written comments and recommendations for the proposed information collection should also be sent within 30 days of publication of this notice to *www.reginfo.gov/public/do/PRAMain.* You can find this information collection by selecting ''Currently under 30-day Review—Open for Public Comments'' or by using the search function.

You may review comments and other related materials that pertain to this information collection following the close of the 30-day comment period for this notice by the method set forth in the next bullet.

- Viewing Comments Electronically: Go to *www.reginfo.gov.* Hover over the ''Information Collection Review'' tab and click on ''Information Collection Review'' from the drop-down menu. From the ''Currently under Review'' drop-down menu, select ''Department of the Treasury'' and then click ''submit.'' This information collection can be located by searching OMB control number ''1557–0142'' or ''Recordkeeping Requirements for Securities Transactions.'' Upon finding the appropriate information collection, click on the related ''ICR Reference Number.'' On the next screen, select ''View Supporting Statement and Other Documents'' and then click on the link to any comment listed at the bottom of the screen.
- For assistance in navigating *www.reginfo.gov,* please contact the Regulatory Information Service Center at (202) 482–7340.

FOR FURTHER INFORMATION CONTACT: Shaquita Merritt, Clearance Officer, (202) 649–5490, Chief Counsel's Office, Office of the Comptroller of the Currency, 400 7th Street SW, Washington, DC 20219. If you are deaf, hard of hearing, or have a speech disability, please dial 7–1–1 to access telecommunications relay services.

SUPPLEMENTARY INFORMATION: Under the PRA (44 U.S.C. 3501 *et seq.*), Federal agencies must obtain approval from the OMB for each collection of information that they conduct or sponsor. ''Collection of information'' is defined in 44 U.S.C. 3502(3) and 5 CFR 1320.3(c) to include agency requests or requirements that members of the public submit reports, keep records, or provide information to a third party. The OCC asks the OMB to extend its approval of the collection in this notice.

Title: Recordkeeping Requirements for Securities Transactions.

OMB Control No.: 1557–0142.

Type of Review: Regular.

Affected Public: Businesses or other for-profit.

Description: The information collection requirements in 12 CFR parts 12 and 151 are designed to ensure that national banks and Federal savings associations comply with securities laws and to improve the protections afforded to persons who purchase and sell securities through these financial institutions. Parts 12 and 151 establish recordkeeping and confirmation requirements applicable to certain securities transactions effected by national banks or Federal savings associations for customers. The transaction confirmation information required by these regulations ensures that customers receive a record of each securities transaction and that financial institutions and the OCC have the records necessary to monitor compliance with securities laws and regulations. The OCC uses the required information in the course of its examinations to evaluate, among other things, an institution's compliance with the antifraud provisions of the Federal securities laws.

The information collection requirements contained in 12 CFR parts 12 and 151 are as follows:

- Twelve CFR 12.3 requires a national bank effecting securities transactions for customers to maintain certain records for at least three years. The records required by this section must clearly and accurately reflect the information required and provide an adequate basis for the audit of the information.
- Twelve CFR 151.50 requires a Federal savings association effecting securities transactions for customers to maintain certain records for at least three years. Twelve CFR 151.60 provides that the records required by 12 CFR 151.50 must clearly and accurately reflect the information required and provide an adequate basis for audit of the information.
- Twelve CFR 12.4 requires a national bank to give or send to the customer a written notification of the transaction at or before completion of the securities transaction or, if using a confirmation from a registered broker/dealer, to send a copy of that confirmation within one business day from the bank's receipt of the confirmation from the broker dealer. Section 12.4 also establishes minimum disclosures needed for a customer's securities transactions.
- Twelve CFR 151.70 establishes the types of notice a Federal savings association must provide when effecting a securities transaction for a customer. Twelve CFR 151.80 establishes when a Federal savings association must provide notice if the Federal savings association is complying with § 151.70 by using a broker-dealer confirmation, and also requires the Federal savings association to provide a statement of the source and amount of any remuneration it will receive in connection with the transaction, unless it has determined remuneration in a written agreement with the customer. Twelve CFR 151.90 establishes when a Federal savings association must provide notice if complying with § 151.70 by providing written notice and establishes the minimum disclosures that must be included in that notice. Twelve CFR 151.90 requires a Federal savings association to provide its customers with a written notice of each securities transaction if it is not following the procedures in 12 CFR 151.80. The Federal savings association must give or send the notice to the customer at or before the completion of the securities transaction.
- Twelve CFR 12.5(a), (b), (c), and (e) describe notification procedures that a national bank may elect to use, as an alternative to complying with § 12.4, to notify customers of transactions in which the bank does not exercise investment discretion, trust transactions, agency transactions, and certain periodic plan transactions.
- Twelve CFR 151.100 describes notification procedures that a Federal savings association may use, as an

alternative to complying with 12 CFR 151.70, for an account in which the savings association does not exercise investment discretion, certain accounts for which it exercises investment discretion in other than an agency capacity, trust transactions, agency transactions, certain periodic plan transactions, collective investment fund transactions, and money market funds.

- Twelve CFR 12.7(a)(1) through (a)(3) require national banks to maintain and adhere to policies and procedures that assign responsibility for supervision of employees who perform securities trading functions, provide for the fair and equitable allocation of securities and prices to accounts for certain types of orders, and provide for crossing of buy and sell orders on a fair and equitable basis.
- Twelve CFR 151.140 requires Federal savings associations to adopt written policies and procedures dealing with the functions involved in effecting securities transactions on behalf of customers. These policies and procedures must assign responsibility for the supervision of employees who perform securities trading functions, provide for the fair and equitable allocation of securities prices to accounts for certain types of orders, and provide for crossing of buy and sell orders on a fair and equitable basis.
- Twelve CFR 12.7(a)(4) requires certain national bank officers and employees involved in the securities trading process to report to the bank all personal transactions in securities made by them or on their behalf in which they have a beneficial interest.
- Twelve CFR 151.150 requires certain Federal savings association officers and employees to report personal transactions they make or that are made on their behalf in which they have a beneficial interest.
- Twelve CFR 12.8 requires a national bank seeking a waiver of one or more of the requirements of §§ 12.2 through 12.7 to file a written request for waiver with the OCC.

