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DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 71

[Docket No. FAA–2026–3637; Airspace Docket No. 26–AGL–3]

RIN 2120–AA66

Establishment of Class E Airspace; Dover, OH

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Final rule.

SUMMARY: This action establishes Class E airspace at Cleveland Clinic, Union Hospital Heliport, Dover, OH. This action supports new instrument procedures and instrument flight rule (IFR) operations.

DATES: Effective 0901 UTC, October 29, 2026. The Director of the Federal Register approves this incorporation by reference action under 1 CFR part 51, subject to the annual revision of FAA Order JO 7400.11 and publication of conforming amendments.

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

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

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

SUPPLEMENTARY INFORMATION:

Authority for This Rulemaking

The FAA's authority to issue rules regarding aviation safety is found in Title 49 of the United States Code. Subtitle I, Section 106 describes the authority of the FAA Administrator. Subtitle VII, Aviation Programs, describes in more detail the scope of the agency's authority. This rulemaking is promulgated under the authority described in Subtitle VII, Part A, Subpart I, Section 40103. Under that section, the FAA is charged with prescribing regulations to assign the use of airspace necessary to ensure the safety of aircraft and the efficient use of airspace. This regulation is within the scope of that authority as it establishes Class E airspace extending upward from 700 feet above the surface at Cleveland Clinic, Union Hospital Heliport, Dover, OH, to support IFR operations at this airport.

History

The FAA published an NPRM for Docket No. FAA–2026–3637 in the **Federal Register** (91 FR 17164; April 6, 2026) proposing to establish Class E airspace at Cleveland Clinic, Union Hospital Heliport, Dover, OH. Interested parties were invited to participate in this rulemaking effort by submitting written comments on the proposal to the FAA. No comments were received.

Incorporation by Reference

Class E airspace designations are published in paragraph 6005 of FAA Order JO 7400.11, Airspace Designations and Reporting Points, which is incorporated by reference in 14 CFR 71.1 on an annual basis. This document amends the current version of that order, FAA Order JO 7400.11K, dated August 4, 2025, and effective September 15, 2025. These amendments will be published in the next update to FAA Order JO 7400.11. FAA Order JO 7400.11K, which lists Class A, B, C, D, and E airspace areas, air traffic service routes, and reporting points, is publicly available as listed in the **ADDRESSES** section of this document.

The Rule

This action modifies 14 CFR part 71 by establishing Class E airspace extending upward from 700 feet above the surface within an 8.1-mile radius of Cleveland Clinic, Union Hospital Heliport, Dover, OH. This action is the result of instrument procedures being developed for this airport to support IFR operations.

Regulatory Notices and Analyses

The FAA has determined that this 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 expected to result in, at most, de minimis costs from compliance with applicable operating requirements or minor flight rerouting for operators choosing to navigate around the controlled airspace. Since these amendments are routine and the expected impact to operators is de minimis, the FAA certifies that this rule, when promulgated, does not have a significant economic impact on a substantial number of small entities under the criteria of the Regulatory Flexibility Act.

Environmental Review

The FAA has determined that this action qualifies for categorical exclusion under the National Environmental Policy Act in accordance with FAA Order 1050.1G, ''FAA National Environmental Policy Act Implementing Procedures,'' paragraph B–2.5(a), which categorically excludes from further environmental impact review rulemaking actions that designate or modify classes of airspace areas, airways, routes, and reporting points (see 14 CFR part 71, Designation of Class A, B, C, D, and E Airspace Areas; Air Traffic Service Routes; and Reporting Points); and paragraph B–2.5(k), which categorically excludes from further environmental impact review the publication of existing air traffic control procedures that do not essentially change existing tracks, create new tracks, change altitude, or change concentration of aircraft on these tracks.

As such, this action is not expected to result in any potentially significant environmental impacts, and no extraordinary circumstances exist that warrant preparation of an environmental assessment.

Lists of Subjects in 14 CFR 71

Airspace, Incorporation by reference, Navigation (air).

The Amendment

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

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

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

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

§ 71.1 [Amended]

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

Paragraph 6005 Class E Airspace Areas Extending Upward From 700 Feet or More Above the Surface of the Earth

* * * * *

AGL OH E5 Dover, OH [Establish]

Cleveland Clinic, Union Hospital Heliport, OH
(Lat 40°30′57″ N, long 81°27′21″ W)

That airspace extending upward from 700 feet above the surface within an 8.1-mile radius of the Cleveland Clinic, Union Hospital Heliport.

* * * * *

Issued in Fort Worth, Texas, on June 4, 2026.

Courtney E. Johns,

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

[FR Doc. 2026–11476 Filed 6–5–26; 8:45 am]

BILLING CODE 4910–13–P

COMMODITY FUTURES TRADING COMMISSION

17 CFR Part 10

Rescission of Policy Relating to the Acceptance of Settlements in Administrative and Civil Proceedings

AGENCY: Commodity Futures Trading Commission.

ACTION: Final rule.

SUMMARY: The Commodity Futures Trading Commission (''CFTC'' or ''Commission'') is rescinding a policy contained in an appendix to its regulations concerning acceptance of settlements in administrative and civil proceedings. This policy is commonly understood to limit a respondent's or defendant's ability to deny allegations following settlement.

DATES: This rule is effective June 8, 2026.

FOR FURTHER INFORMATION CONTACT: Stephen Andrews, Deputy General Counsel for Regulation, *sdandrews@cftc.gov,* 202–308–7563, Commodity Futures Trading Commission, Three Lafayette Centre, 1155 21st Street NW, Washington, DC 20581.

SUPPLEMENTARY INFORMATION: Since 1998,[1] the Commission has maintained a policy, codified in appendix A to part 10 of its rules of practice for adjudicatory proceedings, 17 CFR part 10, that the Commission will not accept settlement [2] offers where the respondent or defendant continues to deny the allegations, or the findings of fact and conclusions of law. For the reasons explained below, the Commission now rescinds this policy and repeals appendix A of part 10.

I. Background

When the Commission exercises its authority to investigate and bring enforcement actions,[3] it does not litigate every action to judgment. Like all parties to litigation, the Commission and litigant against whom it brings a federal district court action or agency adjudication may agree to settle.[4] The Commission's decision to settle depends on a range of factors, including the Commission's judgment that obtaining an immediate result by settlement better serves the public interest than expending the resources and accepting the risk that comes with fully litigating the matter. Similarly, a defendant's decision to settle may turn on numerous factors.

In a typical Commission settlement, a defendant in federal district court signs a consent [5] that describes the terms on which the parties have agreed to settle, or, in an administrative action, a respondent submits an offer of settlement that contains those terms. These documents reflect the defendant's (or respondent's) agreement and representation that the defendant (or respondent) is entering into the settlement knowingly and voluntarily. For actions in federal district court, the Commission (sometimes jointly with the defendant) will then ask the court to enter a consent judgment (or consent order) that incorporates the terms of the consent and to retain continuing jurisdiction.[6] For administrative adjudications, the Commission accepts an offer of settlement by issuing an opinion and order, which makes findings, imposes remedial sanctions, and incorporates the terms of the offer.

In 1998, the Commission adopted appendix A to part 10.[7] Appendix A set forth a policy not to accept any offer of settlement in an administrative or civil proceeding if the respondent or defendant wished to continue to deny the allegations of the Commission's complaint.[8] The Commission reasoned that ''[i]n accepting a settlement and entering an order finding violations . . . the Commission makes uncontested finding of fact and conclusions of law. The Commission does not believe it would be appropriate for the agency to be making such uncontested findings of violations if the party against whom the uncontested findings are to be entered is continuing to deny the alleged misconduct.'' [9] By limiting the circumstances under which the Commission will accept a settlement offer, this policy binds the staff of the Commission's Division of Enforcement in settlement negotiations.

[1] Rules of Practice, 63 FR 55784, 55796 (Oct. 19, 1998); Technical Correction, 64 FR 30902, 30903–30904 (June 9, 1999).

[2] We use the term ''settlement'' to refer to the resolution of enforcement actions by consent in which the Commission and a party against whom it has brought an action agree to terms to end that action, including agreed-upon sanctions. Settlements can include entry into consent judgments in federal district court and the acceptance of settlement offers in an order issued in an administrative adjudication.

[3] 7 U.S.C. 9, 15.

[4] *CFTC* v. *Schor,* 478 U.S. 833 (1986) (establishing that the CFTC has authority to adjudicate cases, which includes the implied authority to reach settlements in both administrative proceedings and enforcement actions).

[5] The consent is typically incorporated into a proposed consent order signed by the defendant and presented to the Commission for its consideration. If approved by the Commission, it is signed by a Commission Division of Enforcement attorney and presented to the federal district court for its consideration.

[6] Consent judgments are ''compromises in which the parties give up something they might have won in litigation and waive their rights to litigation.'' *United States* v. *ITT Cont'l Baking Co.,* 420 U.S. 223, 235 (1975). They ''embod[y] an agreement of the parties and thus in some respects [are] contractual in nature,'' but they are also ''enforceable as . . . judicial decree[s].'' *Texas* v. *New Mexico,* 602 U.S. 943, 953 (2024).

[7] Rules of Practice, 63 FR 55784, 55790 (Oct. 19, 1998).

[8] *Id.*

[9] *Id.*

The Commission's ''neither-admit-nor-deny'' settlements typically take the form of a formal Consent Order or Order Instituting Proceedings issued by the Commission. In these orders, the defendant or respondent agrees to penalties without acknowledging that they committed the alleged violations.[10] More specifically, defendants and respondents agree, among other things, not to make ''any public statement denying, directly or indirectly any findings or conclusions'' in the Order or ''creating . . . the impression that this Order is without a factual basis.'' [11] The neither-admit-nor-deny provisions, do not, however, apply to defendants' and respondents' testimonial obligations, and the provisions do not affect their ability to take legal or factual positions in litigation and other legal proceedings to which the Commission is not a party, including parallel civil actions.[12]

When the Commission agrees to settlements that contain neither-admit-nor-deny provisions, the Commission has only a limited judicial remedy in the event a defendant breaches the settlement agreement by publicly denying allegations. In the event of a public denial, the Commission could, among other options, allege a breach of contract and initiate contempt proceedings or ask a court to vacate the settlement, returning the case to active litigation and permitting the Commission to prove its claims.[13] And, as with all parties to a contract who are faced with a breach, the Commission may forgo this remedy, opting not to dedicate resources to reviving a previously settled case. Moreover, federal district courts have discretion to deny the Commission's request to return a case to the active docket in the event the Commission does seek relief in the wake of a breach. The Commission is not aware of any instance where the Commission has sought to reopen a federal district court action or administrative adjudication following a violation of a neither-admit-nor-deny provision, and there are no reported opinions where a court has ruled upon such a motion.

Additionally, the Commission has received a petition to repeal its neither-admit-nor-deny requirement.[14] Although no party has challenged the Commission's policy, there have been several challenges to the Securities and Exchange Commission's (''SEC'') neither-admit-nor-deny settlements.[15]

II. Discussion

A. The Commission Is Rescinding Appendix A to Part 10

After further consideration of the existing policy, the Commission rescinds appendix A to part 10. The Commission initiates enforcement actions only after determining that information obtained in an investigation indicates that a violation of its rules and/or regulations occurred or is about to occur.[16] The commencement of such an enforcement action in federal district court (or institution of an administrative proceeding) reflects the Commission's intention to prove the facts of the case as alleged based on the results of that investigation.[17] When the Commission chooses settlement to serve the public interest by obtaining a more-certain and faster result with less expenditure of resources and less risk, it forecloses its ability to obtain a fully adjudicated decision after a contested proceeding.

When the Commission adopted appendix A to part 10, it stated: ''In accepting a settlement and entering an order finding violations . . . the Commission makes uncontested findings of fact and conclusions of law. The Commission does not believe it would be appropriate for the agency to be making such uncontested findings of violations if the party against whom the uncontested findings are to be entered is continuing to deny the alleged misconduct.'' [18] Yet experience has taught that the negative effect on the public interest from such denials may be minimal. Members of the public, regulated entities, and market participants typically understand that settlements are often reached for pragmatic reasons, including avoiding the expense, uncertainty, and delay associated with litigation. The Commission also recognizes that the policy itself may create the incorrect impression that it is trying to protect itself from criticism.[19] Even if that is not the Commission's intent, such a perception could undermine public confidence in the agency's commitment to transparency, openness, and fair process.

Four additional reasons support the Commission's rescission of appendix A to part 10.

First, when the Commission agrees to settlements that contain neither-admit-nor-deny provisions, the Commission has only a limited judicial remedy in the event a defendant breaches the settlement agreement by publicly denying allegations. In the event of a public denial, the Commission could allege a breach of contract and initiate contempt proceedings, or ask a court to vacate the settlement, returning the case to active litigation and permitting the Commission to prove its claims.[20] In practice, however, the benefits of these remedies have proven limited. The Commission is not aware of any instance in which it invoked these measures, nor any case in which a court has granted such relief following a public denial.

Moreover, there is a built-in temporal disincentive to invoking these remedies. As the time between the settlement and a denial grows, the Commission is less likely to dedicate resources to reopen the case, because the passage of time and concomitant fading of memories and loss of evidence renders the allegations harder to prove. Similarly, as more time elapses from the entry of a consent judgment containing a no-deny provision, a court may be less likely to grant the Commission's request to reopen an older case because of comparable procedural and evidentiary concerns. Given that the Commission has not sought to use this remedy, its theoretical benefits do not justify its retention.

Second, technological changes in communication, particularly the use of social media, have made the policy

[10] *See, e.g., In re Options Clearing Corp.,* CFTC No. 23–06 (Feb. 16, 2023); *In re Citigroup Global Markets, Inc.,* CFTC No. 25–02 (Sept. 4, 2025); *In re Barclays Bank PLC,* CFTC No. 24–39 (Sept. 30, 2024).

[11] *Id.*

[12] Language to this effect is used in settlement orders related to the Commission. *See, e.g., In re Deutsche Bank AG, et al.,* CFTC. No. 18–06 (Jan. 29 2018); *CFTC* v. *First Bristol Grp., Inc.,* No. 02–80696–CIV (S.D. Fla. July 2, 2003).

[13] There is a parallel procedure in administrative adjudications. In that context, when the Commission has accepted offers to settle, it has done so pursuant to 17 CFR 10.108. Respondents have agreed not to publicly deny the allegations in the order instituting proceedings, and they further agreed that if they breached that agreement, Division of Enforcement staff could ask the Commission to reopen the action against them.

[14] New Civil Liberties Alliance, Petition for Rulemaking to Amend the Rule Restricting Speech Set Forth in 17 CFR part 10, Appendix A (July 18, 2019), *https://nclalegal.org/wp-content/uploads/2019/07/2019-07-18-Petition-for-Repeal-of-Gag-Rule-CFTC-FINAL-As-Filed.pdf.*

[15] *SEC* v. *Romeril,* 15 F.4th 166 (2d Cir. 2021); *SEC* v. *Novinger,* 40 F.4th 297 (5th Cir. 2022); *SEC* v. *Novinger,* 96 F.4th 774 (5th Cir. 2024); *Powell* v. *SEC,* 149 F.4th 1029 (9th Cir. 2025); *Cato* v. *SEC,* 4 F.4th 91 (D.C. Cir. 2021).

[16] 7 U.S.C. 9, 15.

[17] In an administrative proceeding, the Commission serves in an adjudicatory capacity.

[18] Rules of Practice, 63 FR 55784, 55790 (Oct. 19, 1998).

[19] In *SEC* v. *Powell,* the Ninth Circuit held that the SEC's ''neither-admit-nor-deny'' policy, 17 CFR 202.5(e), does not violate the First Amendment by limiting a defendant's speech, even if denying allegations undermines agency confidence. The court clarified the policy's purpose is administrative, requiring the SEC to prove allegations in court if a defendant refuses to settle without admitting wrongdoing. *Powell,* 149 F.4th at 1044.

[20] *See also supra* note 14.

more challenging to implement. Appendix A to part 10 covers public denials of allegations. But the line between public and private statements is not always clear. For example, social media interactions are often intended for a private, self-selected community but are still visible to dozens of individuals.[21] Rather than devote resources to determining whether such statements would constitute a violation of a neither-admit-nor-deny provision, the Commission chooses to repeal appendix A to part 10.

Third, eliminating appendix A to part 10 aligns the Commission with the majority of federal agencies.[22] Most federal agencies—including the Department of Justice—have not adopted a comparable neither-admit-nor-deny policy. The absence of these policies has proven immaterial to those agencies' ability to settle enforcement actions without negative consequence. Moreover, the SEC recently rescinded its ''neither-admit-nor-deny'' policy citing many of the rationales that the Commission is relying upon here.[23] All of these examples fortify the Commission's conclusion that rescinding appendix A to part 10 will not harm the public interest.

Fourth, rescinding appendix A to part 10 gives the Commission more flexibility in settling enforcement actions. This flexibility empowers the Commission to conserve resources and provide certainty. It may also speed the return of money to victims.[24] The current policy precludes the Commission from accepting settlements that lack a neither-admit-nor-deny provision. This restriction bars settlements with defendants who do not wish to sign a provision that prevents them from ever denying liability. The rescission will allow the Commission to better structure settlements, resulting in collectible sanctions that can be returned to victims more efficiently.[25]

B. The Commission Will Not Seek To Enforce Existing Neither-Admit-Nor-Deny Provisions

In light of the rescission of appendix A to part 10, and for the same reasons, the Commission will not enforce existing neither-admit-nor-deny provisions in settlements that have already been entered. If a settling defendant or respondent has previously agreed to a neither-admit-nor-deny provision, and the defendant or respondent then breaches the terms of that neither-admit-nor-deny provision, the Commission will not allege breach of contract or attempt to reopen an otherwise settled case. Rather, in the event of breach, the Commission will take no action to ask a federal district court to vacate the settlement (or to reopen an administrative adjudicatory proceeding) or to hold the defendant or respondent in contempt in connection with the settlement agreement and the limited relief the Commission has pursuant to its terms.

II. Related Matters

A. Notice and Effective Date

The Administrative Procedure Act (''APA'') [26] requires federal agencies to publish a notice of proposed rulemaking and provide an opportunity for public comment before issuing a new rule. Rules are exempt from notice and comment if they are interpretive rules, general statements of policy, or rules of agency organization, procedure, or practice.[27] The Commission has determined that this exception applies. These amendments represent a general statement of Commission policy and relate solely to agency organization, procedure, and practice.[28] Therefore, the provisions of the APA, which generally require notice or proposed rulemaking and provide other opportunities for public participation, are inapplicable. In addition, the APA generally requires that an agency publish a substantive rule in the **Federal Register** 30 days before it becomes effective,[29] but this requirement does not apply to ''interpretive rules and statements of policy,'' [30] such as this one. Therefore, this final rule is effective upon publication in the **Federal Register**. Moreover, the Commission finds that delaying the effective date of this rescission could create incentives for parties to delay settlement until the rescission takes effect. As a result, the Commission believes that delaying the effectiveness of this rule is contrary to the public interest and finds ''good cause'' to make the rescission effective upon publication in the **Federal Register** under 5 U.S.C. 553(d).[31]

B. Regulatory Flexibility Act

The Regulatory Flexibility Act requires federal agencies to consider whether the rules they propose will have a significant economic impact on a substantial number of small entities and, if so, to provide a regulatory flexibility analysis regarding the economic impact on those entities.[32] The Commission is obligated to conduct a regulatory flexibility analysis for any rule for which the agency publishes a general notice of proposed rulemaking pursuant to section 553(b) of the APA or any other law.[33] This rulemaking is excepted from the public rulemaking provisions of the APA.[34] Accordingly, the Commission is not required to conduct a regulatory flexibility analysis for this rulemaking.

C. Paperwork Reduction Act

The Paperwork Reduction Act (''PRA'') imposes certain requirements on federal agencies in connection with their conducting or sponsoring any collection of information.[35] This rule does not contain a ''collection of information,'' as defined in the PRA. Accordingly, the requirements imposed by the PRA are not applicable to this rule.

D. Cost-Benefit Considerations

Section 15(a) of the Commodity Exchange Act (''CEA'') provides that, before promulgating a regulation under

[21] Moreover, with regards to the SEC neither-admit-nor-deny provision, the Ninth Circuit noted in upholding the provision against a facial constitutional challenge that the language of some consents ''could be read to sweep more broadly'' than the provision by covering public statements that are ''indirectly'' denying allegations or ''creating the impression'' that the allegations are without a factual basis. *Powell,* 149 F.4th at 1044.

[22] *See* Verity Winship & Jennifer K. Robbennolt, *Admissions of Guilt in Civil Enforcement,* 102 Minn. L. Rev. 1077 (2018) (discussing differences in settlement practices between federal regulators).

[23] *Rescission of Policy Regarding Denials in Settlements of Enforcement Actions,* 91 FR 29892 (May 21, 2026).

[24] *United States* v. *Armour & Co,* 402 U.S. 673, 681 (1971) (parties settle ''after careful negotiation'' and reach an ''agreement on [a consent's] precise terms,'' saving ''themselves the time, expense, and inevitable risk of litigation,'' but also giving ''up something they might have won had they proceeded with the litigation''); *SEC* v. *Citigroup Glob. Mkts.,* 752 F.3d 285, 295 (2d Cir. 2014) (settlement provides ''parties with a means to manage risk'').

[25] The Commission's rescission of appendix A to part 10 does not affect its discretion to settle with defendants who decline to admit facts or liability, or its discretion to negotiate for admissions as part of a settlement. Moreover, there is a subset of cases where the Commission settles (or plans to settle) with a defendant or respondent that is the subject of a parallel criminal proceeding arising from the same or similar conduct, and where the defendant or respondent has pleaded, or is expected to plead, guilty, or been convicted. In those instances, there have been admissions or a finding of criminal liability. For these types of cases, the Commission may continue to address admissions and denials in settlement agreements to ensure consistency between the Commission settlement and the resolution of the parallel matter.

[26] 5 U.S.C. 553 *et seq.*

[27] 5 U.S.C. 553(b)(3)(A).

[28] The Commission made a similar finding in 1998 when it adopted appendix A to part 10 without notice and comment. *See* 63 FR 55791 (Oct. 19, 1998).

[29] 5 U.S.C. 553(d).

[30] 5 U.S.C. 553(d)(2).

[31] 5 U.S.C. 553(d)(3).

[32] 5 U.S.C. 601 *et seq.*

[33] 5 U.S.C. 603(a).

[34] 5 U.S.C. 553(b)(3)(B).

[35] 5 U.S.C. 3501 *et seq.*

the CEA or issuing an order, the Commission shall consider the costs and benefits of the action of the Commission's contemplated action.[36] Section 15(a) further specifies that the costs and benefits shall be evaluated in light of five broad areas of market and public concern: (1) protection of market participants and the public; (2) efficiency, competitiveness, and financial integrity of the futures markets; (3) price discovery; (4) sound risk management practices; and (5) other public interest considerations.[37] The proposed revisions relate solely to agency organization, procedure, and practice. Therefore, the Commission finds that the considerations enumerated in section 15(a)(2) of the CEA are not applicable here.

E. Antitrust Considerations

Section 15(b) of the CEA requires the Commission to take into consideration the public interest to be protected by the antitrust laws and endeavor to take the least anticompetitive means of achieving the CEA's objectives in issuing any order or adopting any Commission rule or regulation.[38] The Commission does not anticipate that appendix A to part 10's rescission will have anticompetitive effects. Instead, the Commission anticipates that the policy's rescission will allow the Commission more flexibility to settle enforcement actions, thereby increasing the agency's ability to collect sanctions and return monies to victims while also conserving resources.

F. Executive Orders

Executive Orders 12866 and 13563 direct agencies to assess all costs and benefits of available regulatory alternatives and, if regulation is necessary, to select those regulatory approaches that maximize net benefits (including potential economic, environmental, public health and safety, and other advantages; and distributive impacts). Section 3(f) of Executive Order 12866 defines a ''significant regulatory action'' as any regulatory action that is likely to result in a rule that may: (1) have an annual effect on the economy of $100 million or more or adversely affect in a material way the economy, a sector of the economy, productivity, competition, jobs, the environment, public health or safety, or State, local, or tribal governments or communities; (2) create a serious inconsistency or otherwise interfere with an action taken or planned by another agency; (3) materially alter the budgetary impact of entitlements, grants, user fees, or loan programs or the rights and obligations of recipients thereof; or (4) raise novel legal or policy issues arising out of legal mandates, or the President's priorities.

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

Pursuant to the Congressional Review Act,[39] the Office of Information and Regulatory Affairs has designated these amendments as not a ''major rule,'' as defined by 5 U.S.C. 804(2).

List of Subjects in 17 CFR Part 10

Administrative practice and procedure, Authority delegations (Government agencies), Swaps.

For the reasons stated in the preamble, the Commodity Futures Trading Commission amends 17 CFR part 10 as follows:

PART 10–RULES OF PRACTICE

■ 1. The authority citation for part 10 continues to read as follows:

Authority: Pub. L. 93–463, sec. 101(a)(11), 88 Stat. 1391; 7 U.S.C. 2(a)(12).

Appendix A to Part 10 [Removed]

■ 2. Remove Appendix A to Part 10—Commission Policy Relating to the Acceptance of Settlements in Administrative and Civil Proceedings.

Issued in Washington, DC, on June 4, 2026, by the Commission.

Christopher Kirkpatrick,

Secretary of the Commission.

Note: The following appendix will not appear in the Code of Federal Regulations.

Appendix to Rescission of Policy Relating to the Acceptance of Settlements in Administrative and Civil Proceedings—Commission Voting Summary

On this matter, Chairman Selig voted in the affirmative. No Commissioner voted in the negative.

[FR Doc. 2026–11466 Filed 6–5–26; 8:45 am]

BILLING CODE 6351–01–P

[36] 7 U.S.C. 19(a).

[37] 7 U.S.C. 19(a)(2).

[38] 7 U.S.C. 19(b).

[39] 5 U.S.C. 801–808.

DEPARTMENT OF HOMELAND SECURITY

Coast Guard

33 CFR Part 165

[Docket Number USCG–2026–0680]

RIN 1625–AA00

Safety Zone; Monongahela River MM 122–122.5, Rivesville, WV

AGENCY: Coast Guard, Department of Homeland Security.

ACTION: Temporary final rule.

SUMMARY: The Coast Guard is establishing a temporary safety zone for the Monongahela River on June 27, 2026, from mile marker 122 to mile marker 122.5, to provide for the safety of life on the navigable waters during a fireworks display. The safety zone is needed to protect personnel, vessels, and the marine environment from potential hazards associated with an overwater fireworks display. Entry of vessels or persons into this zone is prohibited unless specifically authorized by the Captain of the Port Pittsburgh, or a designated representative.

DATES: This rule is effective on June 27, 2026, from 9 p.m. through 11 p.m.

ADDRESSES: To view available documents go to *https://www.regulations.gov* and search for USCG–2026–0680.

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

SUPPLEMENTARY INFORMATION:

I. Table of Abbreviations

CFR Code of Federal Regulations
COTP Captain of the Port
DHS Department of Homeland Security
FR Federal Register
NPRM Notice of proposed rulemaking
§ Section
U.S.C. United States Code

II. Background and Authority

The Coast Guard received notification that fireworks will be launched from the shore on the Monongahela River near Rivesville, WV. The Captain of the Port (COTP) Pittsburgh has determined that potential hazards associated with fireworks are a safety concern for anyone within a half mile of the fireworks display. Therefore, the COTP is issuing this rule under the authority in 46 U.S.C. 70034, which is needed to protect personnel, vessels, and the

marine environment in the navigable waters within the safety zone.

Because of these potential hazards, the Coast Guard is issuing this rule without prior notice and comment. As is authorized by 5 U.S.C. 553(b)(B), the Coast Guard finds that good cause exists for not publishing a notice of proposed rulemaking (NPRM) with respect to this rule because it is impracticable. The Coast Guard was notified of this event on May 29, 2026, but we must establish this safety zone by June 27, 2026, to protect personnel, vessels, and the marine environment. Therefore, we do not have enough time to solicit and respond to comments.

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

III. Discussion of the Rule

This rule establishes a safety zone from 9 p.m. until 11 p.m. on June 27, 2026. The safety zone will cover all navigable waters between mile marker 122 to 122.5 on the Monongahela River. Vessels and persons will not be allowed to enter the zone during this time, unless authorized by the Captain of the Port.

IV. Regulatory Analyses

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

A. Impact on Small Entities

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

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

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

B. Collection of Information

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

C. Federalism and Indian Tribal Governments

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

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

D. Unfunded Mandates Reform Act

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

E. Environment

We have analyzed this rule under Department of Homeland Security Directive 023–01, Rev. 1, associated implementing instructions, and Environmental Planning COMDTINST 5090.1 (series), which guide the Coast Guard in complying with the National Environmental Policy Act of 1969 (42 U.S.C. 4321 *et seq.*), and have determined that this action is one of a category of actions that do not individually or cumulatively have a significant effect on the human environment.

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

List of Subjects in 33 CFR Part 165

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

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

PART 165—REGULATED NAVIGATION AREAS AND LIMITED ACCESS AREAS

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

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

■ 2. Add § 165.T08–0680 to read as follows:

§ 165.T08–0680 Safety Zone; Monongahela River MM 122–122.5, Rivesville, WV.

(a) *Location.* The following area is a safety zone: All navigable waters on the Monongahela River between mile marker 122 and mile marker 122.5.

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

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

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

(d) *Enforcement period.* This section will be enforced from 9 p.m. to 11 p.m. on June 27, 2026.

Justin R. Jolley,

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

[FR Doc. 2026–11425 Filed 6–5–26; 8:45 am]

BILLING CODE 9110–04–P

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 52

[EPA–R05–OAR–2024–2016; FRL–12599–02–R5]

Air Plan Approval; Minnesota; Revision to Taconite Federal Implementation Plan

AGENCY: Environmental Protection Agency (EPA).

ACTION: Final rule.

SUMMARY: The U.S. Environmental Protection Agency (EPA) is revising the Original 2013 Federal Implementation Plan (FIP) by finalizing nitrogen oxide (NO_X) emission limits for the indurating furnace at United States Steel's (U.S. Steel) Keetac taconite facility (Keetac) in Keewatin, Minnesota to satisfy the requirement for best available retrofit technology (BART) at taconite facilities. The EPA is finalizing the following NO_X BART emission limits for the Keetac Grate Kiln indurating furnace, with compliance to be determined on a rolling 720-hour average: 3.4 pounds (lbs) of NO_X per million British Thermal Unit (MMBtu) when firing exclusively natural gas, which will become enforceable beginning three years after promulgation of a final rule; and 2.0 lbs NO_X/MMBtu when firing any fuel or combination of fuels other than exclusively natural gas, which will become enforceable five years after promulgation of a final rule, unless before that date the EPA promulgates a modified limit. The final rule allows Keetac, within a period of 52 months from the effective date of the final rule, the option to seek a potential adjustment of the cofiring emission limit, not to exceed 2.5 lbs NO_X/MMBtu as a 720-hour rolling average, based on collection of continuous emission monitoring system (CEMS) data after installation of the NO_X reduction technology.