Estimated Burden

Estimated Frequency of Response: On occasion.

Estimated Number of Respondents: 306.

Estimated Total Annual Burden: 1,497 hours.

Comments: On February 20, 2026, the OCC published a 60-day notice for this information collection, (91 FR 8307). No comments were received.

Comments continue to be invited on:

(a) Whether the collection of information is necessary for the proper performance of the functions of the OCC, including whether the information has practical utility;

(b) The accuracy of the OCC's estimate of the burden of the collection of information;

(c) Ways to enhance the quality, utility, and clarity of the information to be collected;

(d) Ways to minimize the burden of the collection on respondents, including through the use of automated collection techniques or other forms of information technology; and

(e) Estimates of capital or start-up costs and costs of operation, maintenance, and purchase of services to provide information.

Carl Kaminski,

Assistant Director, Office of the Comptroller of the Currency.

[FR Doc. 2026–08444 Filed 4–29–26; 8:45 am]

BILLING CODE 4810–33–P

DEPARTMENT OF THE TREASURY

Financial Crimes Enforcement Network

Agency Information Collection Activities; Proposed Renewal; Comment Request; Renewal Without Change of the Registration of Money Services Businesses Regulation and FinCEN Form 107

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

ACTION: Notice and request for comments.

SUMMARY: As part of its continuing effort to reduce paperwork and respondent burden, FinCEN invites comments on a renewal, without change, to information collection requirements contained in Bank Secrecy Act (BSA) regulations and FinCEN Form 107—Registration of Money Services Business (RMSB). Under the regulations, money services businesses (MSBs) must register with FinCEN using FinCEN Form 107, renew their registration every two years, and maintain a list of their MSB agents, if applicable. This request for comments is made pursuant to the Paperwork Reduction Act of 1995.

DATES: Written comments are welcome and must be received on or before June 29, 2026.

ADDRESSES: Comments may be submitted by any of the following methods:

- *Federal E-rulemaking Portal: http://www.regulations.gov.* Follow the instructions for submitting comments. Refer to docket number FINCEN–2026–0133 and the Office of Management and Budget (OMB) control number 1506–0013.
- *Mail:* Regulatory and Strategic Affairs Division, Financial Crimes Enforcement Network, P.O. Box 39, Vienna, VA 22183. Refer to docket number FINCEN–2026–0133 and OMB control number 1506–0013.

Please submit comments by one method only. Comments will be reviewed consistent with the Paperwork Reduction Act of 1995 and applicable OMB regulations and guidance. Do not include any personally identifiable information (such as name, address, or other contact information) or confidential business information that you do not want publicly disclosed. All comments are public records; they are publicly displayed exactly as received, and will not be deleted, modified, or redacted. Comments may be submitted anonymously.

FOR FURTHER INFORMATION CONTACT: FinCEN's Regulatory Support Section at *www.fincen.gov/contact.*

SUPPLEMENTARY INFORMATION:

I. Statutory and Regulatory Provisions

The legislative framework generally referred to as the BSA consists of the Currency and Foreign Transactions Reporting Act of 1970,[1] as amended by the Uniting and Strengthening America by Providing Appropriate Tools Required to Intercept and Obstruct Terrorism Act of 2001 (USA PATRIOT Act),[2] Anti-Money Laundering Act of 2020 (AML Act), and other legislation.[3] The BSA is codified at 12 U.S.C. 1829b and 1951–1960, and 31 U.S.C. 5311–5314 and 5316–5336, and includes notes thereto, with implementing regulations at 31 CFR chapter X.

The BSA authorizes the Secretary of the Treasury (Secretary) to, *inter alia,* require financial institutions to keep records and file reports that are determined to have a high degree of usefulness in criminal, tax, and regulatory matters, risk assessments or proceedings, or in intelligence or counter-intelligence activities, including analysis, to protect against terrorism, and to implement anti-money laundering/countering the financing of terrorism (AML/CFT) programs and compliance procedures.[4] The Secretary

[1] Title II of Public Law 91–508, 84 Stat. 1118 (Oct. 26, 1970).

[2] Public Law 107–56, 115 Stat. 272 (Oct. 26, 2001).

[3] The AML Act was enacted as Division F, sections 6001–6511, of the William M. (Mac) Thornberry National Defense Authorization Act for Fiscal Year 2021, Public Law 116–283, 134 Stat 3388 (Jan. 1, 2021).

[4] *See* 31 U.S.C. 5311(1)-(2).

has delegated to the Director of FinCEN the authority to administer the BSA.[5]

FinCEN has defined the BSA term ''financial institution'' to include a ''money services business'' (MSB).[6] This category includes a dealer in foreign exchange; a check casher; an issuer or seller of traveler's checks or money orders; a provider of prepaid access; a money transmitter; the U.S. Postal Service; and a seller of prepaid access.[7] Like other financial institutions under the BSA, MSBs must implement AML programs, make certain reports to FinCEN, and maintain certain records to facilitate financial transparency. MSBs are generally required to: (1) establish written AML programs that are reasonably designed to prevent the MSB from being used to facilitate money laundering and the financing of terrorist activities; [8] (2) file Currency Transaction Reports [9] (CTRs) and Suspicious Activity Reports [10] (SARs); and (3) maintain certain records,[11] including those relating to the purchase of certain monetary instruments,[12] and certain transmittals of funds.[13] MSBs are subject to examination for BSA compliance by the Internal Revenue Service (IRS).[14]

The BSA requires all MSBs, both principals and their agents, to establish and maintain an effective written AML program reasonably designed to prevent the MSB from being used to facilitate money laundering and the financing of terrorist activities. Although principals and agents may contractually allocate responsibility for developing policies, procedures, and internal controls, both the principal and its agents remain liable under the rules for the existence of these respective policies, procedures, and controls.[15]

Under 31 U.S.C. 5330 and its implementing regulation (31 CFR 1022.380), MSBs must file an initial registration form with FinCEN, renew their registration every two years, re-register under certain circumstances, and maintain a list of their MSB agents, if applicable.[16]

A. Registration

Each MSB, with few exceptions, must register with FinCEN.[17] Registration occurs via FinCEN Form 107.[18] The registration form for an MSB's initial registration period must be filed on or before the end of the 180-day period beginning on the day following the date the MSB is established.[19] The initial registration period is the two-calendar-year period that begins with the calendar year in which the MSB is first required to be registered.[20] An MSB's first renewal comes due on or before the last day of that period (*i.e.,* December 31st of the second calendar year of the period), with subsequent renewals due every two years thereafter.[21]

In addition to setting forth when an MSB is required to first obtain and then renew its registration, the regulations also require MSBs to re-register not later than 180 days after any of the following occurs: (1) a change in ownership that requires the MSB to be re-registered under state law; (2) a transfer of 10 percent of voting or equity interest in the MSB; [22] or (3) an increase in MSB agents of 50 percent or more.[23] MSBs must maintain for a period of five years a copy of any registration form filed under 31 CFR 1022.380 at a location in the United States.[24]

B. Maintenance of an MSB Agent List

A person that is an MSB solely because that person serves as an agent of another MSB is not required to register.[25] However, an MSB that is not solely an agent of other MSBs (an ''MSB principal''), and that itself maintains any MSB agents must prepare and maintain a list of those MSB agents (MSB agent list).[26] The MSB agent list must be revised each January 1 for the immediately preceding 12-month period with information that is current within 45 days of the revision.[27] In general, the MSB agent list must include the following information about each MSB agent: (1) name; (2) address; (3) telephone number; (4) type(s) of MSB activity (*e.g.,* check cashing, currency exchange, or money transmission, among others); (5) list of the months in which the MSB agent's gross transaction amount of MSB principal-issued financial products or services exceeded $100,000 in the 12 months immediately preceding the date of the MSB principal's last MSB agent list; (6) the name and address for any depository institution at which the MSB agent maintains a transaction account for all or part of the funds for financial products or services issued by the MSB principal; (7) first year in which the MSB agent served an agent of the MSB principal; and (8) number of MSB agents or MSB subagents the MSB agent has.[28] An MSB principal is not required to include its MSB agent list when filing its registration with FinCEN using Form 107, but the MSB principal must maintain the MSB agent list at a location in the United States reported on the MSB registration form.[29]

II. Paperwork Reduction Act (PRA) [30]

Title: Registration of Money Services Businesses (31 CFR 1022.380).

OMB Control Number: 1506–0013.

Form Number: FinCEN Form 107–RMSB.

Abstract: FinCEN is issuing this notice to renew the OMB control number for the registration of MSB regulations at 31 CFR 1022.380 and FinCEN Form 107—RMSB.

Type of Review: Renewal without change of a currently approved information collection.

Affected Public: Business or other for-profit institutions.

Frequency: As required.[31]

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[5] Treasury Order 180–01 (*reaffirmed* Jan. 14, 2020); *see also* 31 U.S.C. 310(b)(2)(I) (providing that the Director of FinCEN shall ''[a]dminister the requirements of subchapter II of chapter 53 of this title, chapter 2 of title I of Public Law 91–508, and section 21 of the Federal Deposit Insurance Act, to the extent delegated such authority by the Secretary.'').

[6] *See* 31 CFR 1010.100(t)(3).

[7] *See* 31 CFR 1010.100(ff).

[8] *See* 31 CFR 1022.210.

[9] *See* 31 CFR 1010.306–314.

[10] *See* 31 CFR 1022.320.

[11] *See* 31 CFR 1010.430.

[12] *See* 31 CFR 1010.415.

[13] *See* 31 CFR 1010.410(e)–(f).

[14] *See* 31 CFR 1010.810(b)(8).

[15] *See* FinCEN, FIN–2016–G001, *Guidance on Existing AML Program Rule Compliance Obligations for MSB Principals with Respect to Agent Monitoring* (FIN–2016–G00) (Mar. 11, 2016), *https://www.fincen.gov/resources/statutes-regulations/guidance/guidance-existing-aml-program-rule-compliance-obligations.*

[16] *See* 31 CFR 1010.100(ff).

[17] *See* 31 CFR 1022.380(a).

[18] *See* 31 CFR 1022.380(b)(1)(i); FinCEN, *Registration of Money Services Business (RMSB) Electronic Filing Instructions* (July 2014—Version 1.0), *https://www.fincen.gov/sites/default/files/shared/FinCENRMSB_ElectronicFiling Instructions.pdf.*

[19] *See* 31 CFR 1022.380(b)(3).

[20] *See* 31 CFR 1022.380(b)(2).

[21] *See* 31 CFR 1022.380(b)(2), (b)(3).

[22] Re-registration is not required if the transfer in voting power or equity interest is required to be reported to the Securities and Exchange Commission.

[23] *See* 31 CFR 1022.380(b)(4).