DATES: This final rule is effective on July 8, 2026.

ADDRESSES: The EPA has established a docket for this action under Docket ID No. EPA–R05–OAR–2024–0216. All documents in the docket are listed on the *https://www.regulations.gov* website. Although listed in the index, some information is not publicly available, *i.e.,* Confidential Business Information (CBI), Proprietary Business Information (PBI), or other information the disclosure of which is restricted by statute. Certain other material, such as copyrighted material, is not placed on the internet and will be publicly available only in hard copy form. Publicly available docket materials are available either through *https://www.regulations.gov* or please contact the person identified in the **FOR FURTHER INFORMATION CONTACT** section for additional information.

FOR FURTHER INFORMATION CONTACT: For information about this final rule, contact Gina Harrison, Environmental Scientist, Air and Radiation Division (AR18J), Environmental Protection Agency, Region 5, 77 West Jackson Boulevard, Chicago, Illinois, 60604; telephone number (312) 353–6956; email address *harrison.gina@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:

BART Best Available Retrofit Technology
CAA Clean Air Act
CEMS Continuous Emissions Monitoring System
CBI Confidential Business Information
EPA Environmental Protection Agency
FIP Federal Implementation Plan
Keetac Keetac Taconite Facility in Keewatin, Minnesota
LNB Low-NO_X Burner
NESHAP National Emission Standards for Hazardous Air Pollutants
NO_X Nitrogen Oxide
PBI Proprietary Business Information
PRA Paperwork Reduction Act
RFA Regulatory Flexibility Act
SCR Selective Catalytic Reduction
SIP State Implementation Plan
SO_2 Sulfur Dioxide
UMRA Unfunded Mandates Reform Act
U.S. Steel United States Steel

Organization of this document. The information presented in this preamble is organized as follows:

I. Background
II. Legal Authority
III. What Action is the EPA Taking?
IV. Public Comments and Responses
V. Statutory and Executive Order Reviews

Background

On February 6, 2013, the EPA promulgated a Federal Implementation Plan (FIP) that included NO_X BART limits for indurating furnaces at seven taconite facilities subject to BART in Minnesota and Michigan (the Original 2013 FIP Rule).[1] The Original 2013 FIP Rule included NO_X BART limits for indurating furnaces at two U.S. Steel taconite facilities located in Minnesota—Keetac and Minntac. The EPA took this action following a January 15, 2009, determination that Minnesota and Michigan failed to timely submit regional haze SIPs.[2] This finding triggered a CAA obligation that the EPA issue a FIP, which the Agency did on February 6, 2013. The Original 2013 FIP Rule, among other requirements, established NO_X BART emission limits of 1.2 MMBtu when burning natural gas and 1.5 lbs NO_X/MMBtu when using any fuel other than exclusively natural gas for Keetac's indurating furnace (along with indurating furnaces at six other taconite facilities in Michigan and Minnesota). These emission limits were based upon the observed performance of high stoichiometric (high-stoich) low-NO_X burners (LNBs) that were previously installed on taconite furnaces at Minntac.

Subsequent engineering studies demonstrated that the initial LNB design selection for Keetac, which was based on LNB operation at U.S. Steel's Minntac facility, would be infeasible at Keetac due to several technical factors. Further studies demonstrated that a different LNB main burner design, in combination with low-NO_X preheat burners, would be the most effective LNB design for Keetac in that the design represents the highest technically feasible emission reductions for this facility based on those studies.

On April 24, 2025, the EPA proposed to modify the NO_X BART emission limits for the indurating furnace at Keetac to reflect the degree of reduction achievable based on operations and parameters specific to the Keetac facility (the 2025 Proposed Rule).[3] Specifically, the EPA proposed to approve the following NO_X BART emission limits for the Keetac Grate Kiln indurating furnace, with compliance to be determined on a rolling 720-hour average: (1) 3.4 lbs NO_X/MMBtu when firing exclusively natural gas, which will become enforceable beginning three years after promulgation of a final rule; and (2) 2.0 lbs NO_X/MMBtu when firing any fuel or combination of fuels other than exclusively natural gas, which will become enforceable five years after promulgation of a final rule, unless before that date the EPA promulgates a modified limit in accordance with the following procedure. The EPA proposed to allow Keetac, within a period of 52 months from the effective date of the final rule, the option to seek a potential adjustment of the cofiring emission limit, not to exceed 2.5 lbs NO_X/MMBtu as a 720-hour rolling average, based on collection of continuous emissions monitoring system (CEMS) data after installation of the NO_X reduction technology. Additional explanation of the CAA requirements, a detailed analysis of how these requirements apply to taconite facilities, and the EPA's reasons for proposing the revised limits are provided in the 2025 Proposed Rule.

Legal Authority

In the CAA Amendments of 1977, Congress created a program for

[1] 78 FR 8706 (February 6, 2013).

[2] 74 FR 2392 (January 15, 2009).

[3] 90 FR 17233 (April 24, 2025).

protecting visibility in the nation's national parks and wilderness areas. Section 169A of the CAA establishes as a national goal the ''prevention of any future, and the remedying of any existing, impairment of visibility in mandatory Class I Federal areas which impairment results from manmade air pollution.'' Congress added section 169B to the CAA in 1990 to address regional haze issues. EPA promulgated a rule to address regional haze on July 1, 1999 (64 FR 35714), codified at 40 CFR part 51, subpart P—Protection of Visibility (herein after referred to as the ''Regional Haze Rule''). The Regional Haze Rule codified and clarified the BART provisions in the CAA at 40 CFR 51.308(e) and revised the existing visibility regulations to add provisions addressing regional haze impairment and establishing a comprehensive visibility protection program for Class I areas.

Section 169A of the CAA directs states, or EPA if developing a Federal Implementation Plan (FIP), to evaluate the use of retrofit controls at certain larger, often uncontrolled, older stationary sources to address visibility impacts from these sources. Specifically, section 169A(b)(2)(A) of the CAA requires that implementation plans contain such measures as may be necessary to make reasonable progress toward the natural visibility goal, including a requirement that certain categories of existing major stationary sources [4] built between 1962 and 1977 procure, install, and operate BART [5] as determined by EPA.

Under the Regional Haze Rule, states (or in the case of a FIP, EPA) are directed to conduct BART determinations for such ''BART-eligible'' sources that may reasonably be anticipated to cause or contribute to any visibility impairment in a Class I area.

On July 6, 2005, (70 FR 39104), EPA published the Guidelines for BART Determinations Under the Regional Haze Rule at appendix Y to 40 CFR part 51 (hereinafter referred to as the ''BART Guidelines''), to assist states and EPA in determining which sources should be subject to the BART requirements and in determining appropriate emission limits for each source subject to BART.

The process of establishing BART emission limitations follows three steps. First, states, or EPA if developing a FIP, must identify and list ''BART-eligible sources.'' [6] Once the state or EPA has identified the BART-eligible sources, the second step is to identify those sources that may ''emit any air pollutant which may reasonably be anticipated to cause or contribute to any impairment of visibility'' in a Class I area. (Under the Regional Haze Rule, a source that fits this description is ''subject to BART.''). Third, for each source subject to BART, the state or EPA must identify the level of control representing BART after considering the five factors set forth in CAA section 169A(g). The BART Guidelines provide a process for making BART determinations that states can use in implementing the BART requirements on a source-by-source basis. *See* 40 CFR part 51, appendix Y, at IV.D.[7]

States, or EPA if developing a FIP, must address all visibility-impairing pollutants emitted by a source in the BART determination process. The most significant visibility impairing pollutants are sulfur dioxide (SO_2), NO_X, and particulate matter (PM).

A State Implementation Plan (SIP) or FIP addressing regional haze must include source-specific BART emission limits and compliance schedules for each source subject to BART. Once a state or EPA has made a BART determination, the BART controls must be installed and operated as expeditiously as practicable, but no later than five years after the date of the final SIP or FIP. See CAA section 169A(g)(4) and 40 CFR 51.308(e)(1)(iv). In addition to what is required by the Regional Haze Rule, general SIP requirements mandate that the SIP or FIP include all regulatory requirements related to monitoring, recordkeeping, and reporting for the BART controls on the source. See CAA section 110(a).

What action is the EPA taking?

The EPA is finalizing modifications to the Original 2013 FIP Rule by changing the NO_X BART emission limits for the indurating furnace at Keetac. Specifically, the EPA is finalizing the following NO_X BART emission limits for the Keetac Grate Kiln indurating furnace, with compliance to be determined on a rolling 720-hour average: (1) 3.4 lbs NO_X/MMBtu when firing exclusively natural gas, which will become enforceable beginning three years after promulgation of a final rule; and (2) 2.0 lbs NO_X/MMBtu when firing any fuel or combination of fuels other than exclusively natural gas, which will become enforceable five years after promulgation of a final rule, unless before that date the EPA promulgates a modified limit. The final rule allows Keetac, within a period of 52 months from the effective date of the final rule, the option to seek a potential adjustment of the cofiring emission limit, not to exceed 2.5 lbs NO_X/MMBtu as a 720-hour rolling average, based on collection of CEMS data after installation of the NO_X reduction technology.

Public Comments and Responses

The EPA received no requests for a public hearing; therefore, no public hearing was held. The comment period on the 2025 Proposed Rule closed on June 10, 2025. The EPA received two comments on the Keetac proposal. One comment letter was submitted from the National Parks Conservation Association, Coalition to Protect America's National Parks, Minnesota Center for Environmental Advocacy, and Sierra Club (collectively, the Conservation Groups). The second comment was submitted anonymously. These comments are summarized and addressed below. One additional comment was received but did not contain comments related to the Keetac proposal.

Comment: The Conservation Groups assert that the EPA proposes to rubber stamp Keetac's data without conducting the BART analyses required under the CAA and Regional Haze Rule (RHR).[8] The Conservation Groups further assert that the EPA improperly focuses only on the CEMS data provided by Keetac.

Response: The EPA disagrees with the Conservation Groups' assertions that the EPA proposed emission limits for Keetac without conducting a BART analysis as set forth in the CAA and RHR. Under the RHR, each State (or in the case of a FIP, the EPA), is directed to conduct BART determinations for such ''BART-eligible'' sources that may reasonably be anticipated to cause or contribute to any visibility impairment in a Class I area.[9]

[4] The set of ''major stationary sources'' potentially subject to BART is listed in CAA section 169A(g)(7) and includes ''taconite ore processing facilities.''

[5] 40 CFR 51.301 ''Best Available Retrofit Technology (BART).''

[6] ''BART-eligible sources'' are those sources that have the potential to emit 250 tons or more of a visibility-impairing air pollutant, were not in operation prior to August 7, 1962, but were in existence on August 7, 1977, and whose operations fall within one or more of 26 specifically listed source categories. 40 CFR 51.301.

[7] The BART Guidelines are mandatory for power plants above 750 megawatts and are considered ''useful guidance'' for other types of sources. 70 FR 39104, 39108 (July 6, 2005).

[8] The RHR was published in the **Federal Register** July 1, 1999 (64 FR 35714), codified at 40 CFR part 51, subpart P.

[9] ''BART-eligible sources'' are those sources that have the potential to emit 250 tons or more of a visibility-impairing air pollutant, were not in operation prior to Aug. 7, 1962, were in existence on Aug. 7, 1977, and whose operations fall within one or more of 26 specifically listed source categories. 40 CFR 51.301.

In the August 15, 2012 Proposed FIP, the EPA conducted a five-factor BART analysis for the Keetac facility.[10] The EPA conducted this five-factor analysis consistent with the BART Guidelines. In the Original 2013 FIP Rule, the EPA determined that LNB technology is BART for the Keetac facility and established NO_X BART emission limits based upon the performance of a specific LNB design that was installed on taconite furnaces at U.S. Steel's Minntac taconite facility. LNBs are widely used control devices proven to be effective at reducing NO_X from furnaces across many industrial sectors and the EPA has not changed the Agency's determination that LNBs are the appropriate BART control for Keetac. As discussed in the 2025 Proposed Rule, although the EPA based the initial LNB design selection for Keetac on LNB operation at U.S. Steel's Minntac facility, subsequent modeling demonstrated that, due to several technical factors, the Minntac LNB design would be infeasible at Keetac.[11] Subsequent studies instead determined that a different LNB main burner design, in combination with low-NO_X preheat burners, would be feasible at Keetac and represented the most effective LNB design, offering the highest technically feasible emission reductions for this facility.[12]

Comment: The Conservation Groups contend that it is unreasonable for the EPA to propose to relax the emission limits for NO_X from the furnace at the Keetac facility to allow more pollution.

Response: The EPA disagrees with the Conservation Groups' assertions regarding the EPA's actions. Of note, Keetac has not yet installed the identified NO_X controls; therefore, installation of any NO_X controls—including those proposed here—would result in NO_X reductions compared to what the Keetac facility is currently emitting. Therefore, compared to the current and recent emissions at Keetac, the final rule does not allow ''more pollution.''

The RHR requires States (or in the case of a FIP, the EPA) to develop an implementation plan that sets emission limits based on the degree of reduction achievable through the application of the best system of continuous emission reduction.[13] As noted in this section and as discussed in the 2025 Proposed Rule, the EPA conducted a five-factor BART analysis in the Original 2013 FIP and determined that LNB technology is BART for the Keetac facility. The EPA based the initial LNB design selection for Keetac on LNB operation at U.S. Steel's Minntac facility, but subsequent modeling demonstrated that, due to several technical factors, the Minntac LNB design would be infeasible at Keetac. Subsequent studies instead determined that a different LNB main burner design, in combination with low-NO_X preheat burners, would be the most effective LNB design for Keetac, offering the highest technically feasible emission reductions for this facility. The BART limits proposed for Keetac reflect the degree of reduction achievable based on the feasible LNB technology applied to operations and parameters specific to the Keetac facility.

Comment: The Conservation Groups contend that the EPA cannot merely rely on only the engineering studies and data to ensure reasonable progress toward natural visibility conditions.

Response: The EPA disagrees with the Conservation Groups' assertion that the Agency is relying on engineering studies and data to ensure reasonable progress. In this action, the EPA is promulgating NO_X BART emission limits for Keetac in accordance with the BART determination set forth in the Original 2013 FIP Rule and refined in the 2025 Proposed Rule for Keetac. The EPA is not promulgating a long-term strategy or establishing reasonable progress goals for Minnesota. On June 12, 2012, the EPA approved Minnesota's regional haze plan for the first implementation planning period as satisfying the applicable requirements in 40 CFR 51.308, except for BART emission limits for the taconite facilities.[14] Among the regional haze plan elements approved were Minnesota's long-term strategy for making reasonable progress toward visibility goals. Minnesota's long-term strategy did not rely on the achievement of any particular degree of emission control from the taconite facilities, including Keetac, to achieve reasonable progress goals.

Comment: The Conservation Groups contend that the EPA's proposed action did not mention that the Agency already proposed revising the Keetac emission limits in a prior proposed rulemaking. The Conservation Groups claim that EPA must clarify the relationship between the Agency's prior proposal and this one.

Response: The EPA disagrees with the Conservation Groups' assertion that the EPA previously proposed to revise the NO_X emission limits for Keetac. Rather, on December 4, 2024, the EPA proposed a rule which set forth reporting and recordkeeping requirements that apply to all facilities subject to the Original 2013 FIP Rule and the Revised 2016 FIP Rule, including Keetac.[15] Specifically, the EPA proposed to require facilities subject to the Original 2013 FIP Rule and the Revised 2016 FIP Rule, including Keetac, to submit reports electronically and allow sources to supplement emission data if the CEMS do not capture all data (*e.g.,* during startup, shutdown, and malfunction (SSM) conditions). The EPA did not propose emission limits for Keetac in the December 4, 2024, proposed rule.

Comment: The Conservation Groups assert that the EPA failed to require that Keetac optimize its emission control system. The Conservation Groups contend that the EPA must require that U.S. Steel optimize the emission control system to meet the efficiencies that the Agency identified as achievable. The Conservation Groups further contend that there is no evidence that the ''variety of manufacturers and engineering firms'' that U.S. Steel contracted with to ''evaluate different NO_X reduction technologies'' conducted their work independently and that it appears the manufacturers and engineering firms performed their work at the direction of U.S. Steel. The Conservation Groups suggest that this raises concerns about biased results that did not fully consider optimization.

Response: The EPA disagrees that the Agency must require Keetac to optimize its emission control system. The Original 2013 FIP Rule did not require that an affected taconite facility optimize its emission control system; instead, it established limits based on expected performance of the control technology. The proposed emission limits reflect the degree of reduction achievable based on operation and design parameters specific to the Keetac facility as specified in the engineering reports.[16] In addition, taconite facilities are subject to the National Emission Standards for Hazardous Air Pollutants (NESHAP) at 40 CFR 63, subpart RRRRR. As required by the general provisions in the NESHAP, all affected taconite facilities are subject to a

[10] 77 FR 49312 (August 15, 2012).

[11] *See* 2016–2–24 Barr Report with Appendices; 2016–5–13 FCT Report (Redacted); 2018–8–08 Keetac Line II LNB technical analysis; and 2018–8–08 Keetac Line II LNB technical analysis, in docket.

[12] *See* 2019–2–27 Fives Main Burner Report (Redacted).pdf and 2019–6–28 Fives Preheat Burner Report (Redacted).pdf, in docket.

[13] *See* 40 CFR 51.301 ''Best Available Retrofit Technology (BART).''

[14] 77 FR 34801 (June 12, 2012).

[15] 89 FR 96152 (December 4, 2024).

[16] *See* 2019–2–27 Fives Main Burner Report (Redacted).pdf and 2019–6–28 Fives Preheat Burner Report (Redacted).pdf, in docket.

''general duty'' clause at 40 CFR 63.6(e) that requires all affected facilities to ''at all times, including periods of startup, shutdown, and malfunction, operate and maintain any affected source, including associated air pollution control equipment and monitoring equipment, in a manner consistent with safety and good air pollution control practices for minimizing emissions.''

The EPA also disagrees with the Conservation Groups' contention that the fact that the engineering firms performed their assessments at the direction of U.S. Steel raises concerns about biased results. Third-party engineering studies are common practice for facilities seeking solutions to engineering challenges. Performing work on behalf of U.S. Steel does not render the work product biased. As stated in the 2025 Proposed Rule, Keetac's pellet production is double that of Minntac's, which affects the magnitude of fuel input, number and design of combustion fans required, and burner system components needed to successfully operate a burner. Therefore, Keetac required additional evaluation to ensure the proposed solutions would work at this facility. After reviewing, the EPA found no reason to disagree with the engineering studies.

Comment: The Conservation Groups assert that the EPA does not have the authority to ignore a clear statutory command to require BART in the implementation plan merely by revising emission limits. Moreover, the Conservation Groups claim that the EPA has never codified that BART is determined at one time, and that courts will not uphold an EPA action on a rationale that the Agency has never explained.

Response: The EPA disagrees with the Conservation Groups' assertion that the Agency ignored the statutory obligation to require BART. As discussed within this section, the EPA's BART determination for Keetac was finalized in the Original 2013 FIP Rule. The EPA further disagrees that this action requires a new BART analysis. BART was an explicit first implementation period requirement and, as part of the first implementation period, the EPA's BART determination for Keetac was finalized in the Original 2013 FIP Rule. Therefore, there is no requirement to re-evaluate BART controls for Keetac.

Comment: The Conservation Groups contend that the EPA failed to articulate the Agency's rationale for determining that the prior BART determination for Keetac still serves as a valid BART determination. The Conservation Groups claim that the CAA makes clear that BART is a mandatory part of ''each applicable implementation plan,'' and expressly requires that States (or in the case of a FIP, the EPA) ''includ[e]'' BART for ''each'' eligible source.

Response: The EPA disagrees with the Conservation Groups' contention that the Agency failed to articulate the Agency's rationale for maintaining the prior BART determination as the current, valid BART determination for this action. The EPA further disagrees that the CAA requires that BART must be reevaluated in every regional haze SIP revision. BART was an explicit first implementation period requirement and, as part of the first implementation period, the EPA's BART determination for Keetac was finalized in the Original 2013 FIP Rule.

CAA section 169A(b)(2)(A) requires ''each applicable implementation plan'' to include requirements to install and operate BART. While the CAA does not define the applicable implementation plans, the RHR does. Under the RHR at 40 CFR 51.308(d), ''States were required to submit SIPs addressing regional haze visibility impairment in 2007, which covered what we refer to as the first implementation period (2008–2018).'' [17] For subsequent implementation periods under 40 CFR 51.308(f), ''[e]ach State identified in § 51.300(b) must revise and submit its regional haze implementation plan revision to the EPA by July 31, 2021, July 31, 2028, and every 10 years thereafter.'' [18]

In the 2017 RHR, the EPA noted ''States were required to undertake the BART determination process during the first implementation period. The BART requirement was a one-time requirement . . . .'' [19] Therefore, while CAA section 169A(b)(2)(A) requires ''each applicable implementation plan'' to include requirements to go through the BART determination process, the RHR establishes the various implementation plan revisions under 40 CFR 51.308(b) and (f) and only requires undergoing the BART determination process in the first implementation plan revision under 40 CFR 51.308(e). The EPA finalized the Agency's BART determination for Keetac in the Original 2013 FIP Rule, as part of the first implementation period, and need not reevaluate BART controls for Keetac. Therefore, there is no requirement to re-evaluate BART controls for Keetac.

Comment: The Conservation Groups contend that the EPA failed to evaluate BART for Keetac to ensure that the proposed emission limitation revisions satisfy BART factors. The Conservation Groups assert that, to conduct compliant BART analyses for Keetac, the EPA should have considered the available control train that the Conservation Groups discuss in their 2024 Minnesota comments, which likely would result in lower emissions limits than included in the ''taconite FIP'' as necessary to make reasonable progress. The Conservation Groups contend that the EPA's proposed emission limitation revisions fail to meet the regulatory or statutory test for BART.

Response: The EPA disagrees with the Conservation Groups' assertion that the EPA failed to evaluate BART for Keetac. The EPA further disagrees that the Conservation Groups' September 11, 2024 comments on the Agency's proposed approval of Minnesota's Second Period Regional Haze SIP revision are relevant to this action. First, as described in this section, BART is a one-time requirement of the first planning period, per the CAA, and the EPA determined BART for Keetac in the Original 2013 FIP Rule.[20] Second, the Keetac BART determination does not preclude Minnesota from having considered other control options to meet progress goals for the second planning period or beyond. Third, the EPA proposed approval of Minnesota's Second Period Regional Haze SIP revision on July 11, 2024. However, the EPA has not taken final action on the SIP revision. The EPA will respond to comments submitted on the Second Period SIP revision when taking final action on the SIP.

Comment: The Conservation Groups assert the EPA must address their numerous significant comments on this taconite source and the National Park Service's Federal Land Managers consultation comments on available controls for the taconite sources. These comments were submitted in response

[17] *See* 82 FR 3078 (January 10, 2017 (the ''2017 RHR'').

[18] 40 CFR 51.308(f).

[19] 82 FR 3078, 3083 (January 10, 2017). *See also* August 2019 *Guidance on Regional Haze State Implementation Plans for the Second Implementation Period*, at A–3, *https://www.epa.gov/sites/default/files/2019-08/documents/8-20-2019_-_regional_haze_guidance_final_guidance.pdf*. ''BART. As a one-time requirement during the first implementation period, 40 CFR 51.308(e) directed states to evaluate potential BART controls at certain larger, often uncontrolled, older stationary sources in order to address visibility impacts from these sources. States were required to conduct five-factor BART determinations for 'BART-eligible' sources that are anticipated to cause or contribute to any visibility impairment in a Class I area. As an alternative to requiring source-specific BART controls, states have the flexibility to adopt an emissions trading program or other alternative program as long as the alternative provides greater reasonable progress towards improving visibility than BART and meets certain other requirements set out in 40 CFR 51.308(e)(2).''

[20] *See* docket EPA–R05–OAR–2022–0974. Also available in the docket for this action.

to the EPA's proposed approval of Minnesota's Second Planning Period SIP revision.

Response: The EPA disagrees with the Conservation Groups' assertion as described in this section. Additionally, the EPA has not taken final action on Minnesota's Second Planning Period SIP revision. The EPA will respond to comments submitted on the Second Period SIP revision, including issues with respect to Federal Land Manager consultation, when taking final action on that plan.

Comment: The Conservation Groups note that the EPA specifically directed Minnesota to reconsider selective catalytic reduction (SCR) with reheat as an available control option for taconite facilities and contend that the Agency must evaluate this technology as BART for this action.

Response: In 2016, the EPA stated ''We expect Minnesota and Michigan to reevaluate SCR with reheat as a potential option for making reasonable progress in future planning periods, but reject the technology as BART for the Minnesota and Michigan taconite facilities at this time.'' [21] Thus, the EPA disagrees with the Conservation Groups' assertion that the Agency must reconsider SCR with reheat as an available BART control option for this action. As stated above, BART is a one-time requirement of the first planning period. However, this BART determination does not preclude Minnesota from reconsidering other control options, including SCR with reheat, to meet progress goals for the second planning period or beyond.

Comment: The Conservation Groups assert that the EPA wrongfully withholds and redacts information from the public, thwarting meaningful public participation, by withholding unspecified Fives North American Combustion (FivesNA) information regarding anticipated NO_X performance derived from unspecified laboratory testing and field installations, which contains redactions, and a February 24, 2016, technical memorandum developed by Barr, ''Air Quality Regulatory Analysis for Low NO_X Burner Technology'' labeled ''U.S. Steel Confidential Settlement Agreement Communication Subject to FRE [Federal Rule of Evidence] 408,'' which contains redactions. The Conservation Groups also contend the EPA proposes revising the BART emission limitations based on the redacted (withheld) information, without describing or providing a basis for withholding the information, merely noting in the footnotes that the documents are redacted.

The Conservation Groups assert that the information submitted by FivesNA merely mentions the laboratory testing and field installation studies and the EPA failed to include the detailed testing information and studies in the proposed docket and that there is nothing to indicate that the Agency received the underlying information and reviewed and confirmed FivesNA's assertions. The Conservation Groups contend that without the underlying information in the docket to support the assertions, the public cannot review and comment on the accuracy of the claims made.

Response: The EPA disagrees with the Conservation Groups' assertion that the Agency is modifying the BART emission limits based on redacted or withheld information. The docket for the 2025 Proposed Rule contains all information necessary to substantiate the EPA's decision-making process. The docket includes certain CBI-claimed information. Pursuant to 40 CFR 2.301(a)(2), information otherwise qualifying as CBI cannot be claimed as such if that information qualifies as ''emission data'' necessary for the EPA to disclose to demonstrate the feasibility, practicability, or attainability of an existing or proposed standard or limitation, under 40 CFR 2.301(a)(2)(ii)(B). Pursuant to 40 CFR 2.301(a)(2), ''emission data'' includes data necessary to determine the amount of emissions that the Keetac facility is authorized to emit. Here, redactions cover CBI-claimed information that does not qualify as ''emission data,'' and the EPA therefore does not need to include that information in the 2025 Proposed Rule. With respect to the cited Barr report, redacted information covered an economic analysis that purported to establish the cost prohibitiveness of a specific technology, but the EPA did not rely on purported cost prohibitiveness; U.S. Steel otherwise demonstrated the technical infeasibility of that technology.[22] The cited Barr report is in the docket for the 2025 Proposed Rule because it provides background information on alternative technologies that U.S. Steel and the EPA considered—and discarded—as a feasible solution. The two FivesNA documents in the docket proposed two FivesNA burner solutions to reduce NO_X emissions at the Keetac grate kiln. One document evaluated the Keetac main burner and the other evaluated potential reductions at the preheat section of the grate kiln. The redacted data in the two FivesNA documents were not included in the docket because they were claimed as CBI and were not material to the EPA's decisions on emission limits. They were also not ''emission data'' as defined at 40 CFR 2.301(a)(2) because they were not necessary to determine the amount of emissions that the facility would be authorized to emit. The docket for this rulemaking contains all information necessary to substantiate the EPA's decision-making process.

Comment: The Conservation Groups contend that the EPA's reasons for proposing the FIP revision are not moored to the CAA. Rather than reducing pollution, the Conservation Groups assert that the proposed changes would allow Keetac to emit more haze-forming pollution in the future.

Response: The EPA disagrees that the reasons for proposing this action are inconsistent with the requirements of the CAA. CAA section 169A establishes as a national goal the ''prevention of any future, and the remedying of any existing, impairment of visibility in mandatory Class I Federal areas which impairment results from manmade air pollution.'' At a minimum, the CAA calls for SIPs to include a long-term strategy and provisions for BART for certain major stationary sources. The RHR codified and clarified the BART provisions at 40 CFR 51.308(e). As discussed in this section, the RHR requires States (or in the case of a FIP, the EPA) to develop an implementation plan that sets emission limits based on the degree of reduction achievable through the application of the best system of continuous emission reduction. As noted in this section and discussed in the 2025 Proposed Rule, the EPA conducted five-factor BART analyses in the Original 2013 FIP Rule and determined that LNB technology is BART for the Keetac facility. The initial LNB design selection for Keetac was based on LNB operation at U.S. Steel's Minntac facility and subsequent modeling demonstrated that the Minntac LNB design would be infeasible at Keetac due to several technical factors. Further studies determined that a different LNB main burner design, in combination with low-NO_X preheat burners, would be the most effective LNB design for Keetac. The BART limits proposed for Keetac in the 2025 Proposed Rule reflect the degree of reduction achievable based on operations and parameters specific to the Keetac facility.

Keetac has not yet installed the identified NO_X controls; therefore, installation of any NO_X controls—including those identified here—

[21] 81 FR 21672, 21675.

[22] *See* 90 FR 17233, 17235–36.

necessarily result in NO_X reductions compared to what the Keetac facility is currently emitting.

Comment: The Conservation Groups assert that the 2025 Proposed Rule fails to include the details necessary for practical enforceability. The Conservation Groups further assert that the 2025 Proposed Rule fails to explain how the proposed revised regulations identified for inclusion in the FIP comply with the monitoring, recordkeeping, and reporting requirements of the CAA and provide adequate reporting—namely, CEMS compliance data—to the EPA for citizen enforcement.