[24] *See* 31 CFR 1010.430(d); 31 CFR 1022.380(b)(1)(iii).

[25] *See* 31 CFR 1022.380(a)(3); *see also* 31 CFR 1022.380(c).

[26] *See* 31 CFR 1022.380(d)(1).

[27] *Id.; see also* 31 CFR 1022.380(d)(2)(ii).

[28] *See* 31 CFR 1022.380(d)(2)(i).

[29] *See* 31 CFR 1022.380(d)(1). This is necessary because the regulations require an MSB to make its list available, upon request, to FinCEN, an appropriate law enforcement agency, or the examination function of the Internal Revenue Service, in its capacity as delegee of BSA examination authority. *Id.*

[30] *See* 44 U.S.C. 3506(c)(2)(A).

[31] Registration renewals are required every two years (*see* 31 CFR 1022.380(b)(2)-(3)), and principal MSBs are required to prepare or revise their agent list as needed on an annual basis (*see* 31 CFR 1022.380(d)(1).

Estimated Number of Potential Respondents: 24,856 MSBs.[32]

Based on its analysis of FinCEN Form 107 filings over the three-calendar-year period ending December 31, 2025, FinCEN observes that there are approximately 24,856 unique, currently active MSB principals and approximately 307,212 MSB agents in the United States.[33] As explained above, only MSB principals that are not otherwise exempt are required to complete and file a FinCEN Form 107. However, because the registration period is generally two years (with a partial exception for the first registration period as explained above), not all MSB principals complete and submit a FinCEN Form 107 in any given year.

Therefore, while the total population of MSBs that have obligations pursuant to the BSA is approximately 332,068, the number of potential respondents expected to incur a PRA burden in a given year in connection with the requirements covered by this notice is much smaller.

Estimated Number of Expected Respondents: 17,997 MSBs annually, on average.[34]

In the three-year period between 2023 and 2025, FinCEN received 45,272 FinCEN Form 107 submissions, averaging 15,091 filings per calendar year from approximately 11,783 unique filers per year, on average.[35] This is equivalent to about 1.28 filings per unique filer per year.

FinCEN observed that some filers submitted more than one filing of the same type in a given year.[36] In some cases this appears to have been done to correct other registrations, renewals, or re-registrations, filed earlier. Over the full three-year period, approximately 10 percent of all original filings were later corrected with a subsequent filing.[37]

The following sections describe the anticipated number of respondents and responses for each type of filing as well as for those maintaining agent lists. These are summarized in table 1 below.

Initial Registrations

Over the past three-year period, FinCEN received an annual average of 5,278 initial filings, from an average of 4,093 unique filers per year. This results in a three-year annual average of approximately 1.29 filings per respondent.

Registration Renewals and Re-Registrations

Over the past three-year period, FinCEN received an average of 9,503 renewals per year, from an average of 7,827 unique filers per year. Over the same period, FinCEN received an average of 309 re-registrations per year, from an average of 253 unique filers per year. Combined, this results in an annual average of 9,812 filings from an average of 8,011 unique filers, for an average of 1.22 filings per respondent.

Maintenance of an Agent List

FinCEN estimates that there are 307,212 active MSB agents in the United States, which is equivalent to an average of 12 agents per registered MSB. However, this figure is highly skewed by a few large MSB principals with many MSB agents and does not reflect that most registered MSBs face little to no burden in connection with the regulatory obligation to maintain a list of MSB agents. A non-trivial proportion (approximately 75 percent) of registered MSBs do not report having any MSB agents. Furthermore, based on the FinCEN Form 107 submissions that FinCEN analyzed, of the approximately 25 percent of MSB principals that reported having MSB agents, approximately 75 percent of these (19 percent of all MSB principals) have only one.[38] Conditional on having at least one MSB agent, the average number of MSB agents per registered MSB is approximately 49.

TABLE 1—NUMBER OF RESPONDENTS AND RESPONSES

Activity	Number of respondents	Average number of responses per respondent	Number of responses
Initial Registration	4,093	1.29	5,278
Renewals & Re-registrations	8,011	1.22	9,812
Maintain MSB Agent List	[a] 6,214	1.00	6,214
Total	[b] 17,997		21,305

[a] This reflects the estimated 25 percent of MSB principals with MSB agents.

[b] This total represents the total number of unique annual respondents for across the three filing types (i.e., initial registrations, renewals, and re-registrations; 11,783 MSBs), plus the estimated number of MSB principals maintaining MSB agent lists (6,214 MSBs). However, because some filers completed more than one type of filing during the three-year period, the number of unique respondents (17,997) is less than the sum of the respondents across all three activities (18,318). Additionally, because some MSB principals with MSB agents may also complete a filing in a given year, this total may overstate the number of unique respondents in a given year.

[32] FinCEN's estimate of potential respondents is based on a count of MSBs with indicia of operating as MSB principals, including but not limited to at least one registration filing within the most recent three calendar years. Because MSB agents are not typically subject to registration requirements, they are generally excluded from the population of expected respondents.

[33] These estimates incorporate multiple sources of data, including both FinCEN filing data and proprietary data provided by certain third party sources.

[34] This estimate represents the expected number of respondents by respondent-response pairs, not the number of unique MSB respondents anticipated in a given year. Because an individual MSB may be subject to more than one type of reporting and/or recordkeeping obligation (itemized below as different categories of responses) in a given calendar year, the same MSB may be counted more than once as an expected respondent. *See also* table 1, where respondents are de-duplicated within registration filings across filing types, but not de-duplicated across registration and agent list maintenance activities.

[35] FinCEN notes that the total population of potential respondents is based on the number of MSB principals (24,856) as of year-end 2025, whereas the estimates of expected respondents by response type are based on the average annual number of unique filers over the past three calendar years, two of which had higher baseline populations of MSBs. This may lead to an overestimate of expected burden if future MSB populations remain the same or decrease in the next three years. FinCEN is requesting comment on the likelihood that the sensitivity of its anticipated burden estimates to the assumption of a stable MSB population would lead to substantive inaccuracies.

[36] Across all three filing types, about 85 percent of filers completed one filing annually, 12 percent completed two filings, and about three percent completed three or more. These ratios were consistent across unique MSB filers of all three filing types, resulting in an average of about 1.2 filings per filer annually for each type.

[37] Mindful of its obligation to seek opportunities to reduce paperwork burden and enhance the efficiency of its information collections, FinCEN is requesting comment on potential activities the public believes the agency could undertake that would help reduce the incidence, and thereby the burden, of duplicated filing due to form completion errors or omissions.

[38] Across unique MSB principals, slightly less than 75 percent had zero MSB agents, approximately 19 percent had one MSB agent, approximately six percent had between two and 50 MSB agents, and less than one percent had more than 50 MSB agents.

Estimated Total Annual Recordkeeping and Reporting Burden: 14,047 hours.

Below, we describe the anticipated burden hours FinCEN assigns for each activity required by the covered regulation. The burdens associated with filing initial registrations, registration renewals, and re-registration reflect the average anticipated burden to complete and save the form for a typical MSB principal. FinCEN acknowledges that different burden estimates may apply to MSB principals of various sizes and types and would depend on the number of forms submitted and other facts and circumstances. For example, certain MSBs may need to complete more fields within FinCEN Form 107 than others.[39] These MSBs may incur higher reporting burdens commensurate with the additional information they would be required to provide. As such, the average burden estimates presented in this notice may not represent the economic burden any particular respondent would incur.

Initial Registration

FinCEN estimates that the hourly burden of filing and maintaining an initial FinCEN Form 107 is 50 minutes (0.83 hours), which include 40 minutes to fill out the form and file it, and 10 minutes to save the form electronically and/or print out a copy to maintain.[40] FinCEN suggests that the information required to be included on the form is basic information MSBs need to maintain to conduct business. With an average of 1.29 filings per expected respondent, this results in an average annual burden of approximately 1.07 hours per expected respondent in a given year.[41]

Registration Renewals and Re-Registrations

When an MSB submits a FinCEN Form 107 online via the BSA Portal, the BSA electronic filing system prompts the respondent to save a copy. If an MSB saves a submitted FinCEN Form 107, it would subsequently be able to avoid completing the entire form anew and instead submit an updated version of the previously saved submission with revisions to reflect any new information. Thus, for renewals, MSBs can simply amend Part I by selecting ''item 1b'' (renewal), make any necessary changes to their saved prior submission, and submit the updated form. For re-registrations, MSBs can similarly amend Part I by selecting ''item 1d'' (re-registration), select the appropriate response in item 2 (indicating the reason for re-registration), make any necessary updates, and submit the revised form.

Because an MSB does not have to complete the entire form anew, FinCEN estimates that the hourly burden of filing and maintaining a copy of the renewal or re-registration of the FinCEN Form 107 is 40 minutes (0.67 hours), which include 30 minutes to revise the form and file it, and 10 minutes to save the form electronically and/or print out a copy to maintain. As with the initial registration, most of the information required to be included on the form is basic information that FinCEN expects an MSB would otherwise need to maintain to conduct business. Given an annual average of 1.22 filings per expected respondent, this equates to an average annual burden of about 0.82 hours per expected respondent.[42]

Maintenance of an MSB Agent List

Each MSB principal is required to prepare and maintain a list of its MSB agents. That list must include for each agent the information described above in section I.B. The list must be revised annually to reflect any changes.

FinCEN estimates that the hourly burden of drafting an MSB agent list and revising it annually is approximately 30 minutes (0.5 hours) on average per MSB principal. FinCEN views most of the requisite information in an MSB agent list as basic data MSB principals would probably need in the ordinary course of business, and thus readily available to MSB principals. However, FinCEN believes the requirement to annually update the list for each MSB agent the months in which an MSB agent's gross transaction amount in financial products or services issued by the MSB principal exceeds $100,000 may require additional auditing or verification, or otherwise depend on information not readily available to the MSB principal in a list format. In these cases, MSB agent list maintenance requirements may necessitate additional time to research and record.

As FinCEN does not require MSB principals to maintain MSB agent lists in any particular format, it is foreseeable that affected MSB principals could leverage accounting records or business processes to create and revise their MSB agent lists. Given the observed distribution of MSB agents across MSB principals discussed above, FinCEN is assigning a recordkeeping burden of 30 minutes annually on average for MSB principals to update and maintain their MSB agent lists, while acknowledging that many will require less time than this, and a small number may require substantially more.

TABLE 2—ESTIMATED AVERAGE ANNUAL BURDEN HOURS

Activity	Hours per response *	Number of responses per respondent *	Burden hours per respondent *	Number of respondents	Total burden hours
Initial Registration	0.83	1.29	1.07	4,093	4,398.6
Renewals & Re-registrations	0.67	1.22	0.82	8,011	6,541.6
Maintain MSB Agent List	0.50	1.00	0.50	6,214	3,107.0
Total				17,997	14,047.2

[a] The hourly burden estimates and number of responses per respondent presented in this table are rounded to the nearest hundredth of an hour for presentation purposes. Total burden figures are produced using unrounded figures for accuracy.