Response: The EPA disagrees that the 2025 Proposed Rule for Keetac had insufficient detail to ensure practical enforceability. The regional haze regulations codified into the Minnesota SIP at 40 CFR 52.1235(c), (d), and (e) contain applicable monitoring, recordkeeping, and reporting requirements, which satisfy the requirement in 42 U.S.C. 7410(a)(2)(F)(iii) and 40 CFR 51.211 for record maintenance and periodic reporting. These requirements include semiannual compliance reports and quarterly excess emission reports detailing compliance with monitoring, recordkeeping, and reporting requirements.

Comment: The Conservation Groups contend that the 2025 Proposed Rule fails to specify that emission limits apply at all times for Keetac. The Conservation Groups also note that, although the EPA's prior proposal included such a provision for the Northshore Mining Company—Silver Bay facility (40 CFR 52.1235(b)(vi)), the Agency's current proposal for Keetac lacks a similar provision. The Conservation Groups assert that the EPA must act consistently and treat all the taconite sources in the same manner.

Response: The EPA disagrees with the Conservation Groups' contention that it was necessary for the 2025 Proposed Rule to specify that emission limits apply at all times for Keetac because the Original 2013 FIP Rule already clearly requires that the emission limits apply at all times and this action does not impact that provision. The Original 2013 FIP Rule, codified at 40 CFR 52.1235(e)(7)(x)(A), clearly states ''For purposes of this section, an excess emission is defined as any 30-day or 720-hour rolling average period, *including periods of startup, shutdown, and malfunction,* during which the 30-day or 720-hour (as appropriate) rolling average emissions of either regulated pollutant (SO_2 and NO_X), as measured by a CEMS, exceeds the applicable emission standards in this section'' (emphasis added).

Comment: An anonymous commenter asserts that the EPA should not loosen any standards ever. The anonymous commenter contends that the EPA's mission is to clean the air and water and that clean means the standard present before European arrival to America, and therefore the Agency will never be able to loosen standards.

Response: The EPA disagrees with commenter's contentions. The EPA's action is consistent with the CAA requirements and the applicable implementing regulations. The EPA does not agree that the commenter's summary of Agency's mission aligns with Congressional direction in the text of the CAA and, therefore, the comment does not articulate an applicable standard for this action. In this case, the EPA performed analyses required by the CAA and applicable regulations, including a BART analysis for Keetac, and determined that emission reductions based on implementation of LNB technology is BART for this facility. When Keetac installs this LNB technology at its facility, NO_X emissions will be reduced from current baseline levels.

Statutory and Executive Order Reviews

A. Executive Order 12866: Regulatory Planning and Review

This action is not a significant regulatory action as defined in Executive Order 12866 and is therefore not subject to a requirement for Executive Order 12866 review.

B. Executive Order 14192: Unleashing Prosperity Through Deregulation

This action is considered an Executive Order 14192 deregulatory action. This final rule provides burden reduction by promulgating less stringent emission limits.

C. Paperwork Reduction Act (PRA)

This action does not impose an information collection burden under the PRA.

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. This action will establish emission limits for one taconite source. This source is not owned by a small entity, and therefore, there are no impacts on 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 through 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.

G. Executive Order 13175: Consultation and Coordination With Indian Tribal Governments

This rule does not have Tribal implications, as specified in Executive Order 13175. It will not have substantial direct effects on Tribal governments. Thus, Executive Order 13175 does not apply to this rule. However, the EPA did discuss this action in conference calls with the Minnesota Tribes.

H. Executive Order 13045: Protection of Children From Environmental Health and Safety Risks

This action is not subject to Executive Order 13045 because it is not 3(f)(1) significant as defined in Executive Order 12866.

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 Advancement Act

This rulemaking does not involve technical standards.

K. Congressional Review Act

This rule is exempt from the Congressional Review Act because it is a rule of particular applicability.

L. Judicial Review

Under section 307(b)(1) of the CAA, petitions for judicial review of this action must be filed in the United States Court of Appeals for the appropriate circuit by August 7, 2026. Filing a petition for reconsideration by the Administrator of this final rule does not affect the finality of this rule for the purposes of judicial review or extend

the time within which a petition for judicial review may be filed, and shall not postpone the effectiveness of such rule or action. This action may not be challenged later in proceedings to enforce its requirements. *See* CAA section 307(b)(2).

List of Subjects in 40 CFR Part 52

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

Lee Zeldin,

Administrator.

For the reasons stated in the preamble, title 40 CFR part 52 is amended as follows:

PART 52—APPROVAL AND PROMULGATION OF IMPLEMENTATION PLANS

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

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

■ 2. Section 52.1235 is amended by revising paragraph (b)(1)(i) to read as follows:

§ 52.1235 Regional haze.

(a) [Reserved]

(b) * * *

(1) * * *

(i) *United States Steel Corporation, Keetac*—(A) *Emission limitations*—(*1*) *Natural gas limit.* An emission limit of 3.4 lbs NO_X/MMBtu, based on a 720-hr rolling average, shall apply to the Keetac Grate Kiln indurating furnace (EU030) when burning exclusively natural gas. This emission limit shall become enforceable beginning July 8, 2029.

(*2*) *Limit when burning fuel other than exclusively natural gas.* An emission limit of 2.0 lbs NO_X/MMBtu, based on a 720-hr rolling average, shall apply to the Keetac Grate Kiln indurating furnace when burning any fuel or combination of fuels other than exclusively natural gas. This emission limit shall become enforceable beginning July 8, 2029, unless before July 8, 2031, EPA promulgates a modified limit in accordance with the procedures set forth in paragraph (b)(1)(i)(C) of this section. The emission limit in this paragraph shall apply unless adjusted as described in paragraph (b)(1)(i)(C)(*3*) of this section, and only if the data submitted to EPA pursuant to paragraph (b)(1)(i)(C)(*1*) of this section support such an adjustment.

(B) *Installation* of NO_X *reduction technology.* The NO_X reduction technology shall be installed no later than July 8, 2029.

(C) *Process to modify emission limit when burning fuel other than exclusively natural gas.* If the owner or operator of Keetac requests to modify the emission limit that applies when burning fuel other than natural gas, then the owner or operator shall collect and submit data and an engineering report to EPA in accordance with the following process.

(*1*) *Collection and reporting of data.* The owner or operator of Keetac shall submit to EPA data collected when burning any fuel or combination of fuels other than exclusively natural gas during the period following installation of the NO_X reduction technology until completion of 5,100 hours of data collection. Data shall be submitted to EPA no later than 30 days after completion of 5100 hours of data collection and in any case no later than November 8, 2030. The data shall include hourly NO_X emissions recorded by CEMS in lbs NO_X/MMBtu; hourly values of the operating parameters identified in paragraph (b)(1)(i)(C)(*2*) of this section; hourly process and CEMS information and codes; and hourly heat input in MMBtu by fuel type. EPA will consider the data submitted in accordance with the requirements of this paragraph and (b)(1)(i)(C)(*3*) of this section. Data collected during the first 720 hours burning fuel other than exclusively natural gas are considered the optimization period and shall be submitted to EPA but shall not be included in the 4380 hours of data considered for limit adjustment purposes. If the owner or operator wishes to exclude any data from consideration due to pellet quality concerns, then the owner or operator shall, to the extent applicable, submit to EPA information regarding the following factors: compression, reducibility, before tumble, after tumble, low temperature disintegration, clustering, and swelling. For each of the pellet quality analysis factors, the owner or operator must explain the pellet quality analysis factor, as well as the defined acceptable range for each factor using the applicable product quality standards based upon customers' pellet specifications that are contained in Keetac's ISO 9001 quality management system. The owner or operator shall also provide to EPA pellet quality analysis testing results that state the date and time of the analysis and, in order to define the time period when pellets were produced outside of the defined acceptable range for the pellet quality factors listed, include copies of the production logs that clearly define which hours of operation correspond to the production of the pellets tested, and document which hours produced pellets that met specifications and which hours produced pellets that failed to meet specifications. The owner or operator shall report all raw data in a format consistent with and able to be manipulated by Microsoft Excel including formulas, as appropriate, in each cell.

(*2*) *Engineering report.* No later than 30 days after completion of 5100 hours of data collection and in any case no later than November 8, 2030, the owner or operator of Keetac shall submit to EPA a final report including modeling demonstrating the selected NO_X reduction technology is designed to achieve NO_X emissions no greater than the emission limits specified in paragraph (b)(1)(i)(A)(*2*) of this section and identifying the operating parameters and set points upon which the modeling was based.

(*3*) *Emission limit adjustment.* If EPA determines that the data submitted in accordance with paragraph (b)(1)(i)(C)(*1*) of this section satisfy the criteria in that paragraph, then EPA shall use the applicable equation set forth in paragraph (f) of this section to determine whether adjustment of the emission limit set forth in paragraph (b)(1)(i)(A)(*2*) of this section is appropriate. If revised, the NO_X emission limit when burning any fuel or combination of fuels other than exclusively natural gas may be no greater than 2.5 lbs NO_X/MMBtu, based on a 720-hr rolling average. The data set used for the determination shall include only data that meet both pellet quality specifications and optimized operating parameters related to process and NO_X reduction technology operation as identified in paragraph (b)(1)(i)(C)(*2*) of this section. If the data submitted pursuant to paragraph (b)(1)(i)(C)(*1*) of this section are normally distributed and statistically independent, EPA shall use the upper predictive limit (UPL) equation provided in paragraph (f)(1) of this section. If the data submitted pursuant to paragraph (b)(1)(i)(C)(*1*) of this section are not normally distributed or are normally distributed but not statistically independent, EPA shall use the non-parametric equation provided in paragraph (f)(2) of this section. If, after receiving complete data from the owner or operator as specified in (b)(1)(i)(C)(*1*) of this section, the results of the equation support an emission limit other than 2.0 lbs NO_X/MMBtu when burning any fuel or combination of fuels other than exclusively natural gas, EPA shall initiate a rulemaking to adjust the emission limit. If the results

of the equation do not support an adjustment of the 2.0 lbs NO_X/MMBtu emission limit, then EPA shall take final agency action to notify the owner or operator of Keetac in writing. If the owner or operator does not submit data to EPA by January 8, 2031 in accordance with paragraph (b)(1)(i)(C)(*1*) of this section for burning any fuel or combination of fuels other than exclusively natural gas or if EPA determines that the owner or operator did not provide complete data supporting such an adjustment in accordance with paragraph (b)(1)(i)(C)(*1*) of this section, then the 2.0 lbs NO_X/MMBtu emission limit shall remain in place and applicable.

(D) *Compliance demonstration.* Compliance with the emission limits shall be demonstrated with hourly data collected by a continuous emissions monitoring system for NO_X. The CEMS shall be continuously operated and maintained in accordance with 40 CFR part 60 Appendix F. CEMS records shall be maintained onsite for a period no less than 5 years.

* * * * *

[FR Doc. 2026–11432 Filed 6–5–26; 8:45 am]

BILLING CODE 6560–50–P

Proposed Rules

Federal Register
Vol. 91, No. 109
Monday, June 8, 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–2026–4653; Project Identifier AD–2025–01875–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 certain The Boeing Company Model 747–8 series airplanes. This proposed AD was prompted by a report of cracks in the fuselage skin lap splice at the upper fastener row between certain stations at certain stringers. This proposed AD would require performing repetitive external surface high frequency eddy current (HFEC) inspections of the upper fastener row of the fuselage skin lap splice for any crack 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 July 23, 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–2026–4653; 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–2026–4653.

FOR FURTHER INFORMATION CONTACT: Stefanie Roesli, Aviation Safety Engineer, FAA, 2200 South 216th St., Des Moines, WA 98198; phone: 206–231–3964; email: *stefanie.n.roesli@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–2026–4653; Project Identifier AD–2025–01875–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 Stefanie Roesli, Aviation Safety Engineer, FAA, 2200 South 216th St., Des Moines, WA 98198; phone: 206–231–3964; email: *stefanie.n.roesli@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

Fatigue damage can occur locally, in small areas or structural design details, or globally, in widespread areas. Multiple-site damage is widespread damage that occurs in a large structural element such as a single rivet line of a lap splice joining two large skin panels. Widespread damage can also occur in multiple elements such as adjacent frames or stringers. Multiple-site damage and multiple-element damage cracks are typically too small initially to be reliably detected with normal inspection methods. Without intervention, these cracks will grow and eventually compromise the structural integrity of the airplane. This condition is known as widespread fatigue damage (WFD). It is associated with general degradation of large areas of structure with similar structural details and stress levels. As an airplane ages, WFD will likely occur, and will certainly occur if the airplane is operated long enough without any intervention.

An FAA final rule (''Aging Airplane Program: Widespread Fatigue Damage;'' 75 FR 69746, November 15, 2010) became effective on January 14, 2011, and amended 14 CFR parts 25, 26, 121,

and 129 (commonly known as the WFD rule). The WFD rule requires certain actions to prevent structural failure due to WFD throughout the operational life of certain existing transport category airplanes and all of these airplanes that will be certificated in the future. Design approval holders (DAHs) of existing and future airplanes subject to the WFD rule are required to establish a limit of validity (LOV) of the engineering data that support the structural maintenance program. Operators affected by the WFD rule may not fly an airplane beyond its LOV, unless an extended LOV is approved.

The WFD rule does not require identifying and developing maintenance actions if the DAHs can show that such actions are not necessary to prevent WFD before the airplane reaches the LOV. Many LOVs, however, do depend on accomplishment of future maintenance actions. As stated in the WFD rule, any maintenance actions necessary to reach the LOV will be mandated by airworthiness directives through separate rulemaking actions.

In the context of WFD, this action is necessary to enable DAHs to propose LOVs that allow operators the longest operational lives for their airplanes, and still ensure that WFD will not occur. This approach allows for an implementation strategy that provides flexibility to DAHs in determining the timing of service information development (with FAA approval), while providing operators with certainty regarding the LOV applicable to their airplanes.

The FAA has received a report of cracks at eight fastener hole locations in the fuselage skin lap splice between station (STA) 1450 and STA 1470 at stringers S–23L and S–23R on a Boeing Model 747–400 series airplane. After this report was received, Boeing did an HFEC inspection on the Boeing Model 747–100 fatigue test airplane and found cracks on the countersink area of the fastener holes on the lap splice between STA 1416 and STA 1480 at stringers S–23L and S–23R. The FAA issued AD 2024–19–01, Amendment 39–22843 (89 FR 82486, October 11, 2024) to address the unsafe condition on Boeing Model 747–100, 747–100B, 747–100B SUD, 747–200B, 747–200C, 747–200F, 747–300, 747–400, 747–400D, 747–400F, 747SP, and 747SR series airplanes. No cracks have been reported on the Model 747–8 series airplanes; however, the Model 747–8 series airplanes and the Model 747–400 series airplanes have similar lap splice design and fatigue stresses. Therefore, the FAA has determined that Model 747–8 series airplanes may also be subject to the identified unsafe condition. This condition, if not addressed, could result in possible rapid decompression and loss of 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 747–53A2913 RB, dated December 19, 2025. This material specifies procedures for performing repetitive external surface HFEC inspections of the upper fastener row of the fuselage skin lap splice between STA 1350 and STA 1480 at stringers S–23L and S–23R for any crack and applicable on-condition actions. On-condition actions include contacting Boeing for repair instructions and doing the repair.

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–2026–4653.

Costs of Compliance

The FAA estimates that this AD, if adopted as proposed, would affect 3 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
HFEC inspection	8 work-hours × $85 per hour = $680 per inspection cycle.	$0	$680 per inspection cycle	$2,040 per inspection cycle.

The FAA has received no definitive data on which to base the cost estimates for the on-condition repairs 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–2026–4653; Project Identifier AD–2025–01875–T.

(a) Comments Due Date

The FAA must receive comments on this airworthiness directive (AD) by July 23, 2026.

(b) Affected ADs

None.

(c) Applicability

This AD applies to The Boeing Company Model 747–8 series airplanes, certificated in any category, as identified in Boeing Alert Requirements Bulletin 747–53A2913 RB, dated December 19, 2025.

(d) Subject

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

(e) Unsafe Condition

This AD was prompted by a report of cracks in the fuselage skin lap splice at the upper fastener row between certain stations at certain stringers. The FAA is issuing this AD to address cracks in the fuselage skin lap splice. The unsafe condition, if not addressed, could result in possible rapid decompression and loss of 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 747–53A2913 RB, dated December 19, 2025, do all applicable actions identified in, and in accordance with, the Accomplishment Instructions of Boeing Alert Requirements Bulletin 747–53A2913 RB, dated December 19, 2025.

Note 1 to paragraph (g): Guidance for accomplishing the actions required by this AD can be found in Boeing Alert Service Bulletin 747–53A2913, dated December 19, 2025, which is referred to in Boeing Alert Requirements Bulletin 747–53A2913 RB, dated December 19, 2025.

(h) Exceptions to Requirements Bulletin Specifications

Where Boeing Alert Requirements Bulletin 747–53A2913 RB, dated December 19, 2025, specifies contacting Boeing for repair instructions: This AD requires doing the repair and applicable on-condition actions 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)(1) 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

(1) For more information about this AD, contact Stefanie Roesli, Aviation Safety Engineer, FAA, 2200 South 216th St., Des Moines, WA 98198; phone: 206–231–3964; email: *stefanie.n.roesli@faa.gov.*

(2) Material identified in this AD that is not incorporated by reference is available at the address specified in paragraph (k)(3) of this AD.

(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 747–53A2913 RB, dated December 19, 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 June 4, 2026.

Brian Knaup,

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

[FR Doc. 2026–11472 Filed 6–5–26; 8:45 am]

BILLING CODE 4910–13–P

DEPARTMENT OF HOMELAND SECURITY

Coast Guard

33 CFR Part 110

[Docket Number USCG–2026–0042]

RIN 1625–AA01

Anchorages; Port of New York

AGENCY: Coast Guard, Department of Homeland Security.

ACTION: Notice of proposed rulemaking.

SUMMARY: The Coast Guard is proposing to amend regulations to conform to requirements in the National Defense Authorization Act for Fiscal Year 2026, which required the Commandant to prohibit any vessel anchoring on the reach of the Hudson River between Yonkers, New York and Kingston, New York. We invite your comments on this proposed rulemaking.

DATES: Comments and related material must be received by the Coast Guard on or before August 7, 2026.

ADDRESSES: To submit comments and view available documents, go to *https://www.regulations.gov* and search for USCG–2026–0042.

FOR FURTHER INFORMATION CONTACT: If you have questions about this proposed rule, contact Mr. Craig Lapiejko, Northeast District, Waterways Management Specialist, U.S. Coast Guard; telephone 571–607–6314 or email *Craig.D.Lapiejko@uscg.mil.*

SUPPLEMENTARY INFORMATION:

I. Table of Abbreviations

CFR Code of Federal Regulations
COTP Captain of the Port
DHS Department of Homeland Security
FR Federal Register
NPRM Notice of proposed rulemaking
§ Section
U.S.C. United States Code

II. Background and Authority

The Coast Guard is proposing this rule under its authority in 46 U.S.C.

70006, 70007, and 70034. The purpose of this rule is to conform to changes required by the National Defense Authorization Act for Fiscal Year 2026 (Pub. L. 119–60) (2026 NDAA). Section 7327 of the 2026 NDAA amended section 8437 of the William M. (Mac) Thornberry National Defense Authorization Act for Fiscal Year 2021 (Pub. L. 116–283) (2021 NDAA). Section 8437 of the 2021 NDAA directed the Secretary of the department in which the Coast Guard is operating to suspend the establishment of new anchorage grounds on the Hudson River between Yonkers, New York, and Kingston, New York. As amended by the 2026 NDAA, § 8437 provides that the Commandant shall prohibit any vessel from anchoring on the reach of the Hudson River between Yonkers, New York and Kingston, New York, unless such anchoring is within any anchorage established before January 1, 2021.

To implement this statutory requirement, we are proposing a southern boundary demarcation point near Yonkers, New York, and a northern boundary demarcation point near Kingston, New York, defined by specific coordinates. The NDAA requirements would apply to the area between these boundary demarcation points. We are also proposing a requirement to notify the Captain of the Port New York (COTP) when using an exception. The regulatory text we are proposing appears at the end of this document.

III. Discussion of the Rule

This proposed rule would add a new paragraph to section 110.115(l) to the anchorage ground regulation for the Port of New York, as cited in 33 CFR 110.155. The new paragraph, 33 CFR 110.115(l)(15), would prohibit any vessel from anchoring on the reach of the Hudson River between Yonkers, New York, and Kingston, New York except under certain conditions. This prohibition is required by § 8437(c) of the 2021 NDAA, as amended by the 2026 NDAA.

To precisely establish the area in which the anchoring prohibition applies, the Coast Guard proposes adding a southern boundary demarcation line at the southernmost end of Yonkers, New York, and a northern boundary demarcation line at the northernmost end of Kingston, New York. We have chosen these boundaries because they provide clear, enforceable limits; ensure comprehensive regulatory coverage; and align with common practices in regulatory boundary-setting.

Figure 1 illustrates the southern boundary demarcation point in the Yonkers, New York, area, while Figure 2 depicts the northern boundary demarcation point in the Kingston, New York, area. Full size colored chartlets are available in the docket.

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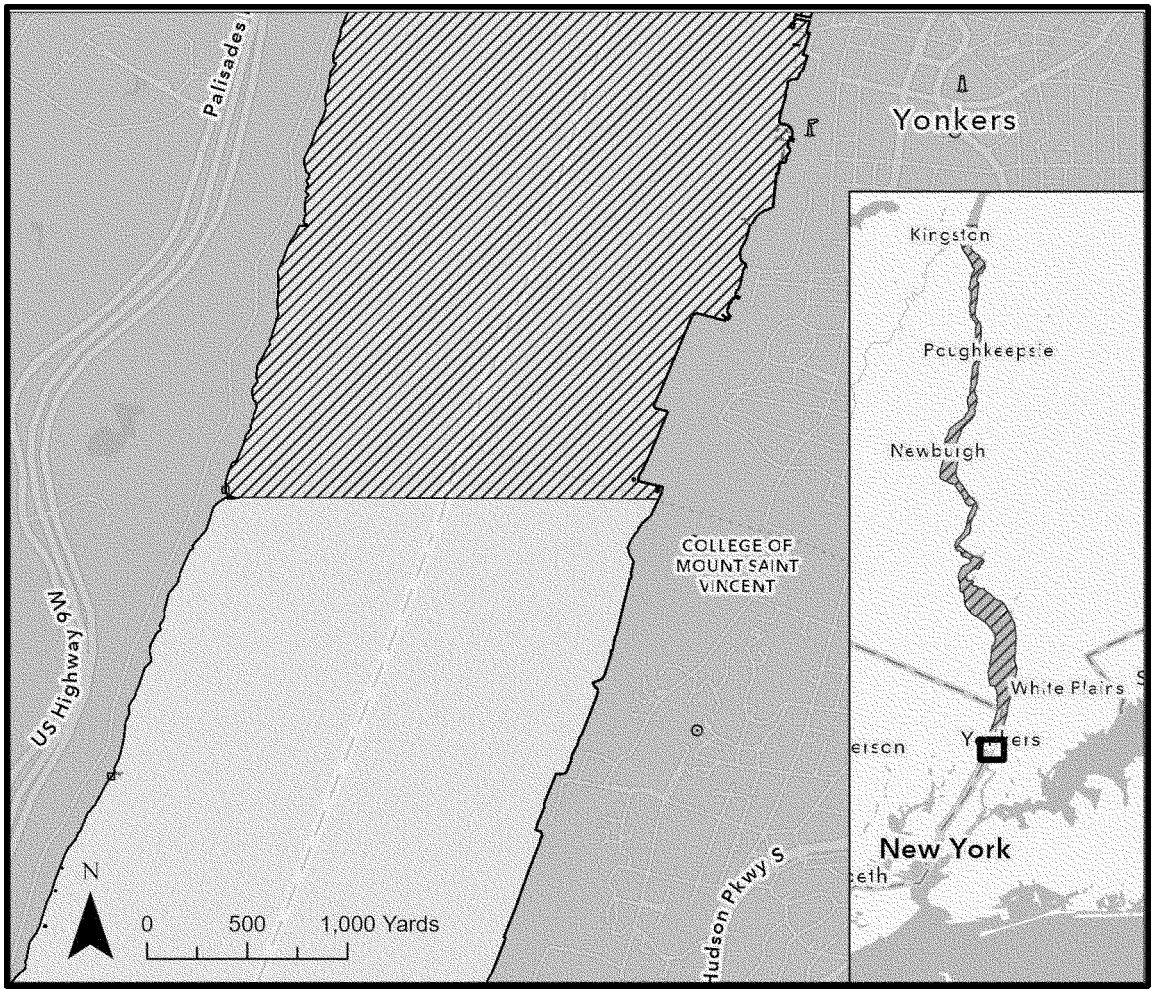
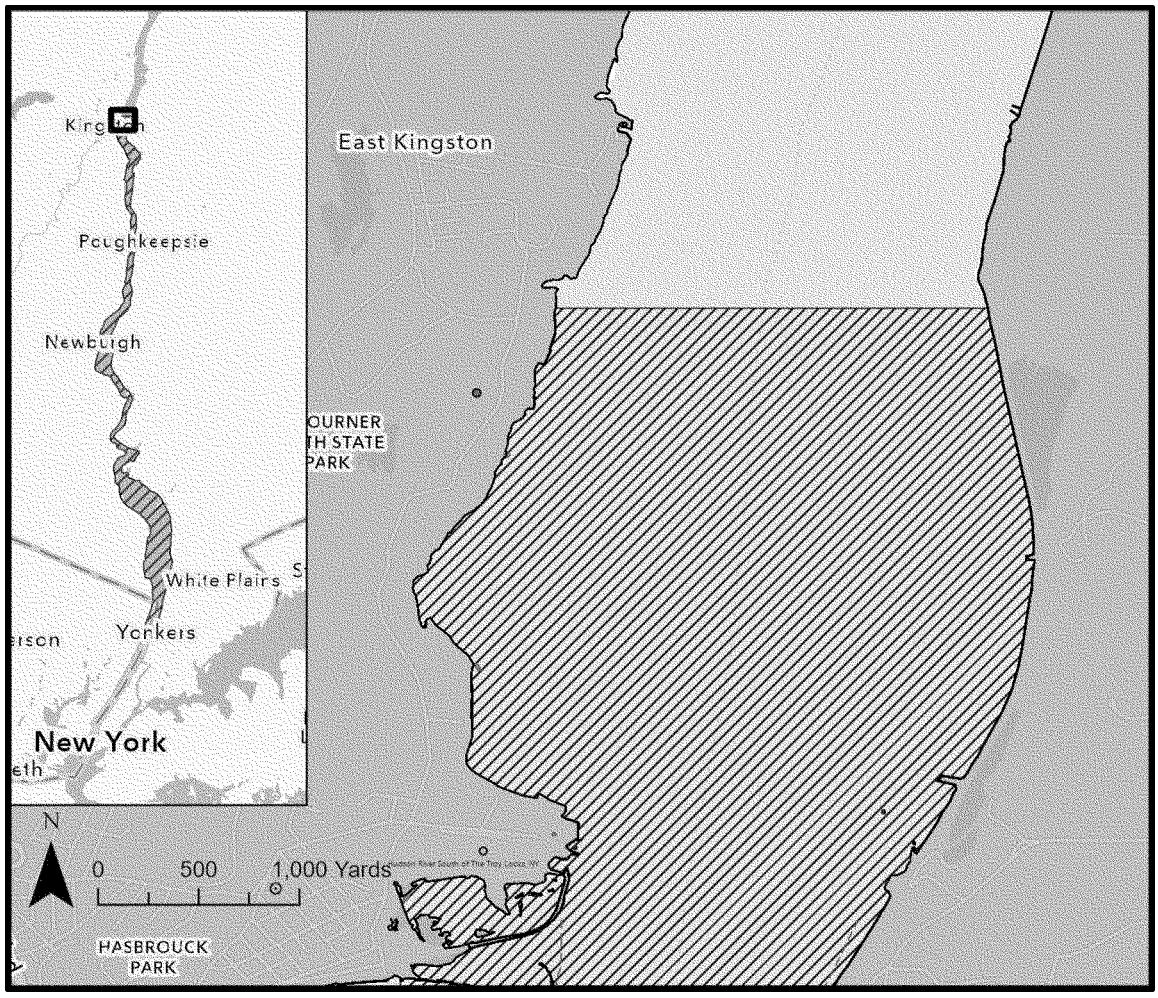
(Figure 1 Chartlet Showing the Southern Boundary Demarcation Point, Yonkers, New York)



(Figure 2 Chartlet Showing the Northern Boundary Demarcation Point, Kingston, New York)



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This rule would still permit anchoring in an anchorage established prior to January 1, 2021. Additionally, the master or pilot of a vessel operating in this area would be able to take actions necessary to maintain the safety of the vessel or to prevent the loss of life or property. Nothing in this rule would be construed as limiting the authority of the Secretary of the department in which the Coast Guard is operating to exercise authority over the movement of a vessel under section 70002 of title 46, United States Code, or any other applicable laws or regulations governing the safe navigation of a vessel. These exceptions are consistent with the prohibition in § 8437(c) and the savings clause in § 8437(d) of the 2021 NDAA, as amended by the 2026 NDAA, as well as the safety exception in 46 U.S.C. 70007(d). The exceptions would be found in § 110.155(l)(15)(ii) and (iii).

In § 110.155(l)(15)(iv), the Coast Guard proposes that vessels over 20 meters in length notify the COTP when using the exception in proposed § 110.155(l)(15)(ii)(A). This will enable the COTP to maintain awareness of vessels anchored outside of established anchorages. It would remain unnecessary to notify the COTP when anchoring in an anchorage established prior to January 1, 2021, or when the Coast Guard is directing the vessel to anchor.

Regulations for special anchorage areas on the Hudson River are located in § 110.60(c) and regulations for anchorage grounds on the Hudson River are located in § 110.155(c). All of the anchorage grounds and special anchorage areas on the Hudson River were established prior to January 1, 2021. Therefore, we did not identify any anchorage grounds or special anchorage areas on the Hudson River that would need to be removed as part of this change. Vessels may continue to anchor in any anchorage ground or special anchorage area on the Hudson River specified in §§ 110.60(c) and 110.155(c). We propose to add a Note to § 110.155(c) alerting mariners to the special requirements in § 110.155(l)(15).

The regulatory text we are proposing appears at the end of this document. While most of these requirements are taken directly from the NDAA and are not discretionary, the Coast Guard invites comments on the proposed coordinates for the boundary demarcation points for which the prohibition on anchoring applies and the notification requirement.

IV. Regulatory Analyses

We developed this proposed rule after considering numerous statutes and Executive orders related to rulemaking. Below we summarize our analyses

based on a number of these statutes and Executive orders.

A. Impact on Small Entities

The Regulatory Flexibility Act of 1980, 5 U.S.C. 601–612, as amended, requires Federal agencies to consider the potential impact of regulations on small entities during rulemaking. The term ''small entities'' comprises small businesses, not-for-profit organizations that are independently owned and operated and are not dominant in their fields, and governmental jurisdictions with populations of less than 50,000. Section 605 of the RFA allows an agency to certify a rule, in lieu of preparing an analysis, if the rulemaking is not expected to have a significant economic impact on a substantial number of small entities. The Coast Guard certifies under 5 U.S.C. 605(b) that this proposed rule would not have a significant economic impact on a substantial number of small entities for the following reasons.

Vessels will be able to anchor in anchorages established prior to January 1, 2021, or use an exception if they need to anchor on the Hudson River between Yonkers, New York, and Kingston, New York.

If you think that your business, organization, or governmental jurisdiction qualifies as a small entity and that this proposed rule would have a significant economic impact on it, please submit a comment (see **ADDRESSES**) explaining why you think it qualifies and how and to what degree this proposed rule would economically affect it.

Under section 213(a) of the Small Business Regulatory Enforcement Fairness Act of 1996 (Pub. L. 104–121), if this proposed rule will affect your small business, organization, or governmental jurisdiction and you have questions, contact the person listed in the **FOR FURTHER INFORMATION CONTACT** section. Small businesses may send comments to the Small Business and Agriculture Regulatory Enforcement Ombudsman and the Regional Small Business Regulatory Fairness Boards by calling 1–888–REG–FAIR (1–888–734–3247).

B. Collection of Information

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

C. Federalism and Indian Tribal Governments

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

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

D. Unfunded Mandates Reform Act

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

E. Environment

We have analyzed this proposed rule under Department of Homeland Security Directive 023–01, Rev. 1, associated implementing instructions, and Environmental Planning COMDTINST 5090.1 (series), which guide the Coast Guard in complying with the National Environmental Policy Act of 1969 (42 U.S.C. 4321 *et seq.*), and have determined that this action is one of a category of actions that do not individually or cumulatively have a significant effect on the human environment. This proposed rule involves an area on the Hudson River where vessels may not anchor, as well as notification requirements for certain vessels anchored during exempted circumstances. It is categorically excluded from further review under paragraphs L5 and L54 of Appendix A, Table 1 of DHS Instruction Manual 023–01–001–01, Rev. 1. A Record of Environmental Consideration supporting this determination is available in the docket.

V. Public Participation and Request for Comments

We view public participation as essential to effective rulemaking and will consider all comments and material received during the comment period. Your comment can help shape the outcome of this rulemaking. If you submit a comment, please include the docket number for this rulemaking, indicate the specific section of this document to which each comment applies, and provide a reason for each suggestion or recommendation.

Submitting comments. We encourage you to submit comments at *https://www.regulations.gov.* To do so, go to *https://www.regulations.gov,* type USCG–2026–0042 in the search box and click ''Search.'' Next, look for this document in the Search Results column, and click on it. Then click on the Comment option. If you cannot submit your material by using *https://www.regulations.gov,* call or email the person in the **FOR FURTHER INFORMATION CONTACT** section of this proposed rule for alternate instructions.

Viewing material in the docket. To view available documents, find the docket as described in the previous paragraph, and then select ''Supporting & Related Material'' in the Document Type column. We will post public comments in our online docket. Additional information is on the *https://www.regulations.gov* Frequently Asked Questions web page.

Personal information. We accept anonymous comments. Comments we post to *https://www.regulations.gov* will include any personal information you have provided. For more about privacy and submissions to the docket in response to this document, see DHS's eRulemaking System of Records notice (85 FR 14226, March 11, 2020).

List of Subjects in 33 CFR Part 110

Anchorage grounds.

For the reasons discussed in the preamble, the Coast Guard proposes to amend 33 CFR part 110 as follows:

PART 110—ANCHORAGE REGULATIONS

■ 1. The authority citation for part 110 is revised to read as follows:

Authority: 33 U.S.C. 2071; 46 U.S.C. 70006, 70007, 70034; Pub. L 116–283; Pub. L 119–60; 33 CFR 1.05–1; Department of Homeland Security Delegation No. 00170.1, Revision No. 01.4.

■ 2. Revise § 110.155(c) to add a Note.
■ 3. Revise § 110.155(l) to add a new paragraph.

The revisions read as follows:

§ 110.155 Port of New York.

* * * * *

(c) * * *

Note to paragraph (c): Anchoring is prohibited on the reach of the Hudson River between Yonkers, New York and Kingston, New York except as described in 110.155(l)(15).

* * * * *

(l) * * *

(15) Hudson River prohibition.

(i) Prohibition. Except as provided in paragraph (ii) of this section, anchoring is prohibited in the Hudson River between the southern boundary

demarcation point in Yonkers, New York, created by a line draw from 40°54′55.54″ N, 073°55′39.72″ W; to, 40°54′55.54″ N, 073°54′37.72″ W; and a northern boundary demarcation point in Kingston, New York, created by a line draw from 41°56′59.78″ N, 073°57′45.25″ W; to, 41°56′59.78″ N, 073°56′43.18″ W.

(ii) Exceptions. A vessel may anchor in the area described in paragraph (i) of this section under the following conditions:

(A) The master or pilot of a vessel operating in that area is taking actions necessary to maintain the safety of the vessel or to prevent the loss of life or property; or

(B) The vessel is anchored within an anchorage that was established prior to January 1, 2021.

(iii) Nothing in this section shall be construed as limiting the authority of the Secretary of the department in which the Coast Guard is operating to exercise authority over the movement of a vessel under section 70002 of title 46, United States Code, or any other applicable laws or regulations governing the safe navigation of a vessel.

(iv) Every vessel over 20 meters in length that is anchoring pursuant to § 110.155(l)(15)(ii)(A) must notify the Captain of the Port when it sets and weighs anchor.

* * * * *

Michael E. Platt,

RADM, U.S. Coast Guard, Commander, Northeast District.

[FR Doc. 2026–11434 Filed 6–5–26; 8:45 am]

BILLING CODE 9110–04–P

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 52

[EPA–R08–OAR–2026–1651; FRL–13299–01–R8]

Approval and Promulgation of Air Quality Implementation Plans; Wyoming; Regional Haze Federal Implementation Plan

AGENCY: Environmental Protection Agency (EPA).

ACTION: Proposed rule.

SUMMARY: The U.S. Environmental Protection Agency (EPA) is proposing revisions to the Federal Implementation Plan (FIP) addressing regional haze in the State of Wyoming. The EPA is proposing revisions to the FIP's nitrogen oxides (NO_X) best available retrofit technology (BART) requirements for the PacifiCorp Dave Johnston Power Plant Unit 3. In response to PacifiCorp's letter no longer consenting to closure of Dave Johnston Unit 3, the EPA is proposing to withdraw the NO_X BART determination containing the closure requirement. Additionally, in response to a request from PacifiCorp, and in light of new information that was not available at the time the EPA originally promulgated the FIP in 2014, the Agency is also proposing to revise the other NO_X BART determination for Dave Johnston Unit 3.

DATES:

Comments: Written comments must be received on or before July 23, 2026 unless a public hearing is held. If a public hearing is held, comments on this notice of proposed rulemaking must be received on or before date 30 days after date of public hearing.

Public Hearing: Any party requesting a public hearing must notify the contact listed in the **FOR FURTHER INFORMATION CONTACT** section by 5 p.m. Mountain Daylight Time on or before June 15, 2026. If a public hearing is held, it will take place on or around June 23, 2026.

ADDRESSES: Submit your comments, identified by Docket ID No. EPA–R08–OAR–2026–1651, 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 the Agency's public docket. Do not submit electronically any information you consider to be Confidential Business Information (CBI) or other information the disclosure of which 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.*

If a public hearing is requested on or before June 15, 2026, the EPA will post an update at *https://www.epa.gov/wy/wyoming-events-and-public-notices.* The EPA does not intend to publish a document in the **Federal Register** (FR) announcing updates. The public hearing will be held on or around June 23, 2026. Information on the hearing including the time and URL will be posted at *https://www.epa.gov/wy/wyoming-events-and-public-notices.*

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 the disclosure of which 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: For information about this proposed rule, contact Jaslyn Dobrahner, Air and Radiation Division, EPA, Region 8, Mailcode 8ARD–IO, 1595 Wynkoop Street, Denver, Colorado 80202–1129, telephone number: (303) 312–6252, email address: *dobrahner.jaslyn@epa.gov.*

SUPPLEMENTARY INFORMATION: Throughout this document, 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:

BART Best Available Retrofit Technology
CAA Clean Air Act
CAMPD Clean Air Markets Program Data
CBI Confidential Business Information
CFR Code of Federal Regulations
EGU Electric Generating Unit
EPA U.S. Environmental Protection Agency
FGD Flue Gas Desulfurization
FIP Federal Implementation Plan
FLM Federal Land Manager
FR Federal Register
IRP Integrated Resource Plan
LB Pound
LNB/OFA Low-NO_X Burners With Overfire Air
MMBtu Million British Thermal Units
MW Megawatt
NAAQS National Ambient Air Quality Standards
NERC North American Electric Reliability Corporation
NO_X Nitrogen Oxides
OMB Office of Management and Budget
PM Particulate Matter
PRA Paperwork Reduction Act
RFA Regulatory Flexibility Act
RHR Regional Haze Rule
RTC Response to Comments
SCR Selective Catalytic Reduction
SIP State Implementation Plan
SNCR Selective Non-Catalytic Reduction
SO_2 Sulfur Dioxide
TPY Tons Per Year

UMRA Unfunded Mandates Reform Act
USFS United States Forest Service

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I. What action is the EPA proposing?

The EPA is proposing to revise the Wyoming regional haze FIP to amend the NO_X BART determination for Dave Johnston Unit 3. Specifically, the EPA is proposing to: (1) remove the NO_X BART requirement of 0.28 pounds per million British thermal units (lb/MMBtu) (30-day rolling average) interim emission limit and permanent cessation of operations at Dave Johnston Unit 3 on or before December 31, 2027; and (2) revise the other NO_X BART requirement of 0.07 lb/MMBtu (30-day rolling average).[1] Specifically, the EPA is proposing to revise the NO_X BART determination and establish a new NO_X BART requirement of 0.23 lb/MMBtu (30-day rolling average) and associated compliance date for Dave Johnston Unit 3. Although the EPA is proposing to revise the Wyoming regional haze FIP NO_X BART determination for Dave Johnston Unit 3, the Agency invites Wyoming to submit a new regional haze State Implementation Plan (SIP) NO_X BART determination in the future for Dave Johnston Unit 3 to the Agency in an effort to replace this FIP with a SIP.

II. Background

A. Dave Johnston Power Plant

The Dave Johnston power plant is located in Converse County, Wyoming and is comprised of four coal-fired units, but only Units 3 and 4 are subject to BART requirements.[2]

Dave Johnston Unit 3 is a 230 megawatt (MW) coal-fired boiler that commenced service in 1964. The coal is currently sourced from the Dry Fork Mine, Caballo Mine, and Coal Creek Mine in the Powder River Basin in Wyoming.[3] In June 2008, Wyoming issued a construction permit approving PacifiCorp's construction permit application request to install new emission controls at Dave Johnston Units 3 and 4.[4] In December 2009, Wyoming issued a BART permit with emission limits to meet BART requirements for Dave Johnston Unit 3.[5] In 2010, PacifiCorp completed emissions controls upgrades on Unit 3, including installation of Flue Gas Desulfurization (FGD) sulfur dioxide (SO_2) emission controls, upgrades to the existing electrostatic precipitator to a baghouse for particulate matter (PM) emission controls, and installation of low-NO_X burners with overfire air (LNB/OFA) for NO_X emission controls. Additionally, Dave Johnston Unit 3 was originally equipped with burners in a cell configuration until the 2010 upgrades when it was converted to a dry bottom wall-fired boiler to enable the installation of the LNB/OFA combustion controls.

B. Legal Authority and Requirements

Clean Air Act (CAA) section 169A sets forth the regional haze program for protecting visibility in certain national parks and wilderness areas, establishing ''as a national goal the prevention of any future, and the remedying of any existing, impairment of visibility in mandatory Class I Federal areas which impairment results from manmade air pollution.'' [6] The EPA promulgated the Regional Haze Rule (RHR) to address regional haze on July 1, 1999,[7] and published a revision to the RHR on January 10, 2017.[8]

The CAA requires each State to develop a SIP to meet various air quality requirements, including protection of visibility.[9] Regional haze SIPs must ensure reasonable progress toward the national goal of achieving natural visibility conditions in Class I areas. A State must submit its SIP and SIP revisions to the EPA for approval.[10] If a State elects not to make a required SIP submittal, fails to make a required SIP submittal, or if the EPA finds that a State's required submittal is incomplete or not approvable, then CAA section 110(c)(1) requires the EPA to promulgate a FIP.[11]

Under the CAA, even if the EPA establishes a FIP, a State may submit a SIP that, if approved by the Agency, would replace the FIP.

1. Best Available Retrofit Technology (BART)

CAA section 169A directs States, or the EPA if developing a FIP, to evaluate the use of retrofit controls at certain larger stationary sources built between 1962 and 1977 to address visibility impacts from these sources.[12] Specifically, CAA section 169A(b)(2) requires SIPs to contain such measures as may be necessary to make reasonable progress toward the natural visibility goal.[13] This includes a requirement that existing major stationary sources built between 1962 and 1977 that emit air pollutants which may reasonably be anticipated to cause or contribute to any impairment in a Class I area shall procure, install, and operate, as expeditiously as practicable, BART for controlling emissions from such sources for the purpose of eliminating or reducing any such impairment. BART is determined by the States through their SIPs, or by the EPA in a FIP.[14] For fossil fuel-fired generating powerplants having a total generating capacity in excess of 750 megawatts, the emission limitations required shall be determined pursuant to guidelines promulgated by the Administrator.[15]

CAA section 169A(g)(2) requires that States, or the EPA if developing a FIP, must consider the following five factors in making BART determinations: (1) the costs of compliance; (2) the energy and non-air quality environmental impacts of compliance; (3) any existing pollution control technology in use at the source; (4) the remaining useful life of the source; and (5) the degree of improvement in visibility which may reasonably be anticipated to result from the use of such technology. Under the RHR, States (or the EPA) are directed to conduct BART determinations for such ''BART-eligible'' sources that may reasonably be anticipated to cause or contribute to any visibility impairment in a Class I area.[16]

On July 6, 2005, the EPA published the Guidelines for BART Determinations under the RHR at appendix Y to 40

[1] 40 CFR 52.2636(c)(1) Table 2 and 40 CFR 52.2636(d)(4).

[2] Dave Johnston Units 1 and 2 began operation in 1958 and 1960, respectively. BART applies to sources built between 1962 and 1977.

[3] Email communication between the EPA and PacifiCorp. May 28, 2026. Available in the docket for this rulemaking at Docket ID No. EPA–R08–OAR–2026–1651.

[4] Wyoming permit number MD–5098. (June 27, 2008).

[5] Wyoming permit number MD–6041. (December 31, 2009).

[6] 42 U.S.C. 7491(a).

[7] 64 FR 35714 (July 1, 1999).

[8] 82 FR 3078 (January 10, 2017).

[9] 42 U.S.C. 7410(a), 7491, and 7492(a); CAA sections 110(a), 169A, and 169B.

[10] Regional haze SIPs for the first implementation period were due on December 17, 2007.

[11] 42 U.S.C. 7410(c)(1).

[12] 42 U.S.C. 7491.

[13] 42 U.S.C. 7491(b)(2).

[14] *Id.*

[15] *Id.*

[16] 40 CFR 51.308(e).

Code of Federal Regulations (CFR) part 51 (the ''BART Guidelines'') to assist States and the Agency in determining which sources should be subject to the BART requirements and the appropriate emission limits for each applicable source.[17] [18] Under the BART Guidelines promulgated per CAA 169A(b)(2), ''States must follow the guidelines in making BART determinations on a source-by-source basis for 750 megawatt power plants but are not required to use the process under the guidelines when making BART determinations for other type of sources.'' In addition to what is required by the RHR, general SIP requirements mandate that the SIP or FIP include all regulatory requirements related to monitoring, recordkeeping, and reporting for the BART emission limitations.[19]

2. Consultation With Federal Land Managers

The RHR requires that a State, or the EPA if promulgating a FIP, consult with the Federal land managers (FLMs) before adopting and submitting a required SIP or SIP revision, or a required FIP or FIP revision.[20] Further, a State, or the EPA if considering a FIP revision, must include in its notice to the public a summary of the conclusions and recommendations of the FLMs.[21]

3. BART Guidelines Definition of Baseline Emissions

On January 30, 2014, the EPA partially approved and partially disapproved a regional haze SIP revision submitted by the State of Wyoming on January 12, 2011 (the ''2014 Final Rule'').[22] In the 2014 Final Rule, the EPA limited the adjustment of baseline emissions for recently installed controls and stated that the baseline should only be adjusted in cases in which controls were installed to meet other CAA requirements. However, the BART Guidelines gives discretion to States and the EPA in setting baseline emissions and defines baseline emissions as a ''realistic depiction of anticipated emissions.'' [23] [24] Additionally, the third BART statutory factor requires consideration of ''existing pollution control technology in use at the source.'' [25] Therefore, given the language in both the statute and the BART Guidelines, the EPA is proposing to determine that inclusion of existing controls in the baseline emissions, regardless of purpose, is both permissible and reasonable.

According to the BART Guidelines, for purposes of calculating the costs of compliance, ''the baseline emissions rate should represent a realistic depiction of anticipated annual emissions for the source.'' [26] The BART Guidelines allow States and the EPA to adjust baseline emissions to take into account projections of ''future operating parameters'' by making such assumptions into enforceable limits.[27] In previous regional haze first planning period actions, the EPA confirmed that neither the RHR nor the BART Guidelines require a particular timeframe be used as the baseline for BART determinations at individual sources.[28] Consequently, States and the EPA have considerable discretion in how they consider existing controls in use at a source, so long as that consideration is explained and reasonable.

In the 2014 Final Rule, the EPA did not update the baseline NO_X emissions to account for the newly installed LNB/OFA combustion controls. In the EPA's responses to comments, the Agency explained that it would have been inappropriate for the Agency to take LNB/OFA into consideration, because it appeared the controls on certain sources in Wyoming had been installed early to avoid a more stringent BART determination as opposed to comply with other CAA requirements.[29] Allowing for inclusion of existing controls in the baseline emissions, regardless of purpose, more closely aligns with the ''consideration of any existing pollution control technology'' CAA requirement and the BART Guidelines requirement that the baseline emissions rate should represent a ''realistic depiction of annual emissions'' and ''in general, for the existing source subject to BART, you will estimate the anticipated annual emissions based upon actual emissions from a baseline period.'' [30] Therefore, given the language in both the statute and the BART Guidelines, the EPA believes it is permissible and appropriate to adjust the baseline emissions rate to reflect existing controls at the source, regardless of purpose, despite the EPA declining to do so in the 2014 Final Rule.

In the 2014 Final Rule, the EPA also stated that the Agency's action would not be inconsistent with the Eighth Circuit's decision in *North Dakota.*[31] [32] In the EPA's responses to comments, the Agency stated that the Eighth Circuit rejected the Agency's position to not consider the Dry Fining™ control technology in use at Coal Creek Station in the BART evaluation (either in the cost of control options or adjustment to the baseline), holding that the ''EPA's refusal to consider Dry Fining™ as an existing pollution control technology in use at the Coal Creek Station because it had been voluntarily installed was arbitrary and capricious.'' [33] The Eighth Circuit explained that ''any existing pollution control technology'' also included voluntarily installed controls.[34] The Eighth Circuit did not opine as to how ''existing'' must be considered and, thus, *North Dakota* did not specifically require the EPA to ''take into consideration'' the existing controls by adjusting the baseline emissions.[35] However, the Eighth Circuit recognized that the relevance of the plain language requirement of the CAA to ''take into consideration'' existing pollution control technology in use at the source can include adjusting the baseline emissions to reflect existing controls.[36]

Subsequent to the EPA's 2014 NO_X BART determination for Dave Johnston Unit 3, the Ninth Circuit upheld the Agency's selection of a 2008–2010 baseline period representing the 2009 installation of combustion controls for a source subject-to-BART in the Agency's 2012 FIP for Montana.[37] Conservation organizations argued that the EPA should have chosen earlier periods between 2000–2004 because the source was not required to maintain the rate of emissions achieved between 2008–2010, describing the changes at the source as ''unenforceable.'' The Ninth Circuit found that the EPA offered a reasoned response to the comment. Specifically,

[17] 70 FR 39104 (July 6, 2005).

[18] In making a BART determination for a fossil fuel-fired electric generating plant with a total generating capacity in excess of 750 MW, a State must use the approach set forth in the BART Guidelines.

[19] *See* CAA section 110(a); 40 CFR part 51, subpart K.

[20] CAA section 169A(d), 40 CFR 51.308(i).

[21] CAA section 169A(d).

[22] 79 FR 5032 (January 30, 2014).

[23] Since the Dave Johnston power plant is larger than 750 megawatts, the BART Guidelines apply.

[24] BART Guidelines, 40 CFR part 51, appendix Y section IV.D.4.d.1.

[25] CAA section 169A(g)(2).

[26] BART Guidelines, 40 CFR part 51, appendix Y section IV.D.4.d.1.

[27] BART Guidelines, 40 CFR part 51, appendix Y section IV.D.4.d.2.

[28] 77 FR 72526 (December 5, 2012); 79 FR 5104 (January 30, 2014).

[29] 79 FR 5105 (January 30, 2014).

[30] BART Guidelines, 40 CFR part 51 appendix Y section IV.D.4.d.

[31] 79 FR 5032 at 5103 through 5105 (January 30, 2014).

[32] *North Dakota* v. *EPA,* 730 F.3d 750 (8th Cir. 2013), cert. denied (2014).

[33] 79 FR 5032 at 5103 through –5105 (January 30, 2014).

[34] *Id.*

[35] *Id.*

[36] *North Dakota* v. *EPA,* 730 F.3d 750 (8th Cir. 2013), cert. denied (2014).

[37] 77 FR 57864 (September 18, 2012).

the Ninth Circuit agreed with the EPA on the following: (1) the Agency's decision to adjust the baseline to include recently installed controls to meet CAA Acid Rain Program emission limits; (2) that the source had achieved reduced emissions using technology it has no plans to deactivate; and (3) that conservation organizations suggested no reason to believe that the source would change course and remove the additional combustion controls it had already installed.[38] While the EPA updated the baseline in the 2012 FIP for Montana to reflect currently installed controls for Colstrip due to CAA acid rain requirements, as described above, the CAA and the BART Guidelines allow for adjustment of baseline to account for installed controls, regardless of purpose.

In summary, the EPA considered the following when determining the baseline emissions rate for Dave Johnston Unit 3: (1) BART requires the consideration of any pollution control equipment in use at the source; [39] (2) the BART Guidelines provide that, for purposes of calculating the costs of compliance, the baseline emissions rate should represent a realistic depiction of the anticipated annual emissions for the source; [40] (3) neither the RHR nor the BART Guidelines require a particular timeframe be used as the baseline for BART determinations at individual sources; and (4) updating the baseline to reflect installation of additional combustion controls is consistent with case law. Thus, it is reasonable to interpret the BART Guidelines to allow for NO_X emission controls that are currently in place at Dave Johnston Unit 3 to represent the baseline emissions rate when calculating the costs of compliance, particularly given the fact that Dave Johnston Unit 3 has maintained that rate for 15 years and the emissions represent a realistic depiction of anticipated annual emissions.[41]

C. Regulatory History

In the 2014 Final Rule, the EPA partially disapproved the Wyoming regional haze SIP, including the NO_X BART emission limit of 0.28 lb/MMBtu (30-day rolling average) reflecting LNB/OFA at Dave Johnston Unit 3, among other actions. Within the same action, the EPA promulgated a FIP that required a NO_X BART emission limit of 0.07 lb/MMBtu (30-day rolling average) to be implemented by March 4, 2019 (five years from the effective date of the FIP). At PacifiCorp's request, the EPA also included an alternative NO_X BART requirement of 0.28 lb/MMBtu (30-day rolling average) interim emission limit and permanent cessation of operations at Dave Johnston Unit 3 by December 31, 2027. PacifiCorp is currently operating within the NO_X BART requirement of 0.28 lb/MMBtu interim emission limit and permanent cessation of operations at Dave Johnston Unit 3 on or before December 31, 2027.[42] [43]

On March 4, 2026, PacifiCorp informed the EPA that it withdrew its consent to the closure of Dave Johnston Unit 3 by December 31, 2027.[44] In its letter, PacifiCorp explained that due to projected ''[d]ramatic increases in electricity demand'' associated with the ''resurgence of domestic manufacturing and the construction of artificial intelligence data processing centers,'' PacifiCorp's 2025 Integrated Resource Plan (IRP) projects a need for an additional 1,000 MW more generating capacity in the next eight years than had been projected in the 2019 IRP for the same time period. Accordingly, PacifiCorp states that it ''no longer consents to closure of [Dave Johnston Unit 3] and has retracted its prior request to the EPA to include the retirement option in the FIP.'' [45]

III. NO_X BART Determination for Dave Johnston Unit 3

A. Costs of Compliance

In the 2014 Final Rule, the EPA relied on a number of emissions and control cost assumptions for Dave Johnston Unit 3. To provide cost information that is consistent with the original FIP, the EPA generally relied on the same control costs assumptions used in the 2014 Final Rule to re-analyze the prior control scenarios at Dave Johnston Unit 3. This allows for a direct comparison between the current cost assumptions and other BART analyses from that same time period.

In the 2014 Final Rule, the EPA relied on baseline pre-combustion control NO_X emissions of 4,913 tons per year (tpy), based on the actual annual average of NO_X emissions for the years 2001–2003, as the baseline emissions.[46] However, for this current analysis, and as previously described, the EPA is reconsidering the baseline emissions assumptions. As noted earlier, in 2010, PacifiCorp installed LNB/OFA combustion controls on Dave Johnston Unit 3, and those controls are permanent and have now been operating for over 15 years. Therefore, based on the third BART statutory factor, ''pollution equipment in use at the source,'' [47] the EPA is adjusting the baseline to reflect the pollution equipment installed at Dave Johnston Unit 3. Additionally, in selecting a baseline emissions period, the BART Guidelines state that the baseline should ''represent(s) a realistic depiction of anticipated emissions for the source.'' [48] Therefore, in selecting baseline emissions for this revised BART analysis, a baseline that includes operation of LNB/OFA combustion controls represents both ''pollution equipment in use at the source'' and ''represent(s) a realistic depiction of anticipated emissions for the source.'' [49]

Since LNB/OFA was installed in 2010, the EPA is using the period of operation immediately following the LNB/OFA installation as the updated baseline period for the revised BART analysis. Dave Johnston Unit 3 achieved an actual NO_X emission rate of 0.22 lb/MMBtu (annual average) for the years 2011, 2012, and the first two quarters of 2013,[50] which reduced NO_X emissions by 2,837 tpy and resulted in post-combustion control baseline NO_X emissions of 2,076 tpy.[51] Based on the current boiler configuration, PacifiCorp provided information that LNB/OFA has consistently achieved an emission limit of 0.23 lb/MMBtu (30-day rolling average) since installation in 2010.[52] Therefore, for purposes of calculating the costs of compliance, the EPA's revised NO_X BART determination for Dave Johnston Unit 3 uses the post-combustion control baseline of 2,076 tpy. As explained above, this baseline is

[38] *NPCA* v. *EPA,* 788 F.3d 1134, 1143 (9th Cir. 2015).

[39] CAA section 169A(g)(2); 40 CFR 51.308(e)(1)(ii)(A).

[40] BART Guidelines, 40 CFR part 51 appendix Y section IV.D.4.d.

[41] 2010–2025 Dave Johnston Emissions. Clean Air Markets Program Data (CAMPD). (April 17, 2026).

[42] 2020 to 2025 Dave Johnston Emissions. EPA Clean Air Markets Program Data (CAMPD). (March 13, 2026).

[43] 40 CFR 52.2636(c) and (d)(4).

[44] Letter from Jayson Branch, Senior Vice President, Power Supply, PacifiCorp, to Cyrus Western, U.S. EPA Regional Administrator. (March 4, 2026).

[45] *Id.* at 3. *See also* comment requesting addition of NO_X BART shutdown option with interim limit in the 2014 Final Rule. 79 FR 5032, and 5045 (January 30, 2014).

[46] Wyoming EGU BART and Reasonable Progress Costs (79 FR 5039; October 28, 2013).

[47] CAA section 169A(g)(2).

[48] BART Guidelines, 40 CFR part 51 appendix Y section IV.D.4.d.1.

[49] CAA section 169A(g)(2); BART Guidelines, 40 CFR part 51 appendix Y section IV.D.4.d.1.

[50] These time periods reflect the emission data available following the installation of LNB/OFA and prior to the finalization of the 2014 Final Rule in January 2014.

[51] Wyoming EGU BART and Reasonable Progress Costs. 'Emissions' worksheet (79 FR 5039; October 28, 2013).

[52] Letter from Jayson Branch, Senior Vice President, Power Supply, PacifiCorp, to Cyrus Western, U.S. EPA Regional Administrator at 12. (March 4, 2026).

consistent with the demonstrated actual NO_X emissions from the installation of LNB/OFA in 2010 continuing through present day (over a 15-year period) and is consistent with both the CAA statutory factor(s) and the BART Guidelines.