[39] For example, an MSB that is a provider of prepaid access must identify each prepaid program for which it is the provider of prepaid access. *See* 31 CFR 1022.380(a)(1). A foreign-located MSB principal must complete additional fields to identify an MSB agent in the United States, as well as the location of certain records. *See* 31 CFR 1022.380(a)(2). FinCEN estimates that only 0.5 percent of MSB principals are providers of prepaid access programs, while three percent of MSB principals reported a foreign address. FinCEN estimates that providing the requisite additional information would take providers of prepaid access approximately four minutes per affected MSB, while foreign-located MSB principals would spend approximately one minute per affected MSB.

[40] FinCEN has lowered this estimate from 70 minutes in the prior renewal based on an internal analysis of form completion time using sample data.

[41] 1.29 filings per respondent multiplied by 50 minutes (0.83 hours) per initial filing is approximately 1.07 hours per respondent.

[42] 1.22 filings per respondent multiplied by 40 minutes (0.67 hours) per filing is approximately 0.82 hours.

Estimated Total Annual Recordkeeping and Reporting Cost: $1,752,126, on average.

To estimate the average annual labor cost per respondent, FinCEN applies an hourly wage rate to the average annual burden hours per respondent from table 2.[43] To estimate the average annual non-labor cost per respondent associated with storing copies of the initial registration, registration renewal, and re-registration forms as well as the agent lists, FinCEN applies a per-record cost of $0.10 to the number of responses per respondent presented in table 2.[44]

TABLE 3—ESTIMATED AVERAGE ANNUAL AGGREGATE COST ESTIMATES

Activity	Number of respondents	Burden hours per respondent	Total burden hours	Cost per respondent	Total cost
Initial Registration	4,093	1.07	4,398.6	$134.01	$548,507
Renewals & Re-registrations	8,011	0.82	6,541.6	101.85	815.928
Maintain Agent List	[a] 6,214	0.50	3,107.0	62.39	387,691
Total	17,997		14,047.2		1,752,126

General Request for Comments:

Comments submitted in response to this notice will be summarized or included in a request for OMB approval. All comments will become a matter of public record. Comments are invited on: (1) whether the collection of information is necessary for the proper performance of the functions of the agency, including whether the information shall have practical utility; (2) the accuracy of the agency's estimate of the burden of the collection of information; (3) ways to enhance the quality, utility, and clarity of the information to be collected; (4) ways to minimize the burden of the collection of information on respondents, including through the use of automated collection techniques or other forms of information technology; and (5) estimates of capital or start-up costs, costs of operation and maintenance, and cost involved in purchasing services.

III. Additional Requests for Comment:

As part of its efforts to implement the AML Act, FinCEN is conducting assessments of the PRA burden associated with BSA requirements. To support those assessments, FinCEN is requesting comments in response to the following questions:

1. Is there publicly available data that went unmentioned in this notice, but that FinCEN should consider when estimating the number of MSB agents? If possible, please comment on the generalizability and other usability features of the data.

2. How would changes in the size or composition of the MSB population affect FinCEN's estimated burden? Are there other assumptions that are more likely to contribute to substantive inaccuracies in the total burden and cost estimates? If so, please describe.

3. What changes to FinCEN Form 107 would reduce common errors or omissions?

Jimmy L. Kirby,

Deputy Director, Financial Crimes Enforcement Network.

[FR Doc. 2026–08363 Filed 4–29–26; 8:45 am]

BILLING CODE 4810–02–P

DEPARTMENT OF THE TREASURY

Privacy Act; System of Records

AGENCY: Department of the Treasury.

ACTION: Notice of a new system of records.

SUMMARY: In accordance with the Privacy Act of 1974, as amended (Privacy Act), the Department of the Treasury (Treasury) proposes to establish a new Treasury system of records entitled ''Department of the Treasury, Treasury .030—Contractor Workforce'' for information concerning contractors. The information collected and maintained in this system will be used in support of contract administration, credentialling, equipment provisioning, and oversight activities. This action is necessary to meet the requirements of the Privacy Act to publish in the **Federal Register** notice of the existence and character of the system of records maintained by Treasury.

DATES: Written comments must be received by June 1, 2026. This new system will be effective upon publication. The routine uses will be applicable on June 1, 2026 unless Treasury receives comments and determines that changes to the system of records notice are necessary.

ADDRESSES: Written comments on this notice may be submitted electronically through the Federal government eRulemaking portal at *http://www.regulations.gov*; docket number TREAS–DO–2026–0298. Electronic submission of comments allows the commenter maximum time to prepare and submit a comment, ensures timely receipt, and enables the Treasury to make the comments available to the public. Please note that comments submitted through *https://www.regulations.gov* will be public and can be viewed by members of the public.

Treasury encourages comments to be submitted via *https://www.regulations.gov.* All comments submitted, including attachments and other supporting material, will be made public, including any personally identifiable or confidential business

[43] Throughout this analysis, FinCEN applies an hourly wage rate that is a general composite hourly wage rate ($87.61) scaled by a private sector benefits factor of 1.42 ($124.58 = $87.61 × 1.42). This incorporates Bureau of Labor Statistics mean wage data (May 2024—National industry-specific and by ownership, *https://www.bls.gov/oes/tables.htm*), associated with six occupational codes (11–1010: Chief Executives; 11–3021: Computer and Information Systems Managers; 11–3031: Financial Managers; 13–1041: Compliance Officers; 23–1010: Lawyers and Judicial Law Clerks; 43–3099: Financial Clerks, All Other) for each of the nine groupings of NAICS industry codes that FinCEN determined are most directly comparable to its 11 categories of potentially affected financial institutions as delineated in 31 CFR parts 1020 to 1030. Given that many occupations provide benefits beyond wages (*e.g.,* insurance and paid leave), FinCEN applies the private sector benefit factor to the unloaded wage rate to reflect the total cost to the employer. The benefit factor is the ratio of total compensation (which includes wages and benefits) to wages. Total compensation = 43.94 and Wages and salaries = 30.90 (1.42 = 43.94 ÷ 30.90) as of June 2024, based on the private industry workers series data downloaded from the Bureau of Labor Statistics, Employer Costs for Employee Compensation data, *https://www.bls.gov/news.release/archives/ecec_09102024.pdf.*