The next step in determining BART is to identify all available retrofit control technologies and eliminate technically infeasible options. As determined in the 2014 Final Rule, selective non-catalytic reduction (SNCR) and selective catalytic reduction (SCR) are the primary available post-combustion retrofit technologies for the Dave Johnston Unit 3 boiler, and both technologies were determined to be feasible, which are not being challenged currently. The next step is to evaluate the control effectiveness of the feasible control technologies. To calculate the potential NO_X emissions reductions for the SNCR and SCR scenarios, the EPA used a NO_X emission rate assumption of 0.16 lb/MMBtu (annual average) for SNCR and 0.05 lb/MMBtu (annual average) for SCR.[53] The emission reductions associated with the installation of SNCR reflect a control efficiency of 25 percent and would potentially reduce NO_X emissions by only 519 tpy compared to the post-combustion control baseline NO_X emissions of 2,076 tpy. The emission reductions associated with the installation of SCR reflect a control efficiency of 77 percent and would potentially reduce NO_X emissions by 1,597 tpy compared to the post-control baseline NO_X emissions of 2,076 tpy. Based on these assumptions, the annualized costs to install SNCR and SCR using a 20-year equipment life were found to be $1,810,782 per year and $9,980,337 per year, respectively, as compared to the pre-combustion control annualized costs of $3,510,589 per year and $11,680,144 per year to install LNB/OFA + SNCR and LNB/OFA + SCR, respectively.[54] The current version of the EPA's Control Cost Manual (revised in 2014) includes a 30-year equipment life for SCR.[55] Therefore, the EPA also calculated the annualized costs to install SCR using a 30-year equipment life to be $8,862,953 per year. Thus, the average cost-effectiveness for SNCR, SCR (20-year life), and SCR (30-year life) are $3,488 per ton, $6,251 per ton, and $5,551 per ton, respectively. The incremental cost-effectiveness[56] of installing SCR compared to an SNCR is $7,583 per ton for SCR (20-year life) and $6,602 per ton for SCR (30-year life). Costs of compliance for Dave Johnston Unit 3 NO_X BART are summarized in table 1.[57]

TABLE 1—SUMMARY OF DAVE JOHNSTON UNIT 3 NO_X BART COST ANALYSIS

Control technology	Emission rate (lb/MMBtu; annual average)	Emission reduction (tons/year)	Annualized costs	Average cost-effectiveness ($/ton)	Incremental cost-effectiveness ($/ton)
Baseline (LNB/OFA)	0.22	N/A	N/A	N/A	N/A
SNCR	0.16	519	$1,810,782	$3,488	.....
SCR (20-year life)	0.05	1,597	9,980,337	6,251	$7,583
SCR (30-year life)	0.05	1,597	8,862,953	5,551	6,602

Notably, the EPA's NO_X BART determination relies on the baseline NO_X rate of 0.22 lb/MMBtu (annual average) contained in the 2014 Final Rule as opposed to the proposed 0.23 lb/MMBtu (30-day rolling average) NO_X emission limit. Generally, the NO_X annual average emission rate is based on the expected annual emission performance under a 30-day rolling average emission rate. The latter value will be higher than the former because of the shorter averaging period and a margin for compliance. For example, Dave Johnston Unit 3 is generally able to achieve a 30-day rolling average NO_X emission rate of 0.23 lb/MMBtu and an annual average emission rate of between 0.20 to 0.21 lb/MMBtu.[58] Thus, the proposed 0.23 lb/MMBtu (30-day rolling average) reflects a more conservative annual NO_X emission rate than the 0.22 lb/MMBtu (annual average) that was used in the 2014 Final Rule and in this proposed revision for purposes of calculating the costs of compliance contained in table 1.

As described in section III.E of this preamble and consistent with other BART actions, the EPA proposes to find that neither SNCR nor SCR are cost effective when compared to the associated visibility improvement.

B. Energy and Non-Air Quality Environmental Impacts of Compliance

In its March 2026 letter to the EPA withdrawing its consent to the closure of Dave Johnston Unit 3, PacifiCorp noted the recent increase in energy demand. Specifically, PacifiCorp noted that the North American Electric Reliability Corporation's (NERC) 2024 Long-Term Reliability Assessment, which includes Wyoming and other western States, describes the need for replacement of five gigawatts of baseload resource retirements, anticipated between 2024 and 2028 in the region.[59]

PacifiCorp's 2025 IRP projects increasing system-wide retail sales with a compounded annual growth rate of 2.17 percent between 2024 and 2033 and a compounded annual growth rate of 1.35 percent between 2024 and 2042, which reflects a noticeable increase in forecasted growth from previous forecasts.[60] [61] According to PacifiCorp's 2025 IRP, growth is driven, in part, by ''significant new data center loads

[53] In the 2014 Final Rule, the EPA estimated the NO_X reduction from SNCR for Dave Johnston to be approximately 25 percent of the initial NO_X rate of 0.22 lb/MMBtu (annual average) based on review of similar units (78 FR 34748). Per the EPA's Control Cost Manual, a 0.05 lb/MMBtu (annual average) should be obtainable by a power plant boiler with an SCR system. (EPA, *Cost Control Manual.* Section 4, Chapter 2, June 2019, page 57, available at *https://www.epa.gov/sites/default/files/2017-12/documents/scrcostmanualchapter7thedition_2016revisions2017.pdf.*

[54] Wyoming EGU BART and Reasonable Progress Costs. (79 FR 5039; October 28, 2013).

[55] U.S. Environmental Protection Agency. *Cost Control Manual.* Section 4, Chapter 2, June 2019, page 80, available at *https://www.epa.gov/sites/default/files/2017-12/documents/scrcostmanualchapter7thedition_2016revisions2017.pdf.*

[56] The incremental cost effectiveness calculation compares the costs and performance level of a control option to the costs and performance level of the next most stringent option. BART Guidelines, 40 CFR part 51 appendix Y.

[57] Wyoming EGU BART and Reasonable Progress Costs. (79 FR 5039; October 28, 2013).

[58] 2020–2025 Dave Johnston Emissions, Clean Air Markets Program Data (CAMPD) (March 13, 2026).

[59] North American Electric Reliability Corporation. 2024 Long-Term Reliability Assessment at 128. (December 2024).

[60] PacifiCorp 2025 Integrated Resource Plan, Appendix A. (January 30, 2026).

[61] Letter from Jayson Branch, Senior Vice President, Power Supply, PacifiCorp, to Cyrus Western, U.S. EPA Regional Administrator at 8. (March 4, 2026).

coming online in the 2027–2033 timeframe.'' [62]

PacifiCorp states that Dave Johnston Unit 3 is ''uniquely poised to respond to these growing demand needs'' because, in part, it has an operating range of 90–220 MW of dispatchable generation that allows Unit 3 to generate more or less power to respond to changes in energy demand, including accommodating intermittent wind generation.[63] Additionally, Dave Johnston Unit 3 also provides frequency response—an automatic, rapid adjustment of power output to stabilize grid frequency—making it ''uniquely capable of offsetting unanticipated reductions in wind generation,'' according to PacifiCorp.[64]

The EPA recognizes that any source that previously decided to close could determine in the future that closure is no longer appropriate. As PacifiCorp notes in its March 2026 letter to the EPA, the demand for electricity is rising. Executive Order 14261, *Reinvigorating America's Beautiful Clean Coal Industry and Amending Executive Order 14241,* states that ''[o]ur Nations' beautiful clean coal resources will be critical to meeting the rise in electricity demand due to the resurgence of domestic manufacturing and the construction of artificial intelligence data processing centers'' and power generated from coal resources is critical to addressing this surging demand and a matter of national interest, national security, and energy policy.[65]

The EPA does not encourage electric generating facilities to close in the face of this energy demand. Moreover, the EPA does not expect an electrical generating facility to close in order to comply with the CAA's regional haze requirements. Voluntary source retirement and replacement is much different from enforceable, unconsented closures, which neither the RHR nor the CAA's regional haze provisions reference or contemplate in any manner. Furthermore, the EPA is unaware of any instance where the Agency has approved a SIP revision containing a forced, unconsented closure. Finally, although there are identified energy impacts from potential emission controls (*e.g.,* parasitic energy requirements to operate SCR), the EPA did not identify any ''energy and non-air quality environmental impacts of compliance'' that would preclude the selection of any of the emission controls evaluated.

C. Pollution Control Equipment in Use at the Source

Dave Johnston Unit 3 currently employs LNB/OFA for control of NO_X emissions, which was installed in 2010. As part of the installation of LNB/OFA, PacifiCorp converted the boiler configuration from a cell boiler to a dry-bottom wall-fired configuration.[66] Based on the current boiler configuration, PacifiCorp provided information from the EPA's Clean Air Markets Program Data (CAMPD) that LNB/OFA has consistently achieved an emission limit of 0.23 lb/MMBtu (30-day rolling average) since installation in 2010.[67]

As previously stated, the EPA accounted for the ''pollution equipment in use at the source'' in the Agency's adjustment of the baseline to reflect the pollution equipment currently installed. In doing so, the EPA finds that the Agency's proposed BART determination for Dave Johnston Unit 3, as described in section III of this preamble, is consistent with the Ninth Circuit's decision. Dave Johnston Unit 3 has achieved NO_X emission reductions using technology (LNB/OFA) that it has no plans to deactivate. Additionally, there is no reason to believe that PacifiCorp would remove the combustion controls it has already installed, given that PacifiCorp received a Wyoming 2008 construction permit to construct those control technologies.[68] This is further demonstrated by Dave Johnston Unit 3 maintaining its existing NO_X emissions close to 0.23 lb/MMBtu (30-day rolling average) for the last 15 years since its installation of LNB/OFA.[69] If this proposed rule is finalized as proposed, Dave Johnston Unit 3 would be required to continue to meet a 0.23 lb/MMBtu (30-day rolling average) NO_X emission limit by the compliance date.

D. Remaining Useful Life of the Source

With this proposed action, the EPA is proposing to withdraw the requirement to permanently close Dave Johnston Unit 3 by December 31, 2027, because the source no longer consents to closure.[70] As previously stated in section III.B of this preamble, the EPA does not expect an electrical generating facility to close in order to comply with the CAA's regional haze requirements. Thus, because the proposal removes the enforceable closure for Dave Johnston Unit 3, the remaining useful life is based on the useful life of the control equipment.[71] Therefore, for the remaining useful life for evaluation of controls consistent with the Control Cost Manual, the BART Guidelines, and the 2014 Final Rule, the EPA evaluated both 20-years (for SNCR and SCR) and 30-years (for SCR).[72] Those 20-year and/or 30-year lifetime of the emission controls assumptions are accounted for in the cost calculations for both SNCR and SCR controls.

E. Degree of Improvement in Visibility

The EPA relied on CALPUFF [73] used in the 2014 Final Rule [74] and adjusted the baseline to reflect the inclusion of the pollution control equipment in use at the source (LNB/OFA) when determining visibility improvement. The 2014 model included visibility impacts from Dave Johnston Unit 3 to Badlands National Park, Wind Cave National Park, Mount Zirkel Wilderness Area, Rawah Wilderness Area, and Rocky Mountain National Park. The modeling indicated that visibility impact was greatest at Wind Cave National Park. The visibility improvement (delta deciviews) for Dave Johnston Unit 3 with LNB/OFA as baseline controls is summarized in table 2.[75]

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[62] PacifiCorp 2025 Integrated Resource Plan at 6. (March 31, 2025).

[63] Letter from Jayson Branch, Senior Vice President, Power Supply, PacifiCorp, to Cyrus Western, U.S. EPA Regional Administrator at 9. (March 4, 2026).

[64] *Id.*

[65] Executive Order 14261, *Reinvigorating America's Beautiful Clean Coal Industry and Amending Executive Order 14241,* 90 FR 15517 (April 14, 2025). *https://www.whitehouse.gov/presidential-actions/2025/04/reinvigorating-americas-beautiful-clean-coal-industry-and-amending-executive-order-14241/.*

[66] *Id.*

[67] *Id.*

[68] Wyoming permit number MD–5098. (June 27, 2008).

[69] 2010–2025 Dave Johnston Emissions. CAMPD. (April 17, 2026).

[70] *See* section II.C of this preamble.

[71] BART Guidelines, 40 CFR part 51 appendix Y section IV.D.4.k.

[72] U.S. Environmental Protection Agency. *Control Cost Manual.* Available at *https://www.epa.gov/sites/default/files/2017-12/documents/scrcostmanualchapter7thedition_2016revisions2017.pdf;* BART Guidelines, 40 CFR part 51 appendix Y; 79 FR 5032 (January 30, 2014).

[73] CALPUFF is a multi-layer, multi-species non-steady state puff dispersion model that simulates the effects of time and space varying meteorological conditions on pollution transport, transformation, and removal. *https://www.epa.gov/scram/air-quality-dispersion-modeling-alternative-models.*

[74] Modeling in the 2014 Final Rule predicted visibility improvement for each emissions control technology at each of the Class I areas that the EPA modeled in the Agency's analysis of the Dave Johnston power plant.

[75] Air Quality Modeling Protocol. Wyoming Regional Haze Federal Implementation Plan. (79 FR 5039; January 2014).

TABLE 2—SUMMARY OF DAVE JOHNSTON UNIT 3 NO_X BART VISIBILITY ANALYSIS

Control technology	Wind Cave National Park	Badlands National Park	Rocky Mountain National Park	Rawah Wilderness Area	Mount Zirkel Wilderness Area
	Visibility improvement (delta deciview for the maximum 98th percentile impact)				
SNCR	0.06	0.06	0.03	0.05	0.02
SCR	0.18	0.17	0.10	0.14	0.06

While all five BART statutory factors must be considered when determining BART, the average cost-effectiveness value is weighed against the expected visibility improvement from the controls to determine if the potential control is overall ''cost-effective.'' Additionally, to promote consistency, the facts of each BART decision can be compared to previous BART decisions by both States and the EPA. As shown in table 1, the EPA evaluated NO_X emission controls, SNCR and SCR, from the baseline reflecting the currently installed LNB/OFA emission controls.

First, the EPA evaluated SNCR as a potential BART control. For Dave Johnston Unit 3, the average cost-effectiveness associated with the installation of SNCR is $3,488 per ton with an associated visibility improvement of only 0.06 deciviews. This is similar to the installation of SNCR on Colorado's Comanche Unit 1 for which the average cost-effectiveness was $3,644 per ton with an associated visibility improvement of 0.11 deciviews. In 2012, the EPA agreed with Colorado that based on its consideration of the five factors, the NO_X BART emission limit for Comanche Unit 1, a tangentially fired boiler,[76] is 0.20 lb/MMBtu (30-day rolling average)—and not SNCR—which can be achieved through the operation of existing LNBs.[77] Although other alternatives, including SNCR, achieve more emission reductions, Colorado determined, and the EPA agreed, that the added expense of achieving lower limits through different controls was not reasonable based on the ''high cost effectiveness coupled with the low-visibility (under 0.20 deciview) afforded.'' [78] Here, the average cost-effectiveness value is similar, but the visibility benefit from the addition of SNCR is half as much, at only 0.06 deciviews. Similarly, in the 2014 Final Rule, the EPA found it unreasonable to require SNCR on Naughton Units 1 and 2 due to the ''very low'' incremental visibility improvement of 0.10 deciviews across both units (0.04 deciviews for Unit 1; 0.06 deciviews for Unit 2).[79] Therefore, this proposed action is consistent with historical BART decisions on sources for which controls were found not to be BART due to the very small visibility benefits of installing controls.

Next, the EPA evaluated SCR as a potential control. For Dave Johnston Unit 3, the installation of SCR would result in a modest increase in visibility improvement of 0.12 deciviews compared to SNCR and 0.18 deciviews compared to the LNB/OFA baseline with an average cost-effectiveness of $6,251 per ton (20-year life) and $5,551 per ton (30-year life). In this case, the cost-effectiveness of SCR is similar to the installation of SCR on Colorado's Martin Drake Units 5, 6, and 7 of $7,314 per ton, $5,395 per ton, and $4,981 per ton, respectively. In 2012, the EPA agreed with Colorado that SCR was not cost effective on Martin Drake Units 5, 6, and 7 when compared with the associated visibility improvement of 0.12 deciviews, 0.27 deciviews, and 0.37 deciviews, respectively.[80] Similarly, the EPA also determined that Colorado reasonably considered the five BART statutory factors when Colorado determined SCR was not reasonable at Craig Units 1 and 2 due to the ''high cost-effectiveness value[s]'' of $6,432 per ton and $6,299 per ton, respectively, despite an associated visibility improvement of 1.01 deciviews for each unit.[81] The cost-effectiveness values at Craig Units 1 and 2 are almost identical to the cost-effectiveness of the installation of SCR at Dave Johnston Unit 3 at $6,251 per ton (using the same 20-year amortization period as Colorado), while the associated visibility improvement is significantly less at Dave Johnston Unit 3 at only 0.18 deciviews. Again, the average cost-effectiveness of SCR for Dave Johnston Unit 3 is similar to the average cost-effectiveness at other BART sources for which the EPA determined SCR was not cost effective, and the potential visibility benefit from SCR at Dave Johnston Unit 3 is considerably smaller than at these same BART sources. In conclusion, based on considering the average cost-effectiveness and expected visibility improvement, the EPA finds that neither SNCR nor SCR are reasonable.

F. Conclusion

Based on the EPA's consideration of the CAA and BART Guidelines and evaluation of the five BART factors (cost of controls, predicted visibility improvement, energy and non-air quality environmental impacts of compliance, pollution control currently in use, and remaining useful life), the Agency proposes to find that a NO_X emission limit of 0.23 lb/MMBtu (30-day rolling average), consistent with the continued operation of LNB/OFA combustion controls, is NO_X BART for Dave Johnston Unit 3. The proposed emission limit is consistent with a rate that Dave Johnston Unit 3 has consistently achieved since installation of the LNB/OFA and is equal to the presumptive NO_X BART limit for a dry-bottom, wall-fired boiler burning sub-bituminous coal in the BART Guidelines.[82] Additionally, PacifiCorp recently submitted a permit application to Wyoming requesting a revised NO_X emission limit for Dave Johnston Unit 3 of 0.23 lb/MMBtu based on a 30-day rolling average.[83] To ensure uninterrupted implementation of NO_X BART at Dave Johnston Unit 3, and because Unit 3 can already meet the proposed limit without any upgrades or changes in operation, the EPA proposes to require compliance upon the effective date of the final rule.[84]

IV. Coordination With FLMs

There are seven Class I areas in the State of Wyoming. The U.S. Forest Service (USFS) manages the Bridger Wilderness, Fitzpatrick Wilderness, North Absaroka Wilderness, Teton Wilderness, and the Washakie Wilderness. The U.S. National Park

[76] 77 FR 18065 (March 26, 2012).

[77] 77 FR 76871 (December 31, 2012).

[78] 77 FR 18066 (March 26, 2012).

[79] 79 FR 5050 (January 30, 2014).

[80] 77 FR 76871 (December 31, 2012).

[81] 77 FR 18068 (March 26, 2012).

[82] BART Guidelines, 40 CFR part 51 appendix Y, table 1. Presumptive NO_X Emission Limits for BART-Eligible Coal-Fired Units.

[83] Letter from Jayson Branch, Senior Vice President, Power Supply, PacifiCorp, to Cyrus Western, U.S. EPA Regional Administrator, Attachment 2 at 15. (March 4, 2026).

[84] The effective date of the final rule will be 30 days after publication in the **Federal Register**.

Service manages the Grand Teton National Park and Yellowstone National Park.

There are obligations to consult on the plan revisions under CAA section 169A(d) and associated regulations found at 40 CFR 51.308(i). Thus, the EPA consulted with the USFS, the U.S. Fish and Wildlife Service, and the U.S. National Park Service on the proposed FIP revision. The EPA described the proposed revisions with the USFS, the Fish and Wildlife Service, and the National Park Service on April 13, 2026, and provided a summary of the conclusions and recommendations of the FLMs along with a description of how the Agency addressed the comments in the docket for this action.[85] Therefore, the EPA met the obligations under 40 CFR 51.308(i)(2) and (3) and CAA 169A(d).

V. Clean Air Act Section 110(l)

Under CAA section 110(l), the EPA cannot approve a plan revision ''if the revision would interfere with any applicable requirement concerning attainment and reasonable further progress (as defined in section 7501 of this title), or any other appliable requirement of this chapter.'' [86] The EPA proposes to find that these revisions satisfy section 110(l). The previous section of this preamble explains how the proposed FIP revision will comply with applicable regional haze requirements and general implementation plan requirements such as enforceability. With respect to requirements concerning attainment and reasonable further progress, the FIP, as revised by this action, will not result in an increase in emissions compared to historical levels. In addition, the area where the Dave Johnston power plant is located is in attainment for all National Ambient Air Quality Standards (NAAQS). Thus, the revision will ensure no increases in NO_X emissions compared to historical levels in an area that has not been designated nonattainment for any NAAQS.

VI. Statutory and Executive Order Reviews

A. Executive Order 12866: Regulatory Planning and 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

This action is expected to be an Executive Order 14192 deregulatory action. This proposed rule is expected to provide burden reduction by revising the NO_X BART determination for, and not requiring the contested closure of, Dave Johnston Unit 3.

C. Paperwork Reduction Act (PRA)

This proposed rule does not impose an information collection burden under the provisions of the Paperwork Reduction Act of 1995 (44 U.S.C. 3501 *et seq.*).

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. This action will establish an emission limit for one electric generating unit. This unit is not owned by a small entity, and therefore, there are no impacts on 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 as it revises an already existing FIP. It will not have substantial direct effects on the States, on the relationship between the national government and the States, or on the distribution of power and responsibilities among the various levels of government.

G. Executive Order 13175: Consultation and Coordination With Indian Tribal Governments

This proposed rule does not have Tribal implications, as specified in Executive Order 13175. It will not have substantial direct effects on Tribal governments. Thus, Executive Order 13175 does not apply to this proposed rule.

H. Executive Order 13045: Protection of Children From Environmental Health and Safety Risks

This action is not subject to Executive Order 13045 because it is not 3(f)(1) significant as defined in Executive Order 12866, and because the EPA does not believe the environmental health or safety risks addressed by this action present a disproportionate risk to children.

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. This action will not have a significant adverse effect on the supply, distribution, or use of energy as, if finalized, it would result in additional electricity generation remaining on the grid.

J. National Technology Transfer Advancement Act

This rulemaking does not involve technical standards.

List of Subjects in 40 CFR Part 52

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

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

Lee Zeldin,
EPA Administrator.

For the reasons stated in the preamble, the Environmental Protection Agency is proposing to amend 40 CFR part 52 as follows:

PART 52—APPROVAL AND PROMULGATION OF IMPLEMENTATION PLANS

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

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

Subpart ZZ—Wyoming

■ 2. In § 52.2636:
■ a. Table 2 in paragraph (c)(1) is amended by:
■ i. Revising the entry ''PacifiCorp Dave Johnston Unit 3'';
■ ii. Adding footnote ''5'' in numerical order; and

[85] *Summary of FLM Conclusions and Recommendations and How the EPA Addressed the Comments.* (May 2026). Available in the docket for this rulemaking at Docket ID No. EPA–R08–OAR–2026–1651.

[86] Note that ''reasonable further progress'' as used in CAA section 110(*l*) is a reference to that term as defined in section 301(a) (*i.e.,* 42 U.S.C. 7501(a)), and as such means reductions required to attain the National Ambient Air Quality Standards (NAAQS) set for criteria pollutants under CAA section 109. This term as used in CAA section 110(*l*) (and defined in CAA section 301(a)) is not synonymous with ''reasonable progress'' as that term is used in the regional haze program. Instead, CAA section 110(*l*) provides that the EPA cannot approve plan revisions that interfere with regional haze requirements (including reasonable progress requirements) insofar as they are ''other applicable requirement[s]'' of the CAA.

■ iii. Removing footnote ''*''; and
■ b. Removing paragraph (d)(4).

The revisions and additions read as follows:

§ 52.2636 Implementation plan for regional haze.

* * * * *

(c) * * *

TABLE 2 TO § 52.2636 [EMISSION LIMITS AND REQUIRED CONTROL TECHNOLOGIES FOR BART UNITS FOR WHICH THE EPA DISAPPROVED THE STATE'S BART DETERMINATION AND IMPLEMENTED A FIP]

Source name/BART unit	NO_X required control technology	NO_X emission limit—lb/MMBtu (30-day rolling average)	SO_2 emission limit—lb/MMBtu (averaged annually across Units 1 and 2)
* * * * * * *			
PacifiCorp Dave Johnston Unit 3	N/A	0.23[5]	N/A
* * * * * * *			

[5] By [DATE 30 DAYS AFTER DATE OF PUBLICATION OF FINAL RULE].

* * * * *

[FR Doc. 2026–11436 Filed 6–5–26; 8:45 am]
BILLING CODE 6560–50–P

DEPARTMENT OF THE INTERIOR

Fish and Wildlife Service

50 CFR Part 17

[Docket No. FWS–R4–ES–2025–0210; FXES1111090FEDR–267–FF09E21000]

RIN 1018–BI23

Endangered and Threatened Wildlife and Plants; Threatened Species Status With Section 4(d) Rule for Southern Hognose Snake

AGENCY: Fish and Wildlife Service, Interior.

ACTION: Proposed rule; reopening of comment period and announcement of public hearing.

SUMMARY: We, the U.S. Fish and Wildlife Service (Service), are reopening the comment period on our August 29, 2025, proposed rule to list the southern hognose snake (*Heterodon simus*), a small, fossorial snake species from the coastal plains and sandhills across the southeastern United States, as a threatened species under the Endangered Species Act of 1973, as amended (Act) with protective regulations under section 4(d) of the Act (proposed rule). We are taking this action to conduct a public hearing and to allow all interested parties an additional opportunity to comment on the proposed rule. Comments previously submitted on the proposed rule need not be resubmitted and will be fully considered in our development of the final rule.

DATES:

Comment submission: The public comment period on the proposed rule that published August 29, 2025, at 90 FR 42151, is reopened. We will accept comments received on or before July 8, 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, and comments submitted by U.S. mail must be received by that date to ensure consideration.

To ensure your comment is received and considered, you must submit it using one of the methods identified in the **ADDRESSES** section of this document. Comments submitted through any method not authorized in this document, or sent to an address not listed here, will not be considered.

Public hearing: On June 25, 2025, we will hold a public hearing on the proposed rule to list the southern hognose snake as a threatened species under the Act from 5 p.m. to 7 p.m. eastern time, using the Zoom platform (for more information, see Public Hearing, below).

ADDRESSES:

Comment submission: All submissions must include the docket number, FWS–R4–ES–2025–0210, for this document. You must submit comments using one of the following methods:

(1) *Electronically:* Go to the Federal eRulemaking Portal: *https://www.regulations.gov.* In the Search box, enter FWS–R4–ES–2025–0210, which is the docket number for this rulemaking. Then, click on the Search button. On the resulting page, in the panel on the left side of the screen, under the Document Type heading, check the Proposed Rule box to locate this document. You may submit a comment by clicking on ''Comment.''

(2) *By hard copy:* Submit by U.S. mail to: Public Comments Processing, Attn: Docket No. FWS–R4–ES–2025–0210, Policy and Regulations Branch, U.S. Fish and Wildlife Service, MS: PRB (JAO/3W), 5275 Leesburg Pike, Falls Church, VA 22041–3803.

(3) *Verbally at public hearing:* Interested parties may present verbal testimony (formal, oral comments) at the public hearing, which will be held virtually using the Zoom platform. See Public Hearing, below, for more information.

Comments submitted through any method not authorized in this document, or sent to an address not listed here, will not be considered. We will not accept comments via email, fax, or hand delivery. We are not required to consider comments that are submitted after the comment period ends or that are submitted via a method outside of these instructions. Comments containing profanity, vulgarity, threats, or other inappropriate content will not be considered.

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 August 29, 2025, proposed rule and its supporting documents, including the species status assessment report, are available at *https://www.regulations.gov* at Docket No. FWS–R4–ES–2025–0210.

FOR FURTHER INFORMATION CONTACT: Christy Johnson-Hughes, Field Supervisor, U.S. Fish and Wildlife Service, South Carolina Ecological Services Field Office; 843–727–4707; *christy_johnsonhughes@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–R4–ES–2025–0210 on *https://www.regulations.gov* for a document that summarizes the August 29, 2025, proposed rule.

SUPPLEMENTARY INFORMATION:

Background

On August 29, 2025, we published a proposed rule (90 FR 42151) to list the southern hognose snake as a threatened species with protective regulations under section 4(d) of the Act (16 U.S.C. 1531 *et seq.*). The proposed rule opened a 60-day public comment period, ending on October 28, 2025. During the open comment period, we received a request for a public hearing on the proposed rule. Therefore, we are reopening the comment period on the proposal and announcing a public hearing (see **DATES**, above) to allow the public an additional opportunity to provide comments on the proposed rule for the southern hognose snake.

For a description of previous Federal actions concerning the southern hognose snake and more information on the types of comments that would be helpful to us in promulgating this rulemaking action, please refer to the August 29, 2025, proposed rule (90 FR 42151).

Public Hearing

We are holding a public hearing to accept comments on our August 29, 2025, proposed rule (90 FR 42151) on the date and at the time listed above in **DATES**. We are holding the public hearing via the Zoom online video platform and via teleconference so that participants can attend remotely. For security purposes, registration is required. All participants must register in order to listen and view the hearing via Zoom, listen to the hearing by telephone, or provide oral public comments at the hearing by Zoom or telephone. For information on how to register, or if you encounter technical problems joining Zoom on the day of the hearing, visit *https://empsi.zoom.us/webinar/register/WN_NGVA5rxMRtG1jvFUWX9DQg.*

Registrants will receive the Zoom link and the telephone number for the public hearing. If applicable, interested members of the public not familiar with the Zoom platform should view the Zoom video tutorials (*https://support.zoom.us/hc/en-us/articles/206618765-Zoom-video-tutorials*) prior to the public hearing.

The public hearing will provide interested parties an opportunity to present verbal testimony (formal, oral comments) regarding the August 29, 2025, proposed rule to list the southern hognose snake as a threatened species with protective regulations under section 4(d) of the Act (90 FR 42151). The public hearing will not be an opportunity for dialogue with the Service but rather a forum for accepting formal verbal testimony. In the event there is a large attendance, the time allotted for oral statements may be limited. Therefore, anyone wishing to make an oral statement at the public hearing for the record is encouraged to provide a prepared written copy of their statement to us through the Federal eRulemaking Portal or U.S. mail (see **ADDRESSES**, above). There are no limits on the length of written comments submitted to us. Anyone wishing to make an oral statement at the public hearing must register at *https://empsi.zoom.us/webinar/register/WN_NGVA5rxMRtG1jvFUWX9DQg#/registration* before the hearing. The use of a virtual public hearing is consistent with our regulations at 50 CFR 424.16(c)(3).

Reasonable Accommodation

The Service is committed to providing access to the public hearing for all participants. Closed captioning will be available during the public hearing. Further, a full audio and video recording and transcript of the public hearing will be posted online at *https://www.fws.gov/event/virtual-public-hearing-proposed-listing-southern-hognose-snake* after the hearing. Participants will also have access to live audio during the public hearing via their telephone or computer speakers. Persons with disabilities requiring reasonable accommodations to participate in the hearing should contact the person listed under **FOR FURTHER INFORMATION CONTACT** at least 5 business days prior to the date of the hearing (see **DATES**, above) to help ensure availability.