[44] This estimate conforms FinCEN's prior estimates of recordkeeping cost associated with processing and saving electronic records. *See, e.g.,* FinCEN, *Agency Information Collection Activities; Proposed Renewal; Comment Request; Renewal Without Change on Information Sharing Between Government Agencies and Financial Institutions,* 90 FR 47125 (Sep. 30, 2025), at 47130, also available at: *https://www.federalregister.gov/d/2025-18928/p-89.*

information that is included in the comment. Therefore, commenters should submit only information that they wish to make publicly available. Commenters who wish to remain anonymous should not include identifying information in their comments.

FOR FURTHER INFORMATION CONTACT: For general questions and questions regarding privacy issues, please contact: Ryan Law, Deputy Assistant Secretary for Privacy, Transparency, and Records, Department of the Treasury, 1500 Suite #8100, JBAB, 250 Murray Lane SW, BLDG 410/Door 123, Washington, DC 20222; telephone: (202) 622–5710.

SUPPLEMENTARY INFORMATION: In accordance with the Privacy Act of 1974, 5 U.S.C. 552a, as amended (the Privacy Act), the Department of the Treasury (Treasury) proposes to establish a new system of records entitled ''Department of the Treasury, Treasury .030—Contractor Workforce'' for information collected concerning individuals serving as contractors to the Department. This system enables the Department of the Treasury to collect and maintain records pertaining to Department contractors. The records maintained in this system are used for audit, oversight, and compliance purposes, including ensuring compliance with applicable statutes, regulations, and program requirements; conducting oversight activities; detecting, preventing, and investigating fraud, waste, and abuse; supporting enforcement and administrative actions; and fulfilling reporting and accountability obligations consistent with applicable law. The system also supports internal management review, risk assessment, and operational decision-making related to contractor performance and accountability. Information maintained in the system may be used to verify qualifications, monitor contract performance, issue credentials, provision equipment, and ensure adherence to applicable security and ethical standards. The system facilitates coordination among authorized Treasury personnel responsible for procurement, oversight, and compliance functions. Additionally, the records may be used to respond to audits, investigations, litigation, or other official inquiries consistent with applicable law and published routine uses.

This newly established system will be included in Treasury's inventory of record systems. Below is the description of the ''Department of the Treasury, Treasury .030—Contractor Workforce.''

In accordance with 5 U.S.C. 552a(r), Treasury has provided a report of this new system to OMB and to the U.S. Congress.

Ryan Law,

Deputy Assistant Secretary for Privacy, Transparency, and Records.

SYSTEM NAME AND NUMBER:

Department of the Treasury, Treasury .030—Contractor Workforce.

SECURITY CLASSIFICATION:

Unclassified.

SYSTEM LOCATION:

Department of the Treasury, Treasury Common Services Center, 1500 Pennsylvania Ave NW, Washington, DC 20220.

SYSTEM MANAGER(S):

Department of the Treasury, Treasury Common Services Center, 1500 Pennsylvania Avenue NW, Washington, DC 20220.

AUTHORITY FOR MAINTENANCE OF THE SYSTEM:

Federal Property and Administrative Services Act (41 U.S.C. 251 *et seq.*), the Federal Acquisition Regulation (FAR) (48 CFR Chapter 1) and applicable acquisition regulations.

PURPOSE(S) OF THE SYSTEM:

The purpose of this system is to allow Treasury to collect and maintain records on the Department's contractors in a standardized manner in support of contract administration, credentialling, equipment provisioning, and oversight activities.

CATEGORIES OF INDIVIDUALS COVERED BY THE SYSTEM:

The system covers current and former contractors of the Department.

CATEGORIES OF RECORDS IN THE SYSTEM:

Records consist of information provided by businesses, including contractor employee information. Records may include, but are not limited to, identifying and contact information such as full legal name; employer or company affiliation; Personal Identity Verification (PIV) card information; employee or contractor identification numbers; work email addresses; telephone numbers; work locations; work addresses; position; contract number, contract period of performance, labor category of the employee, amount of hours of the full time employees, and other similar records associated with the performance of their work under the contract.

RECORD SOURCE CATEGORIES:

The information contained in the Contractor Workforce system is provided by businesses and individuals under contract with the Department of the Treasury, including contractor employee information. The system will include information provided by Department personnel and other sources as necessary to support contract administration, security credentialing, equipment provisioning, and oversight activities.

ROUTINE USES OF RECORDS MAINTAINED IN THE SYSTEM, INCLUDING CATEGORIES OF USERS AND PURPOSES OF SUCH USES:

In addition to those disclosures generally permitted under the Privacy Act of 1974, 5 U.S.C. 552a(b), records and/or information or portions thereof maintained as part of this system may be disclosed outside Treasury as a routine use pursuant to 5 U.S.C. 552a(b)(3) as follows:

(1) To the United States Department of Justice (''DOJ'', for the purpose of representing or providing legal advice to the Department in a proceeding before a court, adjudicative body, or other administrative body before which the Department is authorized to appear, when such proceeding involves:

a. The Department or any component thereof;

b. Any employee of the Department in his or her official capacity;

c. Any employee of the Department in his or her individual capacity where DOJ or the Department has agreed to represent the employee; or

d. The United States, when the Department determines that litigation is likely to affect the Department or any of its components; and the use of such records by the DOJ is deemed by the DOJ or the Department to be relevant and necessary to the litigation provided that the disclosure is compatible with the purpose for which records were collected.

(2) To appropriate Federal, State, local, or foreign agencies, or other public authority responsible for investigating or prosecuting the violations of or for enforcing or implementing a statute, rule, regulation, order, or license, where the disclosing agency becomes aware of an indication of a violation or potential violation of civil or criminal law or regulation;

(3) To a Federal, State, local, or other public authority maintaining civil, criminal or other relevant enforcement information or other pertinent information, which has requested information relevant to or necessary to the requesting agency's, bureau's, or authority's hiring or retention of an individual, or issuance of a security clearance, license, contract, grant, or other benefit;

(4) To a court, magistrate, or administrative tribunal in the course of presenting evidence, including disclosures to opposing counsel or witnesses in the course of civil discovery, litigation, or settlement negotiations or in connection with criminal law proceedings or in response to a subpoena;

(5) To a Congressional office in response to an inquiry made at the request of the individual to whom the record pertains;

(6) To third parties during the course of an investigation to the extent necessary to obtain information pertinent to the investigation;

(7) To a contractor for the purpose of compiling, organizing, analyzing, programming, processing, or otherwise refining records subject to the same limitations applicable to U.S. Department of the Treasury officers and employees under the Privacy Act;

(8) To an agency, organization, or individual for the purpose of performing audit or oversight operations as authorized by law, but only such information as is necessary and relevant to such audit or oversight function;

(9) To a student participating in a Treasury student volunteer program, where such disclosure is necessary to support program functions of Treasury;

(10) To appropriate agencies, entities, and person when (1) the Department of the Treasury suspects or has confirmed that there has been a breach of the system of records; (2) the Department of the Treasury has determined that as a result of the suspected or confirmed breach there is a risk of harm to individuals, the Department of the Treasury (including its information systems, programs, and operations), the Federal Government, or national security; and (3) the disclosure made to such agencies, entities, and persons is reasonably necessary to assist in connection with the Department of the Treasury's efforts to respond to the suspected or confirmed breach or to prevent, minimize, or remedy such harm.

(11) To another Federal agency or Federal entity, when the Department of the Treasury determines that information from this system of records is reasonably necessary to assist the recipient agency or entity in (1) responding to a suspected or confirmed breach or (2) preventing, minimizing, or remedying the risk of harm to individuals, the recipient agency or entity (including its information systems, programs, and operations), the Federal Government, or national security, resulting from a suspected or confirmed breach.

(12) The National Archives and Records Administration (''NARA'') for use in its records management inspections and its role as an Archivist under the authority of 44 U.S.C. 2904 and 2906.

POLICIES AND PRACTICES FOR STORAGE OF RECORDS:

Records in this system are stored electronically in secure facilities. Paper records (if they must be created/maintained) are stored in a locked drawer, behind a locked door, or at a secure offsite location.

POLICIES AND PRACTICES FOR RETRIEVAL OF RECORDS:

Records in this system may be retrieved, for authorized purposes, by name or other assigned identifier.

POLICIES AND PRACTICES FOR RETENTION AND DISPOSAL OF RECORDS:

Records in this system will be maintained and disposed of in accordance with NARA retention schedules. The Department of the Treasury is in the process of developing a new records schedule for submission to NARA. Until the new schedule is approved, the records will be treated as permanent.

ADMINISTRATIVE, TECHNICAL, AND PHYSICAL SAFEGUARDS:

Records in this system are safeguarded in accordance with applicable rules and policies, including all applicable Treasury information systems security and access policies. Strict controls are imposed to minimize the risk of compromising the information that is being stored. Access to the records in this system is limited to those individuals who have appropriate permissions and a need to know for the performance of their official duties. User activity is recorded by the system for audit purposes. Electronic records are encrypted at rest and in transit. Records are maintained in buildings subject to 24-hour security.

RECORD ACCESS PROCEDURES:

Individuals seeking access to any record contained in this system of records may inquire in writing in accordance with instructions appearing at 31 CFR part 1, subpart C, appendix A. Requests for information and specific guidance on where to send requests for records may be addressed to: Privacy Act Request, DO, Director, FOIA and Transparency, Department of the Treasury, 1500 Suite #8100, JBAB, 250 Murray Lane SW, BLDG 410/Door 123, Washington, DC 20222.

CONTESTING RECORD PROCEDURES:

Individuals seeking to contest any record contained in this system of records may inquire in writing in accordance with instructions appearing at 31 CFR part 1, subpart C, appendix A. Requests for information and specific guidance on where to send requests for records may be addressed to: Privacy Act Request, DO, Director, FOIA and Transparency, Department of the Treasury, 1500 Suite #8100, JBAB, 250 Murray Lane SW, BLDG 410/Door 123, Washington, DC 20222.

NOTIFICATION PROCEDURES:

Individuals seeking notification and access to any record contained in this system of records, or seeking to contest its content, may inquire in writing in accordance with instructions appearing at 31 CFR part 1, subpart C, appendix A. Requests for information and specific guidance on where to send requests for records may be addressed to: Privacy Act Request, DO, Director, FOIA and Transparency, Department of the Treasury, 1500 Suite #8100, JBAB, 250 Murray Lane SW, BLDG 410/Door 123, Washington, DC 20222.

EXEMPTIONS PROMULGATED FOR THE SYSTEM:

None.

HISTORY:

None.

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H.J. Res. 140/P.L. 119–85
Providing for congressional disapproval under chapter 8 of title 5, United States Code, of the rule submitted by the Bureau of Land Management relating to Public Land Order No. 7917 for Withdrawal of Federal Lands; Cook, Lake, and Saint Louis Counties, MN. (Apr. 27, 2026; 140 Stat. 772)
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