Public Comments

If you already submitted comments or information on the August 29, 2025, proposed rule (90 FR 42151), please do not resubmit them. Any such comments are incorporated as part of the public record of the rulemaking proceeding, and we will fully consider them in preparation for our final determination.

Comments should be as specific as possible. Please include supplemental information with your submission (such as scientific journal articles or other publications) to allow us to verify any scientific or commercial information you include. Please note that submissions merely stating support for, or opposition to, the action under consideration without providing supporting information, although noted, do not provide substantial information necessary to support a determination. Section 4(b)(1)(A) of the Act directs that determinations as to whether any species is an endangered or a threatened species must be made solely on the basis of the best scientific and commercial data available.

You may submit your comments and materials by one of the methods listed in **ADDRESSES**. We request that you send comments only by the methods described in **ADDRESSES**.

If you submit information via *https://www.regulations.gov,* your entire submission—including your personal identifying information—will be posted on the website. If your submission is made via a hardcopy that includes personal identifying information, you may request at the top of your document that we withhold this information from public review. However, we cannot guarantee that we will be able to do so. We will post all hardcopy submissions on *https://www.regulations.gov.*

Comments and materials we receive, as well as supporting documentation we used in preparing the August 29, 2025, proposed rule (90 FR 42151), will be available for public inspection on *https://www.regulations.gov.*

Our final determination may differ from the August 29, 2025, proposed rule (90 FR 42151) because we will consider all comments we receive during the comment period as well as any information that may become available after the proposed rule published. Based on the new information we receive (and, if relevant, any comments on that new information), we may conclude that the species is endangered instead of threatened, 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 August 29, 2025, proposed rule (90 FR 42151).

Authority

The authority for this action is the Endangered Species Act of 1973, as amended (16 U.S.C. 1531 *et seq.*).

Brian R. Nesvik,

Director, U.S. Fish and Wildlife Service.

[FR Doc. 2026–11414 Filed 6–5–26; 8:45 am]

BILLING CODE 4333–15–P

Notices

Federal Register

Vol. 91, No. 109

Monday, June 8, 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.

CIVIL RIGHTS COLD CASE RECORDS REVIEW BOARD

[Agency Docket Number: CRCCRRB–2026–00013–N]

Notice of Formal Determination on Records Release

AGENCY: Civil Rights Cold Case Records Review Board.

ACTION: Notice.

SUMMARY: The Civil Rights Cold Case Records Review Board received 14,469 pages of records from the National Archives and Records Administration (NARA) and the Department of Justice related to two civil rights cold case incidents to which the Review Board assigned the unique identifiers 2023–002–005 and 2024–003–052. The agencies proposed 2,089 postponements including postponements of sealed federal grand jury information in the records. On May 29, 2026, the Review Board met and approved 1,726 postponements and portions of 35 additional postponements, and determined that 12,884 pages in full and 71 pages in part should be publicly disclosed in the Civil Rights Cold Case Records Collection. The Review Board has requested that the Attorney General petition the relevant court to unseal the federal grand jury information in the records. By issuing this notice, the Review Board complies with the Civil Rights Cold Case Records Collection Act of 2018 that requires the Review Board to publish in the **Federal Register** its determinations on the disclosure or postponement of records in the Collection no more than 14 days after the date of its decision.

FOR FURTHER INFORMATION CONTACT: Stephannie Oriabure, Chief of Staff, Civil Rights Cold Case Records Review Board, 1800 F Street NW, Washington, DC 20405, (771) 221–0014, *info@coldcaserecords.gov.*

SUPPLEMENTARY INFORMATION:

Incident identifier	Postponement identifier	Review board decision
2023–002–005	2025–NARA–02–0001 through 2025–NARA–02–0006	Reject.
2023–002–005	2025–NARA–02–0007 and 2025–NARA–02–0008	Approve.
2023–002–005	2025–NARA–02–0009 and 2025–NARA–02–0010	Reject.
2023–002–005	2025–NARA–02–0011	Approve.
2023–002–005	2025–NARA–02–0012 through 2025–NARA–02–0014	Reject.
2023–002–005	2025–NARA–02–0015	Approve.
2023–002–005	2025–NARA–02–0016 through 2025–NARA–02–0019	Reject.
2023–002–005	2025–NARA–02–0020	Approve.
2023–002–005	2025–NARA–02–0021 through 2025–NARA–02–0028	Reject.
2023–002–005	2025–NARA–02–0029	Approve.
2023–002–005	2025–NARA–02–0030 through 2025–NARA–02–0033	Reject.
2023–002–005	2025–NARA–02–0034	Approve with changes.
2023–002–005	2025–NARA–02–0035 through 2025–NARA–02–0038	Approve.
2023–002–005	2025–NARA–02–0039	Reject.
2023–002–005	2025–NARA–02–0040	Approve.
2023–002–005	2025–NARA–02–0041 and 2025–NARA–02–0042	Reject.
2023–002–005	2025–NARA–02–0043	Approve with changes.
2023–002–005	2025–NARA–02–0044	Reject.
2023–002–005	2025–NARA–02–0045 and 2025–NARA–02–0046	Approve with changes.
2023–002–005	2025–NARA–02–0047	Approve.
2023–002–005	2025–NARA–02–0048 through 2025–NARA–02–0050	Reject.
2023–002–005	2025–NARA–02–0051	Approve with changes.
2023–002–005	2025–NARA–02–0052	Reject.
2023–002–005	2025–NARA–02–0053	Approve with changes.
2023–002–005	2025–NARA–02–0054 and 2025–NARA–02–0055	Reject.
2023–002–005	2025–NARA–02–0056	Approve.
2023–002–005	2025–NARA–02–0057 and 2025–NARA–02–0058	Reject.
2023–002–005	2025–NARA–02–0059	Approve with changes.
2023–002–005	2025–NARA–02–0060 through 2025–NARA–02–0062	Reject.
2023–002–005	2025–NARA–02–0063	Approve with changes.
2023–002–005	2025–NARA–02–0064 through 2025–NARA–02–0067	Reject.
2023–002–005	2025–NARA–02–0068	Approve with changes.
2023–002–005	2025–NARA–02–0069 and 2025–NARA–02–0070	Reject.
2023–002–005	2025–NARA–02–0071 through 2025–NARA–02–0828	Approve.
2023–002–005	2025–NARA–02–0829 through 2025–NARA–02–0839	Reject.
2023–002–005	2025–NARA–02–0840	Approve with changes.
2023–002–005	2025–NARA–02–0841	Reject.
2023–002–005	2025–NARA–02–0842 through 2025–NARA–02–0844	Approve.
2023–002–005	2024–DOJ–02–0809	Approve.
2023–002–005	2024–DOJ–02–0810	Reject.
2023–002–005	2024–DOJ–02–0811 through 2024–DOJ–02–0813	Approve.
2023–002–005	2024–DOJ–02–0814	Reject.
2023–002–005	2024–DOJ–02–0815	Approve.

Incident identifier	Postponement identifier	Review board decision
2023–002–005	2024–DOJ–02–0816 through 2024–DOJ–02–0827	Reject.
2023–002–005	2024–DOJ–02–0828 through 2024–DOJ–02–0830	Approve.
2023–002–005	2024–DOJ–02–0831 through 2024–DOJ–02–0839	Reject.
2023–002–005	2024–DOJ–02–0840 and 2024–DOJ–02–0841	Approve with changes.
2023–002–005	2024–DOJ–02–0842 through 2024–DOJ–02–0846	Approve.
2023–002–005	2024–DOJ–02–0847	Reject.
2023–002–005	2024–DOJ–02–0848 and 2024–DOJ–02–0849	Approve.
2023–002–005	2024–DOJ–02–0850 through 2024–DOJ–02–0858	Reject.
2023–002–005	2024–DOJ–02–0859 through 2024–DOJ–02–0866	Approve.
2023–002–005	2024–DOJ–02–0867	Approve with changes.
2023–002–005	2024–DOJ–02–0868 through 2024–DOJ–02–0882	Approve.
2023–002–005	2024–DOJ–02–0883	Reject.
2023–002–005	2024–DOJ–02–0884	Approve with changes.
2023–002–005	2024–DOJ–02–0885 and 2024–DOJ–02–0886	Approve.
2023–002–005	2024–DOJ–02–0887	Approve with changes.
2023–002–005	2024–DOJ–02–0888	Approve.
2023–002–005	2024–DOJ–02–0889	Approve with changes.
2023–002–005	2024–DOJ–02–0890 through 2024–DOJ–02–0906	Approve.
2023–002–005	2024–DOJ–02–0907	Approve with changes.
2023–002–005	2024–DOJ–02–0908	Approve.
2023–002–005	2024–DOJ–02–0909	Approve with changes.
2023–002–005	2024–DOJ–02–0910 through 2024–DOJ–02–0917	Approve.
2023–002–005	2024–DOJ–02–0918	Reject.
2023–002–005	2024–DOJ–02–0919 through 2024–DOJ–02–0923	Approve.
2023–002–005	2024–DOJ–02–0924 through 2024–DOJ–02–0935	Reject.
2023–002–005	2024–DOJ–02–0936	Approve.
2023–002–005	2024–DOJ–02–0937	Approve with changes.
2023–002–005	2024–DOJ–02–0938 through 2024–DOJ–02–0960	Approve.
2023–002–005	2024–DOJ–02–0961 and 2024–DOJ–02–0962	Reject.
2023–002–005	2024–DOJ–02–0963	Approve.
2023–002–005	2024–DOJ–02–0964	Approve with changes.
2023–002–005	2024–DOJ–02–0965 through 2024–DOJ–02–0969	Approve.
2023–002–005	2024–DOJ–02–0970 and 2024–DOJ–02–0971	Reject.
2023–002–005	2024–DOJ–02–0972	Approve.
2023–002–005	2024–DOJ–02–0973	Approve with changes.
2023–002–005	2024–DOJ–02–0974 through 2024–DOJ–02–0978	Approve.
2023–002–005	2024–DOJ–02–0979	Reject.
2023–002–005	2024–DOJ–02–0980 through 2024–DOJ–02–0982	Approve.
2023–002–005	2024–DOJ–02–0983 and 2024–DOJ–02–0984	Reject.
2023–002–005	2024–DOJ–02–0985	Approve.
2023–002–005	2024–DOJ–02–0986	Approve with changes.
2023–002–005	2024–DOJ–02–0987	Approve.
2023–002–005	2024–DOJ–02–0988	Approve with changes.
2023–002–005	2024–DOJ–02–0989 and 2024–DOJ–02–0990	Approve.
2023–002–005	2024–DOJ–02–0991	Reject.
2023–002–005	2024–DOJ–02–0992 through 2024–DOJ–02–1001	Approve.
2023–002–005	2024–DOJ–02–1002	Reject.
2023–002–005	2024–DOJ–02–1003	Approve.
2023–002–005	2024–DOJ–02–1004 and 2024–DOJ–02–1005	Reject.
2023–002–005	2024–DOJ–02–1006	Approve.
2023–002–005	2024–DOJ–02–1007	Approve with changes.
2023–002–005	2024–DOJ–02–1008	Approve.
2023–002–005	2024–DOJ–02–1009	Approve with changes.
2023–002–005	2024–DOJ–02–1010 and 2024–DOJ–02–1011	Approve.
2023–002–005	2024–DOJ–02–1012	Reject.
2023–002–005	2024–DOJ–02–1013 and 2024–DOJ–02–1014	Approve.
2023–002–005	2024–DOJ–02–1015 through 2024–DOJ–02–1022	Reject.
2023–002–005	2024–DOJ–02–1023	Approve.
2023–002–005	2024–DOJ–02–1024	Approve with changes.
2023–002–005	2024–DOJ–02–1025	Approve.
2023–002–005	2024–DOJ–02–1026	Approve with changes.
2023–002–005	2024–DOJ–02–1027 and 2024–DOJ–02–1028	Approve.
2023–002–005	2024–DOJ–02–1029	Reject.
2023–002–005	2024–DOJ–02–1030 through 2024–DOJ–02–1035	Approve.
2023–002–005	2024–DOJ–02–1036 and 2024–DOJ–02–1037	Reject.
2023–002–005	2024–DOJ–02–1038 through 2024–DOJ–02–1041	Approve.
2023–002–005	2024–DOJ–02–1042	Approve with changes.
2023–002–005	2024–DOJ–02–1043 through 2024–DOJ–02–1059	Reject.
2023–002–005	2024–DOJ–02–1060 through 2024–DOJ–02–1066	Approve.
2023–002–005	2024–DOJ–02–1067 through 2024–DOJ–02–1069	Reject.
2023–002–005	2024–DOJ–02–1070	Approve.
2023–002–005	2024–DOJ–02–1071	Approve with changes.
2023–002–005	2024–DOJ–02–1072 through 2024–DOJ–02–1078	Approve.
2023–002–005	2024–DOJ–02–1079 through 2024–DOJ–02–1081	Reject.

Incident identifier	Postponement identifier	Review board decision
2023–002–005	2024–DOJ–02–1082 through 2024–DOJ–02–1087	Approve.
2023–002–005	2024–DOJ–02–1088 through 2024–DOJ–02–1099	Reject.
2023–002–005	2024–DOJ–02–1100 and 2024–DOJ–02–1101	Approve.
2023–002–005	2024–DOJ–02–1102	Approve with changes.
2023–002–005	2024–DOJ–02–1103	Approve.
2023–002–005	2024–DOJ–02–1104 through 2024–DOJ–02–1106	Reject.
2023–002–005	2024–DOJ–02–1107	Approve.
2023–002–005	2024–DOJ–02–1108 and 2024–DOJ–02–1109	Reject.
2023–002–005	2024–DOJ–02–1110	Approve.
2023–002–005	2024–DOJ–02–1111	Reject.
2023–002–005	2024–DOJ–02–1112 through 2024–DOJ–02–1115	Approve.
2023–002–005	2024–DOJ–02–1116 through 2024–DOJ–02–1120	Reject.
2023–002–005	2024–DOJ–02–1121	Approve.
2023–002–005	2024–DOJ–02–1122 through 2024–DOJ–02–1129	Reject.
2023–002–005	2024–DOJ–02–1130	Approve.
2023–002–005	2024–DOJ–02–1131 through 2024–DOJ–02–1147	Reject.
2023–002–005	2024–DOJ–02–1148	Approve with changes.
2023–002–005	2024–DOJ–02–1149	Approve.
2023–002–005	2024–DOJ–02–1150	Approve with changes.
2023–002–005	2024–DOJ–02–1151 through 2024–DOJ–02–1155	Reject.
2023–002–005	2024–DOJ–02–1156 through 2024–DOJ–02–1158	Approve.
2023–002–005	2024–DOJ–02–1159 through 2024–DOJ–02–1185	Reject.
2023–002–005	2024–DOJ–02–1186	Approve.
2023–002–005	2024–DOJ–02–1187	Reject.
2023–002–005	2024–DOJ–02–1188 through 2024–DOJ–02–1191	Approve.
2023–002–005	2024–DOJ–02–1192 through 2024–DOJ–02–1268	Reject.
2023–002–005	2024–DOJ–02–1269	Approve with changes.
2023–002–005	2024–DOJ–02–1270	Approve.
2023–002–005	2024–DOJ–02–1271	Approve with changes.
2023–002–005	2024–DOJ–02–1272	Approve.
2023–002–005	2024–DOJ–02–1273 through 2024–DOJ–02–1278	Reject.
2024–003–052	2024–NARA–03–0434 through 2024–NARA–03–0440	Reject.
2024–003–052	2024–NARA–03–0440a and 2024–NARA–03–0440b	Reject.
2024–003–052	2024–NARA–03–0441 and 2024–NARA–03–0442	Reject.
2024–003–052	2024–NARA–03–0443	Approve with changes.
2024–003–052	2024–NARA–03–0444 through 2024–NARA–03–0447	Approve.
2024–003–052	2024–NARA–03–0447a	Approve.
2024–003–052	2024–NARA–03–0448 through 2024–NARA–03–1205	Approve.

Authority: Pub. L. 115–426, 132 Stat. 5489 (44 U.S.C. 2107).

Dated: June 3, 2026.

Stephannie Oriabure,

Chief of Staff.

[FR Doc. 2026–11397 Filed 6–5–26; 8:45 am]

BILLING CODE 6820–SY–P

DEPARTMENT OF COMMERCE

Foreign-Trade Zones Board

[B–46–2025]

Foreign-Trade Zone (FTZ) 81; Authorization of Production Activity; SubCom, LLC; (Undersea Fiber-Optic Cables and Repeaters); Newington, New Hampshire

On November 20, 2025, SubCom, LLC submitted a notification of proposed production activity to the FTZ Board for its facility within FTZ 81, in Newington, New Hampshire.

The notification was processed in accordance with the regulations of the FTZ Board (15 CFR part 400), including notice in the **Federal Register** inviting public comment (90 FR 53276, November 25, 2025). On June 3, 2026, the applicant was notified of the FTZ Board's decision that no further review of the activity is warranted at this time. The production activity described in the notification was authorized, subject to the FTZ Act and the FTZ Board's regulations, including section 400.14.

Dated: June 3, 2026.

Elizabeth Whiteman,

Executive Secretary.

[FR Doc. 2026–11376 Filed 6–5–26; 8:45 am]

BILLING CODE 3510–DS–P

DEPARTMENT OF COMMERCE

Foreign-Trade Zones Board

[B–44–2025]

Foreign-Trade Zone (FTZ) 189; Authorization of Production Activity; Grand River Aseptic Manufacturing; (Pharmaceutical Products); Caledonia and Grand Rapids, Michigan

On September 12, 2025, Kent-Ottawa-Muskegon Foreign-Trade Zone Authority, grantee of FTZ 189, submitted a notification of proposed production activity to the FTZ Board on behalf of Grand River Aseptic Manufacturing, within Subzone 189H, in Caledonia and Grand Rapids, Michigan.

The notification was processed in accordance with the regulations of the FTZ Board (15 CFR part 400), including notice in the **Federal Register** inviting public comment (90 FR 45172, September 19, 2025). On June 3, 2026, the applicant was notified of the FTZ Board's decision that no further review of the activity is warranted at this time. The production activity described in the notification was authorized, subject to the FTZ Act and the FTZ Board's regulations, including section 400.14.

Dated: June 3, 2026.

Elizabeth Whiteman,

Executive Secretary.

[FR Doc. 2026–11388 Filed 6–5–26; 8:45 am]

BILLING CODE 3510–DS–P

DEPARTMENT OF COMMERCE

Foreign-Trade Zones Board

[B–59–2026]

Foreign-Trade Zone (FTZ) 72, Notification of Proposed Production Activity; Subaru of Indiana Automotive, Inc.; (Passenger Motor Vehicles); Lafayette, Indiana

Subaru of Indiana Automotive, Inc. (SIA), submitted a notification of proposed production activity to the FTZ Board (the Board) for its facilities in Lafayette, Indiana within Subzone 72H. The notification conforming to the requirements of the Board's regulations (15 CFR 400.22) was received on June 1, 2026.

Pursuant to 15 CFR 400.14(b), FTZ production activity would be limited to the specific foreign-status material(s)/component(s) and specific finished product(s) described in the submitted notification (summarized below) and subsequently authorized by the Board. The benefits that may stem from conducting production activity under FTZ procedures are explained in the background section of the Board's website—accessible via *www.trade.gov/ftz.* The proposed finished product(s) and material(s)/component(s) would be added to the production authority that the Board previously approved for the operation, as reflected on the Board's website.

The proposed finished product is Subaru Forester hybrid vehicle (duty rate 2.5%).

The proposed foreign-status materials/components include: plastic badges, clips, and fasteners; master cylinder booster assemblies; anti-lock brake sensors; electric inverters and converters; lithium-ion vehicle batteries; electrical terminals and connectors; hybrid computer control units; switch assembly instrument panels; sensor and control modules and assemblies; wiring harnesses and cable sets; electrical cables and conductors with connectors; steel grill hood assemblies; rubber cover fenders; plastic trim panels; motor vehicle transmissions; torque limiter dampers (cover complete clutches); and, selector lever assemblies (duty rate ranges from duty-free to 5.0%).

The request indicates that certain materials/components are subject to duties under section 122 of the Trade Act of 1974 (Section 122), section 232 of the Trade Expansion Act of 1962 (section 232), or section 301 of the Trade Act of 1974 (section 301), depending on the country of origin. The applicable section 122, section 232, and section 301 decisions require subject merchandise to be admitted to FTZs in privileged foreign status (19 CFR 146.41).

Public comment is invited from interested parties. Submissions shall be addressed to the Board's Executive Secretary and sent to: *ftz@trade.gov.* The closing period for their receipt is July 20, 2026.

A copy of the notification will be available for public inspection in the ''Online FTZ Information System'' section of the Board's website.

For further information, contact Christopher Wedderburn at *Chris.Wedderburn@trade.gov.*

Dated: June 3, 2026.

Elizabeth Whiteman,

Executive Secretary.

[FR Doc. 2026–11375 Filed 6–5–26; 8:45 am]

BILLING CODE 3510–DS–P

DEPARTMENT OF COMMERCE

Foreign-Trade Zones Board

[B–5–2026]

Foreign-Trade Zone (FTZ) 238; Authorization of Limited Production Activity; Celanese Acetate LLC; (Cellulose Acetate Tow and Flake); Narrows, Virginia

On January 14, 2026, the New River Valley Economic Development Alliance, Inc., grantee of FTZ 238, submitted a notification of proposed production activity to the FTZ Board on behalf of Celanese Acetate LLC, within Subzone 238E in Narrows, Virginia.

The notification was processed in accordance with the regulations of the FTZ Board (15 CFR part 400), including notice in the **Federal Register** inviting public comment (91 FR 2519, January 21, 2026). On June 3, 2026, the applicant was notified of the FTZ Board's decision that further review of part of the proposed activity is warranted. The FTZ Board authorized the production activity described in the notification on a limited basis, subject to the FTZ Act and the Board's regulations, including section 400.14, and further subject to a quantitative limit on the admission of foreign status high purity dissolving wood pulp (HPDP). Through May 31, 2027, the quantitative limit will be 57,500 air dry metric tons. The quantitative limit will then be updated on an annual basis.

Dated: June 3, 2026.

Elizabeth Whiteman,

Executive Secretary.

[FR Doc. 2026–11410 Filed 6–5–26; 8:45 am]

BILLING CODE 3510–DS–P

DEPARTMENT OF COMMERCE

Foreign-Trade Zones Board

[B–12–2026]

Foreign-Trade Zone (FTZ) 204; Authorization of Limited Production Activity; Eastman Chemical Company; (Cellulose Acetate Fibers); Kingsport, Tennessee

On January 29, 2026, Eastman Chemical Company submitted a notification of proposed production activity to the FTZ Board for its facility within Subzone 204B, in Kingsport, Tennessee.

The notification was processed in accordance with the regulations of the FTZ Board (15 CFR part 400), including notice in the **Federal Register** inviting public comment (91 FR 5426, February 6, 2026). On June 3, 2026, the applicant was notified of the FTZ Board's decision that further review of part of the proposed activity is warranted. The FTZ Board authorized the production activity described in the notification on a limited basis, subject to the FTZ Act and the Board's regulations, including section 400.14, and further subject to a quantitative limit on the admission of foreign status high purity dissolving wood pulp (HPDP). Through May 31, 2027, the quantitative limit will be 75,000 metric tons. The quantitative limit will then be updated on an annual basis.

Dated: June 3, 2026.

Elizabeth Whiteman,

Executive Secretary.

[FR Doc. 2026–11409 Filed 6–5–26; 8:45 am]

BILLING CODE 3510–DS–P

DEPARTMENT OF COMMERCE

Foreign-Trade Zones Board

[B–60–2026]

Foreign-Trade Zone (FTZ) 84, Notification of Proposed Production Activity; Tesla Inc.; (Battery Storage Products and Components); Brookshire, Texas

Tesla Inc. submitted a notification of proposed production activity to the FTZ Board (the Board) for its facilities in Brookshire, Texas within FTZ 84. The notification conforming to the requirements of the Board's regulations (15 CFR 400.22) was received on May 20, 2026.

Pursuant to 15 CFR 400.14(b), FTZ production activity would be limited to the specific foreign-status material(s)/component(s) and specific finished

product(s) described in the submitted notification (summarized below) and subsequently authorized by the Board. The benefits that may stem from conducting production activity under FTZ procedures are explained in the background section of the Board's website—accessible via *www.trade.gov/ftz.*

The proposed finished products include Megapacks and Bento Inverters (duty rate ranges from duty-free to 3.4%).

The proposed foreign-status materials/components include: thermal conductive adhesives; electrical joint compounds; silicon encapsulant for electronics; plastic coolant hoses; plastic coolant manifold for rooftop condensers; plastic coolant jumper hoses; coolant manifolds for electric vehicle battery and thermal routing; plastic pipe cap fittings for coolant manifolds; self-adhesive foams; plastic protective covers; plugs for electric batteries; plastic brackets; plastic covers; plastic foam gaskets; cardboard packaging edge protectors; mica insulating plates; steel structural enclosures; aluminum thermal baffle panels; aluminum metal name plates; centrifugal coolant pumps; air-conditioning compressors; 24-volt fans; fan guards; radiators; coolant reservoirs; umbrella-type check valves; power transformers; static inverters; power inductors; edge-wound choke modules; power converter enclosures; power converter covers; heat sinks for power converters; printed circuit board modules for converters; magnetic cores for converters; permanent neodymium magnets; battery module structure covers; battery cold-plates; battery cells; spark plugs; igniter coils; electric coolant heaters; multiple-input multiple output antennas; subscriber identity module cards; capacitators; coil-to-cable adaptors for spark coils; high-voltage semiconductor fuses; high-voltage contactors with auxiliary contacts; busbars for power conduction; busbar covers; busbar insulations; busbar junctions; busbar connector blocks; printed circuit boards; housing for printed circuit boards; molded enclosures for high-voltage electrical components; electrical wiring harnesses fitted with connectors; ferrite insulators; plastic electrical insulators; electromagnetic interference filter printed circuit boards; ambient air temperature sensors; printed circuit boards for battery monitoring; light-emitting diode sign panels; (duty rate ranges from duty-free to 6.5%).

The request indicates that certain materials/components are subject to duties under section 122 of the Trade Act of 1974 (Section 122), section 232 of the Trade Expansion Act of 1962 (section 232), or section 301 of the Trade Act of 1974 (section 301), depending on the country of origin. The applicable section 122, section 232, and section 301 decisions require subject merchandise to be admitted to FTZs in privileged foreign status (19 CFR 146.41).

Public comment is invited from interested parties. Submissions shall be addressed to the Board's Executive Secretary and sent to: *ftz@trade.gov.* The closing period for their receipt is July 20, 2026.

A copy of the notification will be available for public inspection in the ''Online FTZ Information System'' section of the Board's website.

For further information, contact Christopher Williams at *Christopher.williams@trade.gov.*

Dated: June 4, 2026.

Elizabeth Whiteman,

Executive Secretary.

[FR Doc. 2026–11431 Filed 6–5–26; 8:45 am]

BILLING CODE 3510–DS–P

DEPARTMENT OF COMMERCE

International Trade Administration

[A–549–822]

Certain Frozen Warmwater Shrimp From Thailand: Amended Final Results of Antidumping Duty Administrative Review and Final Determination of No Shipments; 2023–2024

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

SUMMARY: The U.S. Department of Commerce (Commerce) is amending the final results of the administrative review of the antidumping duty (AD) order on certain frozen warmwater shrimp (shrimp) from Thailand. The period of review (POR) is February 1, 2023, through January 31, 2024.

DATES: Applicable June 8, 2026.

FOR FURTHER INFORMATION CONTACT: Gregory Taushani, AD/CVD Operations, Office II, Enforcement and Compliance, International Trade Administration, U.S. Department of Commerce, 1401 Constitution Avenue NW, Washington, DC 20230; telephone: (202) 482–1012.

SUPPLEMENTARY INFORMATION:

Background

On February 20, 2026, Commerce published the *Final Results* of the 2023–2024 administrative review of the AD order on shrimp from Thailand in the **Federal Register**.[1] On March 2, 2026, Commerce received a timely filed allegations of ministerial errors from Thai Union Group Public Co., Ltd. (Thai Union) with regard to its final dumping margin calculation.[2] On March 3, 2026, we received timely filed rebuttal comments from the American Shrimp Producers Association (ASPA), a domestic interested party. Commerce is amending the *Final Results* to correct these ministerial errors. Additionally, Commerce is correcting the *Final Results* to include our final determination of no shipments, which Commerce inadvertently omitted from its *Final Results.*

Legal Framework

Section 751(h) of the Tariff Act of 1930, as amended (the Act), defines a ministerial error as including ''errors in addition, subtraction, or other arithmetic function, clerical errors resulting from inaccurate copying, duplication, or the like, and any other unintentional error which the administering authority considers ministerial.'' [3] With respect to final results of administrative reviews, 19 CFR 351.224(e) provides that Commerce ''will analyze any comments received and, if appropriate, correct any . . . ministerial error by amending the final results of review. . . {.}''

Ministerial Errors

Thai Union alleges that Commerce made ministerial errors in two ways: (1) omitting language that would instruct the margin program to calculate importer-specific assessment rates; and (2) failing to assign the proper surrogate costs to control numbers (CONNUMs) that were sold but not produced during the POR.[4] In the ministerial error rebuttal comments, ASPA argued that Commerce followed its practice to assign its own surrogate costs for CONNUMs.[5]

We agree with Thai Union that we made ministerial errors regarding the calculation of importer-specific assessment rates and the selected surrogate costs. Pursuant to section

[1] *See Certain Frozen Warmwater Shrimp from Thailand: Final Results of Antidumping Duty Administrative Review; 2023–2024,* 91 FR 8182 (February 20, 2026) (*Final Results*), and accompanying Issues and Decision Memorandum (IDM).

[2] *See* Thai Union's Letter, ''Ministerial Error Comments for the Final Results,'' dated March 2, 2026 (Thai Union Ministerial Error Comments).

[3] *See* 19 CFR 351.224(f).

[4] *See* Thai Union Ministerial Error Comments at 2.

[5] *See* ASPA's Letter, ''American Shrimp Processors Association's Response to Thai Union Ministerial Error Allegation,'' dated March 3, 2026 (ASPA's Ministerial Error Rebuttal Comments).

751(h) of the Act and 19 CFR 351.224(f), we have amended our calculations to correct for the ministerial errors.[6] Based on the corrections, Thai Union's final weighted-average dumping margin is 1.24 percent. As a result, we are also amending the rate for the companies not selected for individual examination in this review, from 2.01 to 1.24 percent, based on the weighted- average dumping margin calculated for Thai Union, the only calculated rate in this review that is not zero, *de minimis* or determined entirely under section 776 of the Act.

Additionally, as discussed in the *Final Results,*[7] we based the rate for respondent Charoen Pokphand Foods Co., Ltd. (Pokphand Foods) on adverse facts available (AFA). As AFA, we applied the simple average of all positive individual margin transactions calculated for Thai Union. Due to the revisions made to the programming language with respect to these ministerial error allegations, the simple average of Thai Union's positive transaction margins has changed. Accordingly, the AFA rate for Pokphand Foods is revised from 17.38 to 26.66 percent.

For a complete discussion of the ministerial error allegation, as well as Commerce's analysis, *see* the Ministerial Error Memorandum.[8] The Ministerial Error Memorandum is on file electronically via ACCESS. ACCESS is available to registered users at *https://access.trade.gov.*

Amended Final Results of Review

As a result of correcting the ministerial errors, Commerce determines that the estimated weighted-average dumping margin of 1.24 percent exists for Thai Union for the period of February 1, 2023, through January 31, 2024. Further, Commerce finds that for all companies not selected for individual examination in this review, the weighted-average dumping margin of 1.24 percent applies. Finally, for Pokphand Foods, Commerce finds that, as AFA, the dumping margin is 26.66 percent.

Exporter/producer	Weighted-average dumping margin (percent)
Charoen Pokphand Foods Public Co., Ltd	26.66
Thai Union Group Public Co., Ltd.; Thai Union Seafood Co., Ltd.; Thai Union Frozen Products Public Co. Ltd.; Pakfood Public Company Limited; Asia Pacific (Thailand) Co. Ltd.; Chaophraya Cold Storage Co., Ltd.; Okeanos Co., Ltd.; Okeanos Food Co., Ltd.; Takzin Samut Co., Ltd	1.24
Thai Royal Frozen Foods Co., Ltd	0.00
Review-Specific Rate for Non-Examined Companies[9]	1.24

Disclosure

Commerce intends to disclose the calculations performed in connection with these amended final results of review to interested parties within five days after public announcement of the final results or, if there is no public announcement, within five days of the date of publication of this notice in the **Federal Register**, in accordance with 19 CFR 351.224(b).

Final Determination of No Shipments

As noted in the *Preliminary Results,*[10] we received no shipment claims from two companies involved in this administrative review: Phatthana Frozen Food Co., Ltd. (Phatthana Frozen Food) and Thai Union Manufacturing Company Limited (Thai Union Manufacturing).[11] In the *Preliminary Results,* we preliminarily determined that there is no evidence on the record of this review that contradicts Phatthana Frozen Food and Thai Union Manufacturing's claims of no shipments. We received no comments from interested parties with respect to these claims. Therefore, we continue to find that Phatthana Frozen Food and Thai Union Manufacturing did not ship subject merchandise to the United States during the POR.

Assessment Rates

Pursuant to section 751(a)(2)(C) of the Act and 19 CFR 351.212(b)(1), Commerce will determine, and U.S. Customs and Border Protection (CBP) shall assess, antidumping duties on all appropriate entries of subject merchandise in accordance with the amended final results of this review. The amended final results of this review shall be the basis for the assessment of antidumping duties on entries of merchandise covered by the amended final results of this review and for future deposits of estimated duties, where applicable.[12]

Pursuant to 19 CFR 351.212(b)(1), we calculated importer-specific *ad valorem* duty assessment rates based on the ratio of the total amount of dumping calculated for each importer's examined sales and the total entered value of those sales. Where either the respondent's weighted-average dumping margin is zero or *de minimis* within the meaning of 19 CFR 351.106(c)(1), or an importer-specific assessment rate is *de minimis* (*i.e.,* less than 0.5 percent), we will instruct CBP to liquidate the appropriate entries without regard to antidumping duties.

For entries of subject merchandise during the POR produced by Thai Union for which it did not know that its merchandise was destined for the United States, we will instruct CBP to liquidate such entries at the all-others rate established in the *Section 129 Determination* of 5.34 percent *ad valorem,*[13] if there is no rate for the intermediate company(ies) involved in the transaction.

For all non-selected companies listed in the appendix to this notice, we will instruct CBP to liquidate all entries of subject merchandise that entered the United States during the POR at the

[6] *See* Memorandum, ''Analysis of Ministerial Error Allegations,'' dated concurrently.

[7] *See Final Results* IDM at 24.

[8] *See* Memorandum, ''Antidumping Duty Administrative Review of Frozen Warmwater Shrimp from Thailand: Analysis of Ministerial Error Allegation; 2023–2024,'' dated concurrently with, and hereby adopted by, this notice (Ministerial Error Memorandum).

[9] *See* the appendix for a list of the non-selected companies receiving a review-specific rate.

[10] *See Certain Frozen Warmwater Shrimp from Thailand: Preliminary Results of Antidumping Duty Administrative Review, Rescission of Review, in Part, and Preliminary Determination of No Shipments; 2024–2024,* 90 FR 24572 (*Preliminary Results*).

[11] *See* Thai Union Manufacturing Co., Ltd.'s Letter, ''No Shipment Certification,'' dated May 9, 2024; and Andaman Seafood Co., Ltd.'s Letter, ''No Shipment Certification,'' dated May 9, 2024 (filed on behalf of Phatthana Frozen Food).

[12] *See* section 751(a)(2)(C) of the Act.

[13] *See Implementation of the Findings of the WTO Panel in United States Antidumping Measure on Shrimp from Thailand: Notice of Determination Under Section 129 of the Uruguay Round Agreements Act and Partial Revocation of the Antidumping Duty Order on Frozen Warmwater Shrimp from Thailand,* 74 FR 5638 (January 30, 2009) (*Section 129 Determination*).

rates calculated for Thai Union as listed above.

Consistent with Commerce's assessment practice, for Phatthana Frozen Food and Thai Union Manufacturing, we will instruct CBP to liquidate any suspended entries that entered under their AD case number at the all-others rate if there is no rate for the intermediate company(ies) involved in the transaction.

Commerce intends to issue assessment instructions to CBP no earlier than 35 days after the date of publication of these amended final results of this review in the **Federal Register**. If a timely summons is filed at the U.S. Court of International Trade, the assessment instructions will direct CBP not to liquidate relevant entries until the time for parties to file a request for a statutory injunction has expired (*i.e.,* within 90 days of publication).

Cash Deposit Requirements

The following amended cash deposit requirements will be effective for all shipments of the subject merchandise entered, or withdrawn from warehouse, for consumption on or after February 20, 2026, the publication date of the *Final Results,* as provided by section 751(a)(2)(C) of the Act: (1) the amended cash deposit rate for the companies listed above will be equal to the weighted-average dumping margin established in these amended final results of review; (2) for merchandise exported by producers or exporters not covered in this review but covered in a prior completed segment of the proceeding, the cash deposit rate will continue to be the company specific rate published in the completed segment for the most recent period; (3) if the exporter is not a firm covered in this review, a prior review, or the original investigation but the producer has been covered in a prior completed segment of this proceeding, then the cash deposit rate will be the rate established in the completed segment for the most recent period for the producer of the subject merchandise; and (4) the cash deposit rate for all other producers or exporters will continue to be 5.34 percent, the all-others rate established in the *Section 129 Determination*.[14] The cash deposit requirements, when imposed, shall remain in effect until further notice.

Notification to Importers

This notice serves as a final reminder to importers of their responsibility under 19 CFR 351.402(f)(2) to file a certificate regarding the reimbursement of antidumping duties prior to liquidation of the relevant entries during this review period. Failure to comply with this requirement could result in Commerce's presumption that reimbursement of the antidumping duties occurred and the subsequent assessment of doubled antidumping duties.

Administrative Protective Order (APO)

This notice also serves as a reminder to parties subject to APO of their responsibility concerning the return or destruction of proprietary information disclosed under APO in accordance with 19 CFR 351.305(a)(3). Timely written notification of the return/destruction of APO materials or conversion to judicial protective order is hereby requested. Failure to comply with the regulations and terms of an APO is a violation which is subject to sanction.

Notification to Interested Parties

We are issuing and publishing these amended final results of administrative review in accordance with sections 751(a)(1) and 777(i)(1) of the Act, and 19 CFR 351.221(b)(5).

Dated: June 2, 2026.

Christopher Abbott,

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

Appendix

Companies Not Selected for Individual Examination Receiving a Review-Specific Rate

1. B.S.A. Food Products Co., Ltd.
2. C.K. Frozen Fish and Food Co., Ltd.
3. Good Luck Product Co., Ltd.
4. I.T. Foods Industries Co., Ltd.
5. Kingfisher Holdings Ltd.; KF Foods Limited; KF Foods
6. Kitchens of the Ocean (Thailand) Company, Ltd.; Kitchens of the Ocean (Thailand) Ltd.
7. Kongphop Frozen Foods Co., Ltd.
8. Lee Heng Seafood Co., Ltd.
9. Seafresh Industry Public Co., Ltd.; Seafresh Fisheries
10. Tey Seng Cold Storage Co., Ltd.; Chaiwarut Co., Ltd.; Chaiwarut Company Limited
11. Xian-Ning Seafood Co., Ltd.

[FR Doc. 2026–11371 Filed 6–5–26; 8:45 am]

BILLING CODE 3510–DS–P

[14] *See Section 129 Determination.*

DEPARTMENT OF COMMERCE

International Trade Administration

[C–533–872]

Finished Carbon Steel Flanges From India: Final Results of Countervailing Duty Administrative Review; 2023

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

SUMMARY: The U.S. Department of Commerce (Commerce) determines that countervailable subsidies were provided to producers and exporters of finished carbon steel flanges (steel flanges) from India during the period of review (POR) January 1, 2023, through December 31, 2023.

DATES: Applicable June 8, 2026.

FOR FURTHER INFORMATION CONTACT: Amber Hodak, AD/CVD Operations, Office VI, Enforcement and Compliance, International Trade Administration, U.S. Department of Commerce, 1401 Constitution Avenue NW, Washington, DC 20230; telephone: (202) 482–8034.

SUPPLEMENTARY INFORMATION:

Background

On February 3, 2026, Commerce published the *Preliminary Results* of this administrative review in the **Federal Register** and invited interested parties to comment.[1] For a complete description of the events that occurred since the *Preliminary Results, see* the Issues and Decision Memorandum.[2] The Issues and Decision Memorandum is a public document and is on file electronically via Enforcement and Compliance's Antidumping and Countervailing Duty Centralized Electronic Service System (ACCESS). ACCESS is available to registered users at *https://access.trade.gov.* In addition, a complete version of the Issues and Decision Memorandum can be accessed directly at *https://access.trade.gov/frnotices.*

[1] *See Finished Carbon Steel Flanges from India: Preliminary Results and Rescission, in Part, of Countervailing Duty Administrative Review; 2023,* 91 FR 4869 (February 3, 2026) (*Preliminary Results*), and accompanying Preliminary Decision Memorandum (PDM).

[2] *See* Memorandum, ''Issues and Decision Memorandum for the Final Results of the Countervailing Duty Administrative Review of Finished Carbon Steel Flanges from India; 2023,'' dated concurrently with, and hereby adopted by, this memorandum (Issues and Decision Memorandum).

Scope of the Order [3]

The products covered by the *Order* are steel flanges from India. For a complete description of the scope of the *Order, see* the Issues and Decision Memorandum.

Analysis of Comments Received

All issues raised by interested parties in briefs are addressed in the Issues and Decision Memorandum. A list of topics discussed in the Issues and Decision Memorandum is included as an appendix to this notice.

Changes Since the Preliminary Results

We made no changes to the subsidy calculations for Norma (India) Ltd. (Norma) and R.N. Gupta & Co. Ltd. (RNG) and all other producers and/or exporters from the *Preliminary Results.*

Methodology

Commerce conducted this administrative review in accordance with section 751(a)(l)(A) of the Tariff Act of 1930, as amended (the Act). For each of the subsidy programs found to be countervailable, Commerce finds that there is a subsidy, *i.e.,* a government-provided financial contribution that gives rise to a benefit to the recipient, and that the subsidy is specific.[4] For a full description of the methodology underlying all of Commerce's conclusions, including any determination that relied upon the use of adverse facts available, pursuant to sections 776(a) and (b) of the Act, *see* the Issues and Decision Memorandum.

Rate for Non-Individually Examined Companies

The Act and Commerce's regulations do not directly address the establishment of a rate to apply to companies not selected for individual examination when Commerce limits its examination in an administrative review pursuant to section 777A(e)(2) of the Act. Generally, Commerce looks to section 705(c)(5) of the Act, which provides instructions for calculating the all-others rate in a CVD investigation. Section 777A(e)(2) of the Act provides that ''the individual countervailable subsidy rates determined under subparagraph (A) shall be used to determine the all-others rate under section 705(c)(5) {of the Act}.''

Under section 705(c)(5)(A) of the act, the all-others rate is normally an amount equal to the weighted average countervailable subsidy rates established for each of the companies individually investigated, excluding any rates that are zero, *de minimis* (*i.e.,* less than 0.5 percent), or determined entirely on the basis of facts available. Where the countervailable subsidy rates for each of the individually examined companies is zero, *de minimis,* or based entirely on facts available, section 705(c)(5)(A)(ii) of the Act provides that Commerce may use ''any reasonable method to establish an all-others rate for exporters and producers not individually investigated, including averaging the weighted average countervailable subsidy rates determined for the exporters and producers individually investigated.''

In this administrative review, we calculated countervailable subsidy rates for the mandatory respondents, Norma and RNG, that are not zero, *de minimis,* or based entirely on facts available. Accordingly, we are assigning to the companies under review that were not selected for individual examination a countervailable subsidy rate equal to the weighted average of the countervailable subsidy rates calculated for Norma and RNG, weighted by the mandatory respondents' publicly ranged sales values for the merchandise under consideration, consistent with the guidance in section 705(c)(5)(A)(i) of the Act.

Final Results of Review

As a result of this review, we determine the following net countervailable subsidy rates exist for the POR, January 1, 2023, through December 31, 2023:

Company	Subsidy rate (percent *ad valorem*)
Norma (India) Ltd.; USK Export Private Limited; Uma Shanker Khandelwal and Co.; and Bansidhar Chiranjilal [5]	2.40
R.N. Gupta & Co. Ltd	2.27
Companies Not Selected for Individual Examination [6]	2.32

Disclosure

Normally, Commerce discloses the calculations performed in the final results within five days of any public announcement or, if there is no public announcement, within five days of the date of publication of the notice of final results in the **Federal Register**, in accordance with 19 CFR 351.224(b). However, because Commerce made no changes from the *Preliminary Results,* there are no calculations to disclose.

Assessment

Pursuant to section 751(a)(2)(C) of the Act and 19 CFR 351.212(b)(2), Commerce has determined, and U.S. Customs and Border Protection (CBP) shall assess, countervailing duties on all appropriate entries of subject merchandise in accordance with the final results of this review. Commerce intends to issue assessment instructions to CBP no earlier than 35 days after the date of publication of the final results of this review in the **Federal Register**. If a timely summons is filed at the U.S. Court of International Trade, the assessment instructions will direct CBP not to liquidate relevant entries until the time for parties to file a request for a statutory injunction has expired (*i.e.,* within 90 days of publication).

Cash Deposit Requirements

Pursuant to section 751(a)(2)(C) of the Act and 19 CFR 351.107(e), Commerce intends to instruct CBP to collect cash deposits of estimated countervailing duties with regard to shipments of subject merchandise entered, or withdrawn from warehouse, for consumption on or after the date of

[3] *See Finished Carbon Steel Flanges from India: Countervailing Duty Order,* 82 FR 40138 (August 24, 2017) (*Order*).

[4] *See* sections 771(5)(B) and (D) of the Act regarding financial contribution; section 771(5)(E) of the Act regarding benefit; and section 771(5A) of the Act regarding specificity.

[5] As discussed in the *Preliminary Results* PDM at 20, Commerce has found the following companies to be cross-owned with Norma (India) Ltd.: USK Export Private Limited; Uma Shanker Khandelwal and Co.; and Bansidhar Chiranjilal. This rate applies to all cross-owned companies.

[6] The companies not selected for individual examination are: (1) BFN Forgings Private Limited, (2) Echjay Industries Pvt. Ltd., and (3) Munish Forge Private Limited (Munish). With respect to Munish, this company reported that it changed its name from Munish Forge Private Limited to Munish Forge Limited. *See* Preliminary Results PDM at 5. In these final results, Commerce finds that Munish Forge Limited is the new name for Munish Forge Private Limited and thus are treating both names as referring to the same respondent. Further, we intend to assign both companies (Munish Forge Private Limited and Munish Forge Limited) the same cash deposit rate. For further details, *see* Issues and Decision Memorandum at 3.

publication of the final results of this administrative review as follows: (1) the cash deposit rate for the companies listed above will be equal to the company-specific estimated individual countervailable subsidy rates determined in the final results of this review, except if the rate is less than 0.50 percent and, therefore, *de minimis* within the meaning of 19 CFR 351.106(c)(1), in which case the cash deposit rate will be zero; (2) if both the producer and exporter of the subject merchandise have company-specific estimated subsidy rates assigned, and their rates differ, then the applicable cash deposit rate will be the higher of these two rates; (3) if either the producer or the exporter, but not both, of the subject merchandise has a company-specific estimated subsidy rate assigned, the applicable cash deposit rate will be that company's company-specific rate; and (4) the cash deposit rate for all other producers and exporters will be continue to be 7.39 percent, the all-others subsidy rate established in the investigation.[7] These cash deposit instructions, effective upon publication of these final results, shall remain in effect until further notice.

Administrative Protective Order (APO)

This notice also serves as a final reminder to parties subject to an APO of their responsibility concerning the return or destruction of proprietary information disclosed under APO in accordance with 19 CFR 351.305(a)(3). Timely written notification of the return or destruction of APO materials or conversion to judicial protective order, is hereby requested. Failure to comply with the regulations and terms of an APO is sanctionable violation.

Notification to Interested Parties

Commerce is issuing and publishing these final results in accordance with sections 751(a)(1) and 777(i)(1) of the Act, and 19 CFR 351.221(b)(5).

Dated: June 2, 2026.

Christopher Abbott,

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

Appendix

List of Topics Discussed in the Issues and Decision Memorandum

I. Summary
II. Background
III. Scope of the *Order*
IV. Munish Forge Private Limited Corporate Name Change
V. Use of Facts Otherwise Available and Application of Adverse Inferences
VI. Subsidies Valuation
VII. Analysis of Programs
VIII. Discussion of the Issues
Comment 1: Whether the Duty Drawback (DDB) Program is Countervailable
Comment 2: Whether the Export Promotion of Capital Goods Scheme (EPCGS) is Countervailable
Comment 3: Whether the Interest Equalization Scheme (IES) is Countervailable
Comment 4: Whether the Status Holder Incentive Scheme (SHIS) is Countervailable
Comment 5: Whether the Electricity Duty Exemption Under the State Government of Uttar Pradesh Investment Promotion Scheme/Infrastructure and Industrial Investment Policy (SGUP–EDE) Scheme is Countervailable
Comment 6: Whether the Remission of Duties and Taxes on Export Products (RoDTEP) is Countervailable
IX. Recommendation

[7] *See Order.*

[FR Doc. 2026–11374 Filed 6–5–26; 8:45 am]

BILLING CODE 3510–DS–P

CONSUMER FINANCIAL PROTECTION BUREAU

Statement on Ability To Repay and Immigration Status

AGENCY: Consumer Financial Protection Bureau.

ACTION: Statement.

SUMMARY: The Consumer Financial Protection Bureau (Bureau or CFPB) is issuing this statement to remind creditors of their obligations under the Truth in Lending Act (TILA) as implemented by Regulation Z, and consistent with Executive Order 14406, titled ''Restoring Integrity to America's Financial System.''

DATES: This statement is applicable on June 8, 2026.

FOR FURTHER INFORMATION CONTACT: Dave Gettler, Paralegal Specialist, Office of Regulations, at 202–435–7700. If you require this document in an alternative electronic format, please contact *CFPB_Accessibility@cfpb.gov.*

SUPPLEMENTARY INFORMATION:

I. Background

Ability To Repay Determinations

The Truth in Lending Act [1] and its implementing Regulation Z [2] require creditors to assess consumers' ability to repay before offering mortgages and certain open-end credit products. This statement emphasizes to creditors that these requirements may obligate consideration of a consumer's immigration status, especially where removal from the United States may disrupt the consumer's income.

Under TILA and Regulation Z, before lending to consumers for dwelling-secured transactions like mortgages, creditors must make ''a reasonable and good faith determination at or before consummation that the consumer will have a reasonable ability to repay the loan according to its terms.'' [3] Regulation Z sets forth parameters that lenders must follow to make such ''reasonable and good faith'' determinations of a consumer's ability to repay. For instance, a creditor must consider ''the consumer's current or reasonably expected income or assets.'' [4] Those creditors relying on a consumer's current income must in turn consider their ''current employment status.'' [5] As the regulations make clear, employment can take a number of forms—including part time, seasonal, irregular, and the like. A creditor may rely on any such employment income to determine loan repayment ability, ''so long as the creditor considers those characteristics of the employment.'' [6] And for those creditors relying on the consumer's expected income in addition to or instead of current income, ''the expectation that income will be available for repayment must be reasonable and verified with third-party records that provide reasonably reliable evidence of the consumer's expected income.'' [7]

Similarly, credit card issuers must ''consider[ ] the consumer's ability to make the required minimum periodic payments.'' [8] That consideration may be based on information ''provided by the consumer in connection with the account'' or ''obtained through third parties (subject to any applicable information-sharing rules).'' [9] And the information could include ''any current or reasonably expected income or assets of the consumer.'' [10] To ensure card issuers evaluate a consumer's ability-to-pay, regulations require that they ''establish and maintain reasonable written policies and procedures to consider the consumer's ability to make the required minimum payments under the terms of the account,'' which ''include treating any income . . . to which the consumer has a reasonable

[1] 15 U.S.C. 1601 *et seq.*

[2] 12 CFR part 1026.

[3] 12 CFR 1026.43(c).

[4] 12 CFR 1026.43(c)(2)(i).

[5] 12 CFR 1026.43(c)(2).

[6] Comment 43(c)(2)(ii)–1.

[7] Comment 43(c)(2)(i)–3.

[8] 12 CFR 1026.51(a).

[9] Comment 51(a)(1)(i)–5.

[10] Comment 51(a)(1)(i)–4.i.

expectation of access as the consumer's income.'' [11]

Importantly, Regulation Z makes clear that, in evaluating a consumer's ability to repay based on expected employment income, creditors need only consider repayment ability based on what is known when the decision to extend credit is made or the credit is issued, depending on the credit type.[12] Commentary to mortgage-related regulations explains that ''[a] change in the consumer's circumstances after consummation . . . that cannot be reasonably anticipated from the consumer's application or the records used to determine a repayment ability is not relevant to determining a creditor's compliance with the rule.'' [13] Likewise, while card issuers may use statistically sound and empirically derived models to calculate future income to which the consumer has a reasonable expectation,[14] they need not make any particular predictions about the continued likelihood that a consumer will earn income in the absence of specific information that would reasonably allow them to make a determination about the nature of the income stream in the future.[15] However, if the information the creditor considers when the decision to extend credit is made or the credit is issued indicates that there will be a change in repayment ability after consummation, a creditor must consider that information in order to have reasonably assessed a borrower's ability to repay.[16]

Lending and Immigration Status

In making lending decisions, creditors are permitted to take into account a wide range of information in order to make a reasonable assessment of a consumer's ability to repay. Regulation B, which implements the Equal Credit Opportunity Act (ECOA), expressly states that ''[a] creditor may take the applicant's immigration status into account,'' [17] and that a creditor ''may consider the applicant's immigration status or status as a permanent resident of the United States, and any additional information that may be necessary to ascertain the creditor's rights and remedies regarding repayment.'' [18] Such a consideration may be necessary because an ''applicant's immigration status and ties to the community (such as employment and continued residence in the area) could have a bearing on a creditor's ability to obtain repayment.'' [19] As the Bureau recently explained, ''[a] credit applicant's immigration or citizenship status may present underwriting risks that typical assessments of financial capacity alone will not fully resolve. As Regulation B acknowledges, this is something creditors may legitimately consider.'' [20]

II. Discussion

As discussed above, continued access to employment can be a key component of assessing a borrower's income. A borrower's income and indications of a change to that income are often critical to reasonably assessing a borrower's ability to repay. The Bureau issues this guidance to remind creditors that, when determining repayment ability, creditors relying on an individual's income derived from U.S.-based employment are permitted—and may, under certain facts and circumstances, be obligated—to consider information that bears on the consumer's underlying and continuing ability to earn income—when residency in the United States is a necessary component of such employment. Where a change ''cannot be reasonably anticipated'' from the application and relevant records, the change need not be considered.[21]

The obligation arises if documentation in the consumer's application or other records indicates that the consumer's repayment ability will change on account of their immigration status. In such a circumstance, a creditor must consider that information, just as they must consider anything else in the application or records at or before consummation indicating that there will be a change in a consumer's repayment ability after consummation.[22] A failure to do so would overlook key information regarding the consumer's income, and may risk the creditor failing to reasonably assess the consumer's ability to repay the credit sought.

In particular, a creditor's awareness of a consumer's immigration status may implicate a creditor's reasonable expectations about whether a consumer's income from U.S.-based employment will remain available for repayment. For example, a creditor may regard a credit applicant who is neither lawfully present nor permitted to work in the United States as being subject to removal, in light of the Administration's stated policy of removing any person unlawfully present in the United States.[23] Indications that an individual may not be lawfully present, and therefore may be at risk of removal, may come from various sources, including direct inquiry or the consumer's reliance on atypical identification methods, such as an Individual Taxpayer Identification Number (ITIN), typically issued to taxpayers to individuals who lack proof of legal residency.

To the extent a creditor's information regarding the borrower's immigration status indicates that the borrower may be an unlawfully present individual and removed from the United States, there is a danger that removal would render any such borrower unable to earn income derived from employment that requires physical presence in the United States. Accordingly, considering whether information regarding an applicant's immigration status indicates a reasonably expected change in future income is a matter of sound compliance practice. The Bureau expects compliance with the law and failure to account for such a reasonably expected change in income may not comply with a creditor's obligation to reasonably assess a borrower's ability to repay the loan or line of credit sought.

Of course, there are a wide variety of lawful immigration statuses in the United States.[24] Assessing how each status might bear on a lender's reasonable expectation that a consumer has the ability to repay an obligation with U.S.-based employment income is varied, and it cannot be assumed that consumers with different lawful statuses have identical abilities to repay. Accordingly, the Bureau cannot, and does not, provide a comprehensive

[11] 12 CFR 1026.51(a)(1)(ii).

[12] This includes the consummation of the mortgage loan and, in the case of credit cards, when a credit card account is opened or the credit limit is increased.

[13] Comment 43(c)(1)–2.

[14] Comment 51(a)(1)(i)–5.iv.

[15] Comment 51(a)(1)(i)–2.

[16] Comment 43(c)(1)–2.

[17] 12 CFR part 1002, supp. I, comment 2(z)–2.

[18] 12 CFR 1002.6(b)(7).

[19] 12 CFR part 1002, supp. I, comment 6(b)(7)–1. ''Accordingly, the creditor may consider immigration status and differentiate, for example, between a noncitizen who is a long-time resident with permanent resident status and a noncitizen who is temporarily in this country on a student visa.'' *Id.*

[20] CFPB, *Withdrawal of Joint Statement on the Equal Credit Opportunity Act and Noncitizen Borrowers,* 91 FR 1138, 1139 (Jan. 12, 2026).

[21] Comment 43(c)(1)–2 (applicable in mortgage context); *see also* comment 51(a)(1)(i)–2 (credit card issuers).

[22] Comment 43(c)(1)–2.

[23] E.O. 14159, ''Protecting the American People Against Invasion,'' sec. 2 (Jan. 20, 2025), 90 FR 8443 (Jan. 29, 2025) (declaring the policy of the Administration ''to faithfully execute the immigration laws against all inadmissible and removable aliens'' and ''achieve the total and efficient enforcement of those laws'').

[24] *See* U.S. Dep't of Homeland Security, Office of Homeland Security Statistics, *Immigration, https://ohss.dhs.gov/topics/immigration.*

analysis of variations in immigration status and the consequent reasonable expectations as to a consumer's ability to repay a loan through expected income from U.S.-based employment. Rather, the Bureau reminds creditors when future changes in borrower income must be considered under Regulation Z. Regulation Z enables lenders to make these judgments by affirming their ability to lawfully consider the consumer's immigration status, lawful presence, authorization to work, and other factors that may indicate risk of removal insofar as it bears on their current or reasonably expected income from U.S.-based employment.

III. Regulatory Matters

As guidance, this statement does not have the force or effect of law. It has no legally binding effect, including on persons or entities outside the Federal Government.

The Office of Information and Regulatory Affairs (OIRA) within the Office of Management and Budget (OMB) has determined that this action is a ''significant regulatory action'' under E.O. 12866. Accordingly, OMB has reviewed this action.

In an abundance of caution, pursuant to the Congressional Review Act,[25] the Bureau will submit a report containing this statement and other required information to the United States Senate, the United States House of Representatives, and the Comptroller General of the United States prior to the statement taking effect. OIRA has designated this statement as not a ''major rule'' as defined by 5 U.S.C. 804(2).

The Bureau has determined that this statement does not contain any new or substantively revised information collection requirements that would require approval by OMB under the Paperwork Reduction Act.[26]

Russell Vought,

Acting Director, Consumer Financial Protection Bureau.

[FR Doc. 2026–11447 Filed 6–5–26; 8:45 am]

BILLING CODE 4810–AM–P

[25] 5 U.S.C. 801 *et seq.*

[26] 44 U.S.C. 3501 *et seq.*

DEPARTMENT OF DEFENSE

Office of the Secretary

[Transmittal No. 26–0H]

Arms Sales Notification

AGENCY: Defense Security Cooperation Agency (DSCA), Department of Defense (DoD).

ACTION: Arms sales notice.

SUMMARY: The DoD is publishing the unclassified text of an arms sales notification.

FOR FURTHER INFORMATION CONTACT: Urooj Zahra at (703) 695–6233, *urooj.zahra.civ@mail.mil,* or *dsca.ncr.rsrcmgmt.list.cns-mbx@mail.mil.*

SUPPLEMENTARY INFORMATION: This 36(b) arms sales notification is published to fulfill the requirements of section 155 of Public Law 104–164 dated July 21, 1996. The following is a copy of the attached Transmittal 26–0H.

Dated: June 3, 2026.

Stephanie J. Bost,

Alternate OSD Federal Register Liaison Officer, Department of Defense.

Transmittal No. 26–0H

REPORT OF ENHANCEMENT OR UPGRADE OF SENSITIVITY OF TECHNOLOGY OR CAPABILITY (SEC. 36(B)(5)(C), AECA)

(i) (U) *Prospective Purchaser:* Government of Lebanon

(ii) (U) *Sec. 36(b)(1), AECA Transmittal No.:* 20–30

Date: December 1, 2020

Implementing Agency: Army

Funding Source: Foreign Military Financing

(iii) (U) *Description:* On December 1, 2020, Congress was notified by congressional certification transmittal number 20–30 of the possible sale, under Section 36(b)(1) of the Arms Export Control Act of up to three hundred (300) M1152 High Mobility Multi-Purpose Wheeled Vehicles (HMMWVs) (two purchases of one hundred fifty (150) each). Also included were spare and repair parts; publications and technical documentation; personnel training and training equipment; technical and logistics support services; and other related elements of logistical and program support. The estimated total value was $55.5 million. Major defense equipment (MDE) constituted $40 million of this total.

This transmittal notifies the addition of the following MDE items: one thousand (1,000) M1152 HMMWVs. The following non-MDE items will also be included: spare and repair parts; publications and technical documentation; personnel training and training equipment; technical and logistics support services; and other related elements of program and logistics support. The estimated total value of the new items is $300 million. The estimated MDE value will increase by $254.5 million to a revised $294.5 million. The estimated non-MDE value will increase by $45.5 million to a revised $61 million. The estimated total case value will increase by $300 million to a revised $355.5 million. MDE constitutes $294.5 million of this total.

(iv) (U) *Significance:* This notification accounts for requested additional MDE and non-MDE items not included in the original notification. The inclusion of this MDE represents an increase in capability over what was previously notified. The proposed articles and/or services will support Lebanon's capability to meet current and future threats by improving its ability to move troops and supplies around the country to counter violent extremist organizations.

(v) (U) *Justification:* This proposed sale will support the foreign policy and national security of the United States by improving the security of a partner country that continues to be an important force for political stability and economic progress in the Middle East.

(vi) (U) *Sensitivity of Technology:* The Sensitivity of Technology Statement contained in the original notification applies to items reported here.

The highest level of classification of defense articles, components, and services included in this potential sale is SECRET.

(vii) (U) *Date Report Delivered to Congress:* May 8, 2026

[FR Doc. 2026–11405 Filed 6–5–26; 8:45 am]

BILLING CODE 6001–FR–P

DEPARTMENT OF DEFENSE

Office of the Secretary

[Transmittal No. 26–0J]

Arms Sales Notification

AGENCY: Defense Security Cooperation Agency (DSCA), Department of Defense (DoD).

ACTION: Arms sales notice.

SUMMARY: The DoD is publishing the unclassified text of an arms sales notification.

FOR FURTHER INFORMATION CONTACT: Urooj Zahra at (703) 695–6233, *urooj.zahra.civ@mail.mil,* or *dsca.ncr.rsrcmgmt.list.cns-mbx@mail.mil*.

SUPPLEMENTARY INFORMATION: This 36(b) arms sales notification is published to fulfill the requirements of section 155 of Public Law 104–164 dated July 21, 1996. The following is a copy of the attached Transmittal 26–0J.

Dated: June 3, 2026.

Stephanie J. Bost,

Alternate OSD Federal Register Liaison Officer, Department of Defense.

Transmittal No. 26–0J

REPORT OF ENHANCEMENT OR UPGRADE OF SENSITIVITY OF TECHNOLOGY OR CAPABILITY (SEC. 36(B)(5)(C), AECA)

(i) (U) *Prospective Purchaser:* Government of Australia

(ii) (U) *Sec. 36(b)(1), AECA Transmittal No.:* 22–51

Date: August 25, 2022

Implementing Agency: Army

(iii) (U) *Description:* On August 25, 2022, Congress was notified by congressional certification transmittal number 22–51 of the possible sale under Section 36(b)(1) of the Arms Export Control Act, of defense services related to the future purchase of forty (40) UH–60M Black Hawk helicopters; eighty-eight (88) T700–GE 701D engines (80 installed, 8 spares); forty-four (44) AN/AAR–57 Counter Missile Warning Systems (CMWS) (40 installed, 4 spares); and ninety-six (96) H–764U Embedded Global Position Systems (GPS)/Inertial Navigation Systems (EGI) and Country Unique SAASM (or future replacement) (80, installed, 16 spares). Also included were AN/ARC–231 RT–1808A (or future replacement), very high frequency/ultra-high frequency (VHF/UHF)/line-of-sight (LOS) satellite communications (SATCOM) radios; APR–39C(V)1/4 Radar Warning Receivers; AVR–2B Laser Detecting Sets; APX–123A Identification Friend or Foe Transponder; ARC–220 High Frequency (HF) radio with KY–100M; VRC–100 Ground Stations; AN/PYQ–10 Simple Key Loader (SKL); KIV–77 Common Identification Friend or Foe Applique Crypto Computers; KY–100M COMSEC Encryption devices; AN/ARN–147(V) Very High Frequency Omni-Directional Range/Instrument Landing System receiver radio; AN/ARN–149(V) Low Frequency/Automatic Direction Finder radio receiver; AN/ARN–153 Tactical Air Navigation System receiver transmitter; AN/APN–209 radar altimeter; AN/ARC–210 radios; EBC–406HM Emergency Locator Transmitter; Encrypted Aircraft Wireless Intercommunications Systems; Improved Heads Up Display (IHUD); Signal Data Converters for IHUD; Blue Force Trackers (BFT–2); Improved Data Modems; Color Weather Radars; MX–10D E.O./IR with Laser Designator; E.O./IR Cabin Monitoring Systems; E.O./IR Digital Video Recorder; AN/ARC–201D RT–1478D; Engine Inlet Barrier Filters; Ballistic Armor Protection Systems; Internal Auxiliary Fuel Tank Systems; Fast Rope Insertion Extraction System; External Rescue Hoist; Rescue Hoist Equipment Sets; Dual Patient Litter System Sets; Martin Baker Palletized Crew Chief/Gunner Seats with crashworthy floor structural modifications; External Stores Support System; Integrated Tow Plates Production Assets; Universal Software Loading Kits; 60kVA Generator Kits; Instrument Panel sets; External Gun Mount Systems; Black Hawk Aircrew Trainer; Black Hawk Maintenance Trainer; Black Hawk Avionics Trainer; Maintenance Blended Reconfigurable Avionics Trainer; training devices; helmets; transportation; organizational equipment; spare and repair parts; support equipment; tools and test equipment; technical data and publications; personnel training and training equipment; U.S. Government and contractor engineering, technical, and logistics support services; and other related elements of logistics support. The estimated total case value was $1.95 billion. Major defense equipment (MDE) constituted $0.85 billion of this total.

This transmittal notifies the inclusion of the following MDE items: up to fifty-six (56) AN/ARC–231A VHF/UHF radios (40 installed, 16 spares); up to eighty-eight (88) EAGLE–M EGIs and associated A kit provisions (80 installed, 8 spares); and up to fifty (50) Common Infrared Countermeasure (CIRCM). The following non-MDE items will also be included: windshield washer systems; Helicopter Emergency Egress Lighting Systems; training devices and associated software sustainment; technical support for the Full Operational Capability retro-fit and integration, and other related elements of logistics and program support. The estimated MDE value will increase by $81 million to a revised total of $931 million. The revised estimated total value of the non-MDE articles is $100 million, with a total cost for non-MDE equating to $1.2 billion. The projected total case value is expected to increase by $181 million, with a revised total of $2.131 billion.

(iv) (U) *Significance:* This notification accounts for requested additional MDE and non-MDE items not included in the original notification. The inclusion of this MDE and non-MDE represents an increase in capability over what was previously notified. The proposed articles and services will support Australia's capability to meet current and future threats and will enhance interoperability with the U.S. and other allied forces.

(v) (U) *Justification:* This proposed sale will support the foreign policy and national security objectives of the United States. Australia is one of our most important allies in the Western Pacific. The strategic location of this political and economic power contributes significantly to ensuring peace and economic stability in the Western Pacific. It is vital to the U.S. national interest to assist our ally in developing and maintaining a strong and ready self-defense capability.

(vi) (U) *Sensitivity of Technology:*

The AN/ARC–231A is a software defined radio (SDR) that implements a National Security Administration (NSA) modernized, Type 1, embedded cryptographic solution. It provides joint service standard LOS, HAVE QUICK, SATURN, and Single Channel Ground to Air Radio System electronic counter-counter measures, along with integrated waveform SATCOM. The AN/ARC–231A has mobile user objective system capability and provides extended coverage across 30 to 512 MHz frequency with expandability up to two GHz. The AN/ARC–231A programmable feature supports evolving waveform communication requirements and equipment special mission modifications for enhanced performance. The AN/ARC–231A Software Communications Architecture SDR design allows for software-only upgrades of future capability advancements. Performance compliance is in accordance with military waveforms and software that ensure interoperability for joint force operations. The AN/ARC–231A is a drop-in replacement for the RT–1808A and fully backward compatible with all ancillaries. Multiple control interface options such as independent red and black MIL–STD–1553, Ethernet, and universal serial bus allows flexible integration. AN/ARC–231 provides ED–23C (8.33 kHz) international compliance air traffic control communications.

The EAGLE M EGI is a self-contained, all-attitude navigation system with embedded GPS receiver, controlled via MIL–STD–1553B controller providing output navigation precision approach capability, GPS timing data to support ADS–B out, wide area augmentation system, and other platform systems. EAGLE M EGI provides precise

positioning system Y-code and M-code operation when loaded with NSA approved COMSEC keys via SKL. EAGLE M EGI supports the CH–47F, UH–60M, UH–60V, Future Attack and Reconnaissance Aircraft. Requires written U.S. Space Force Release Authorization in General. No technical manual for EAGLE M devices. EAGLE M devices follow two-level maintenance, operator, and depot.

The CIRCM system is the next-generation lightweight, laser-based, infrared countermeasure system for rotary-wing, tilt-rotor, and small fixed-wing aircraft across the Department of War. CIRCM provides near spherical coverage of the host platform to defeat infrared-seeking threat missiles. CIRCM receives an angular bearing hand-off from the CMWS and employs a pointing and tracking system that acquires and tracks an incoming missile. CIRCM jams the missile by using modulated laser energy, thus degrading the tracking capability of the missile and causing it to miss the aircraft.

The KGV–72 programmable encryption device provides traffic encryption for Force Battle Command Brigade and Below (FBCB2) BFT satellite network multicast and unicast transmission of mapping, short messaging, and geolocation application data. Designed for use in tactical ground and rotary wing platforms, the KGV–72 connects to a commercial L-Band transceiver and FBCB2 BFT computer to secure beyond LOS communication.

The Sensitivity of Technology Statement contained in the original notification applies to additional items mentioned.

The highest level of classification of defense articles, components, and services included in this potential sale is SECRET.

(vii) (U) *Date Report Delivered to Congress:* April 27, 2026

[FR Doc. 2026–11399 Filed 6–5–26; 8:45 am]

BILLING CODE 6001–FR–P

DEPARTMENT OF DEFENSE

Office of the Secretary

[Transmittal No. 26–1C]

Arms Sales Notification

AGENCY: Defense Security Cooperation Agency (DSCA), Department of Defense (DoD).

ACTION: Arms sales notice.

SUMMARY: The DoD is publishing the unclassified text of an arms sales notification.

FOR FURTHER INFORMATION CONTACT: Urooj Zahra at (703) 695–6233, *urooj.zahra.civ@mail.mil,* or *dsca.ncr.rsrcmgmt.list.cns-mbx@mail.mil*.

SUPPLEMENTARY INFORMATION: This 36(b) arms sales notification is published to fulfill the requirements of section 155 of Public Law 104–164 dated July 21, 1996. The following is a copy of the attached Transmittal 26–1C.

Dated: June 3, 2026.

Stephanie J. Bost,

Alternate OSD Federal Register Liaison Officer, Department of Defense.

Transmittal No. 26–1C

REPORT OF ENHANCEMENT OR UPGRADE OF SENSITIVITY OF TECHNOLOGY OR CAPABILITY (SEC. 36(B)(5)(C), AECA)

(i) *Prospective Purchaser:* Government of Germany

(ii) *Sec. 36(b)(1), AECA Transmittal No.:* 23–26

Date: May 11, 2023

Implementing Agency: Army

Funding Source: National Funds

(iii) *Description:* On May 11, 2023, Congress was notified by congressional certification transmittal number 23–26 of the possible sale, under Section 36(b)(1) of the Arms Export Control Act, of sixty (60) CH–47F Block II cargo helicopters with customer-unique modifications; one hundred forty (140) T–55–GA–714A engines (120 installed, 20 spares); seventy-two (72) AN/AAR–57 Common Missile Warning Systems (60 installed, 12 spares); and two hundred eighty-four (284) AN/ARC–231A Communications Security (COMSEC) radios (240 installed, 44 spares). Also included were AN/AVR–2B laser detecting sets; AN/APR–39C(V)1 radar detecting sets; AN/ARC–220 High Frequency radios with Electronic Counter-Countermeasures; military Precise Positioning Service (to include Selective Availability Anti-Spoofing Module or M-code); Digital Advanced Flight Control Systems; AN/APX–123A Identification Friend or Foe (IFF) transponder; AN/ARN–147 Very High Frequency Omnidirectional Range and Instrument Landing System; AN/ARN–153 Tactical Air Navigation Systems; air data computers; AN/APN–209 radar altimeter systems; AN/PYQ–10 simple key loaders; KIV–77 Mode 4/5 IFF applique; KY–100M Narrowband/Wideband terminal COMSEC devices; AN/AVS–6 night vision devices; IDM–401 improved data modem; air-to-air refueling probes; M134 gun mounts; infrared suppression system; engine air particle separator; ballistic protection system with cockpit; cabin sides; Midas underfloor cooling system; Extended Range Fuel Systems (ERFS) 800 gal and 500 gal; forward area refueling equipment; tie down materiel and helicopter under-slung load equipment for internal and external loads; rotor brake; rescue hoists; fast rope insertion/extraction system; electro optical infrared sensors; crash resistant pilot and troop seats; skis; life rafts; litter straps and fittings; mission equipment (*e.g.,* jungle penetrator; litter basket; and Jacob's Ladder); airborne tactical extraction platform; special tools and test equipment; ground support equipment; airframe and engine spare parts; technical data; publications; maintenance work orders/engineering change proposals; repair and return; technical assistance; airworthiness assistance; transportation of aircraft; training; flight training and maintenance trainers; and other related elements of logistics and program support. The estimated total program value was $8.50 billion. Major defense equipment (MDE) constituted $3.35 billion of this total.

On April 23, 2025, Congress was notified by congressional certification transmittal number 25–0G of the possible sale, under Section 36(b)(5)(C) of the Arms Export Control Act, of the following additional MDE items: forty-seven (47) OT–228/U Common Infrared Countermeasures; and one hundred forty-four (144) ''EAGLE–M'' aviation navigation systems comprised of Enhanced Aviation Global Air Traffic Management systems, Localizer Performance with Vertical Guidance instruments, and Embedded Global Positioning System (GPS)/Inertial Navigation Systems with M-code. The following non-MDE items were also included: Multi-Platform Anti-Jam GPS Navigation Antenna-Federated, Type Designator: AS–4840; communications systems; and other related elements of logistics and program support. The estimated total cost of the new items was $0.63 billion. The MDE value increased by $0.63 billion to a revised $3.98 billion but did not require an increase in the estimated total case value. Instead, $0.63 billion of the available, previously notified non-MDE value was transferred to the MDE value, causing a decrease in the non-MDE value to $4.52 billion. The estimated total case value remained unchanged at $8.50 billion.

This transmittal notifies a pricing increase of previously reported CH–47F Block II Cargo Helicopters; and the addition of seventy-two (72) Radar Detecting Sets, AN/APR–39E(V)2. The estimated MDE value will increase by $1.02 billion to a revised $5.0 billion

but will not require an increase in the estimated total case value. Instead, $1.02 billion of the available, previously notified non-MDE value will be transferred to the MDE value, causing a decrease in the non-MDE value to $3.50 billion. The estimated total case value of $8.50 billion will remain unchanged. MDE constitutes $5.0 billion of this total.

(iv) *Significance:* This notification accounts for a pricing adjustment and additional MDE items not included in the original notification. The inclusion of this MDE represents an increase in capability over what was previously notified. The proposed sale will improve Germany's heavy lift capability, intended to enhance its capability to strengthen its homeland defense and deter regional threats.

(v) *Justification:* This proposed sale will support the foreign policy goals and national security objectives of the United States by improving the security of a NATO Ally that is a force for political stability and economic progress in Europe.

(vi) *Sensitivity of Technology:*

The AN/APR–39E(V)2 Radar Warning Receiver is a radar threat detection system that passively detects, categorizes, and prioritizes radio frequency threats to aircraft and provides an audio/visual cue to the aircrew. AN/APR–39E(V)2 provides a fully digital capability to enhance threat discrimination in the millimeter wave band and increased overall system performance against frequency-agile radio frequency and Active Electronically Scanned Array threat radars.

The highest level of classification of defense articles, components, and services included in this potential sale is SECRET.

(vii) *Date Report Delivered to Congress:* May 19, 2026

[FR Doc. 2026–11403 Filed 6–5–26; 8:45 am]

BILLING CODE 6001–FR–P

DEPARTMENT OF DEFENSE

Office of the Secretary

[Transmittal No. 26–45]

Arms Sales Notification

AGENCY: Defense Security Cooperation Agency (DSCA), Department of Defense (DoD).

ACTION: Arms sales notice.

SUMMARY: The DoD is publishing the unclassified text of an arms sales notification.

FOR FURTHER INFORMATION CONTACT: Urooj Zahra at (703) 695–6233, *urooj.zahra.civ@mail.mil,* or *dsca.ncr.rsrcmgmt.list.cns-mbx@mail.mil.*

SUPPLEMENTARY INFORMATION: This 36(b) arms sales notification is published to fulfill the requirements of section 155 of Public Law 104–164 dated July 21, 1996. The following is a copy of the attached Transmittal 26–45, Policy Justification, and Sensitivity of Technology.

Dated: June 3, 2026.

Stephanie J. Bost,

Alternate OSD Federal Register Liaison Officer, Department of Defense.

Transmittal No. 26–45

Notice of Proposed Issuance of Letter of Offer Pursuant to Section 36(b)(1) of the Arms Export Control Act, as amended

(i) *Prospective Purchaser:* Republic of Korea

(ii) *Total Estimated Value:*

Major Defense Equipment *	$2.3 billion
Other	$0.7 billion
TOTAL	$3.0 billion

(iii) *Description and Quantity or Quantities of Articles or Services under Consideration for Purchase:*

Major Defense Equipment (MDE):

Twenty-four (24) MH–60R Multi-Mission Helicopters

Fifty-two (52) Embedded Global Positioning System/Precise Positioning Service/Inertial Navigation Systems with Selective Availability/Anti-Spoofing Module (48 installed, 4 spares)

Twenty-four (24) Airborne Low Frequency Sonars

Eight (8) M240D 7.62mm machine guns

Non-MDE:

The following non-MDE items will also be included: T700–GE–401D engines; AN/AVS–9 Night Vision Devices (NVDs); M514 impulse cartridge/cartridge actuated devices; MJ20 cartridge actuated thruster/cartridge actuated devices; WB53 fire extinguisher cartridge/cartridge actuated devices; CCU–136A/A impulse cartridges; AN/AAR–47 missile warning systems; AN/APX–123 Identification Friend or Foe transponders; AN/ALE–47 dispenser, electronic countermeasures; AN/AAS–44C(V) multi-spectral targeting systems; IFF Mode 4⁄5 cryptographic applique, KIV–78; Joint Mission Planning Systems; Training Simulators/Operational Machine Interface Assistants; Aviation Maintenance Weapons Loading Trainer; Tactical Operational Flight Trainer; AN/ALQ–210 Electronic Support Measures systems; APS–153(V) multi-mode radars; spare engine containers; spare and repair parts; support and test equipment; communications equipment; ferry support; publications and technical documentation; personnel training and training equipment; U.S. Government and contractor engineering, technical, and logistics support services; obsolescence engineering, integration, and test activities required to ensure readiness for the production of the Korean MH–60R Multi-Mission Helicopters; and other related elements of logistics and program support.

(iv) *Military Department:* Navy (KS–P–SEY)

(v) *Prior Related Cases, if any:* KS–P–SEL; KS–P–GST

(vi) *Sales Commission, Fee, etc., Paid, Offered, or Agreed to be Paid:* None known at this time

(vii) *Sensitivity of Technology Contained in the Defense Article or Defense Services Proposed to be Sold:* See Attached Annex

(viii) *Date Report Delivered to Congress:* May 18, 2026

* as defined in Section 47(6) of the Arms Export Control Act.

POLICY JUSTIFICATION

Republic of Korea—MH–60R Multi-Mission Helicopters

Republic of Korea has requested to buy twenty-four (24) MH–60R Multi-Mission Helicopters; fifty-two (52) Embedded Global Positioning System/Precise Positioning Service/Inertial Navigation Systems with Selective Availability/Anti-Spoofing Module (48 installed, 4 spares); twenty-four (24) Airborne Low Frequency Sonars; and eight (8) M240D 7.62mm machine guns. The following non-major defense equipment items will also be included: T700–GE–401D engines; M514 impulse cartridge/cartridge actuated devices; MJ20 cartridge actuated thruster/cartridge actuated devices; WB53 fire extinguisher cartridge/cartridge actuated devices; CCU–136A/A impulse cartridges; AN/AAR–47 missile warning systems; AN/APX–123 Identification Friend or Foe transponders; AN/ALE–47 dispenser, electronic countermeasures; AN/AAS–44C(V) multi-spectral targeting systems; IFF Mode 4/5 cryptographic applique, KIV–78; Joint Mission Planning Systems; Training Simulators/Operational Machine

Interface Assistant, Avionics Training System; Training Simulators/Operational Machine Interface Assistants; Aviation Maintenance Weapons Loading Trainer; Tactical Operational Flight Trainer; AN/ALQ–210 Electronic Support Measures systems; APS–153(V) multi-mode radars; spare engine containers; spare and repair parts; support and test equipment; communications equipment; ferry support; publications and technical documentation; personnel training and training equipment; U.S. Government and contractor engineering, technical, and logistics support services; obsolescence engineering, integration, and test activities required to ensure readiness for the production of the Korean MH–60R helicopters; and other related elements of logistics and program support. The estimated total cost is $3.0 billion.

This proposed sale will support the foreign policy and national security objectives of the United States by improving the security of a major ally that is an important force for political stability and economic progress in the Indo-Pacific region.

The proposed sale will improve Republic of Korea's capability to meet current and future threats by strengthening its Navy's multi mission helicopter capability and by providing a credible force that is capable of deterring adversaries. The Republic of Korea will have no difficulty absorbing this equipment into its armed forces.

The proposed sale of this equipment and support will not alter the basic military balance in the region.

The principal contractor will be Lockheed Martin Rotary and Mission Systems, located in Owego, NY. At this time, the U.S. Government is not aware of any offset agreement proposed in connection with this potential sale. Any offset agreement will be defined in negotiations between the purchaser and the contractor.

Implementation of this proposed sale will require the assignment of one U.S. Government and two contractor representatives to the Republic of Korea for a duration up to three years to support maintenance and sustain operations.

There will be no adverse impact on U.S. defense readiness as a result of this proposed sale.

Transmittal No. 26–45

Notice of Proposed Issuance of Letter of Offer Pursuant to Section 36(b)(1) of the Arms Export Control Act

Annex

Item No. vii

(vii) *Sensitivity of Technology:*

1. The MH–60R Multi-Mission Helicopter focuses primarily on anti-submarine and anti-surface warfare missions. The MH–60R also performs search and rescue, surface target engagements, surveillance, communications relay, logistics support, personnel transfer, and vertical replenishment missions. The MH–60R carries several sensors and data links to enhance its ability to work in a network centric battle group and as an extension of its home ship/main operating base.

2. The mission equipment subsystem consists of the following sensors and subsystems: an acoustics system capable of future dipping sonar and sonobuoy operations, Multi-Mode Radar with integral Identification Friend or Foe interrogator, radios with communications security, electronic support measures, integrated self-defense, and multi-spectral targeting system. The aircraft processes sensor data onboard and transmits data via common data link (also referred to as Hawklink). The aircraft is night vision compatible. It can carry AGM–114A/B/K/N/R Hellfire missiles, as well as MK 46/54 torpedoes to engage surface and sub-surface targets.

3. The MH–60R Multi-Mission Helicopter is capable of carrying the Airborne Low Frequency Sonars, GAU–61 digital rocket launchers, Advanced Precision Kill Weapons System, GAU–21 crew served guns, and M240 crew served guns. The MH–60R weapons system is classified up to SECRET. Unless otherwise noted below, MH–60R hardware and support equipment, test equipment and maintenance spares are UNCLASSIFIED except when electrical power is applied to hardware containing volatile data storage. Technical data and documentation for MH–60R weapons systems (to include sub-systems and weapons listed below) are classified up to SECRET. This would be the second procurement of MH–60R multi-mission helicopters by the Republic of Korea.

4. The highest level of classification of defense articles, components, and services included in this potential sale is SECRET.

5. If a technologically advanced adversary were to obtain knowledge of the specific hardware and software elements, the information could be used to develop countermeasures that might reduce weapon system effectiveness or be used in the development of a system with similar or advanced capabilities

6. A determination has been made that Republic of Korea can provide substantially the same degree of protection for the sensitive technology being released as the U.S. Government. This sale is necessary in furtherance of the U.S. foreign policy and national security objectives outlined in the Policy Justification.

All defense articles and services listed in this transmittal have been authorized for release and export to the Government of the Republic of Korea.

[FR Doc. 2026–11406 Filed 6–5–26; 8:45 am]

BILLING CODE 6001–FR–P

DEPARTMENT OF DEFENSE

Office of the Secretary

[Transmittal No. 26–36]

Arms Sales Notification

AGENCY: Defense Security Cooperation Agency (DSCA), Department of Defense (DoD).

ACTION: Arms sales notice.

SUMMARY: The DoD is publishing the unclassified text of an arms sales notification.

FOR FURTHER INFORMATION CONTACT: Urooj Zahra at (703) 695–6233, *urooj.zahra.civ@mail.mil,* or *dsca.ncr.rsrcmgmt.list.cns-mbx@mail.mil*.

SUPPLEMENTARY INFORMATION: This 36(b) arms sales notification is published to fulfill the requirements of section 155 of Public Law 104–164 dated July 21, 1996. The following is a copy of the attached Transmittal 26–36 and Policy Justification.

Dated: June 3, 2026.

Stephanie J. Bost,

Alternate OSD Federal Register Liaison Officer, Department of Defense.

Transmittal No. 26–36

Notice of Proposed Issuance of Letter of Offer Pursuant to Section 36(b)(1) of the Arms Export Control Act, as amended

(i) *Prospective Purchaser:* Government of Philippines

(ii) *Total Estimated Value:*

Major Defense Equipment *	$0
Other	$150 million
TOTAL	$150 million

Funding Source: Foreign Military Financing

(iii) *Description and Quantity or Quantities of Articles or Services under Consideration for Purchase:*

Major Defense Equipment (MDE):
None
Non-MDE:
The following non-MDE items will be included: Bell 505 Jet Ranger X Helicopters; spare parts including main rotor blades; tail rotor blades; full length trainer shoes; training for twenty-two (22) pilots including ground and flight training, left seat orientation, and Instrument Meteorological Conditions (IMC) and Helicopter Upset Recovery; maintenance training for six (6) students including Bell 505 Maintenance Officer Course; field maintenance, integrated avionics, component maintenance, and Safran engine maintenance training for twenty-two (22) students; Bell 505 Veris flight simulators including Integrated Logistics Support (ILS) package for five (5) years, and operator and maintenance training for six (6) students; Field Support Representative and Logistics Support Representative for one (1) year; ILS, tools, and ground support equipment for two (2) operating bases supporting twenty-two (22) aircraft operating two hundred (200) hours per year for a duration of five (5) years; subscriptions including electronic online; technical publications for twenty (20) years; Garmin subscription for five (5) years; Program Management Reviews for three (3) years hosted once annually; delivery and reassembly of the Bell 505 Jet Ranger X Helicopters; and other related elements of logistics and program support.

(iv) *Military Department:* Army (PI–B–CAE)

(v) *Prior Related Cases, if any:* None

(vi) *Sales Commission, Fee, etc., Paid, Offered, or Agreed to be Paid:* None known at this time

(vii) *Sensitivity of Technology Contained in the Defense Article or Defense Services Proposed to be Sold:* None

(viii) *Date Report Delivered to Congress:* May 5, 2026

* as defined in Section 47(6) of the Arms Export Control Act.

POLICY JUSTIFICATION

(U) Philippines—Bell 505 Jet Ranger X Helicopter

(U) The Government of Philippines has requested to buy Bell 505 Jet Ranger X Helicopters; spare parts including main rotor blades; tail rotor blades; full length trainer shoes; pilot training for twenty-two (22) pilots including ground and flight training, left seat orientation, and Instrument Meteorological Conditions and Helicopter Upset Recovery; maintenance training for six (6) students including Bell 505 Maintenance Officer Course; field maintenance, integrated avionics, component maintenance, and Safran engine maintenance training for twenty-two (22) students. This proposed acquisition also includes Bell 505 Veris flight simulators; an Integrated Logistics Support (ILS) package for five (5) years, and operator and maintenance training for six (6) students; Field Support Representative and Logistics Support Representative for one (1) year; ILS, tools, and ground support equipment for two (2) operating bases supporting twenty-two (22) aircraft operating two hundred (200) hours per year for a duration of five (5) years; subscriptions including electronic online; technical publications for twenty (20) years; Garmin subscription for five (5) years; Program Management Reviews for three (3) years hosted once annually; delivery and reassembly of the Bell 505 Jet Ranger X Helicopters; and other related elements of logistics and program support. The estimated total cost is $150 million.

(U) This proposed sale will support the foreign policy and national security of the United States by helping to improve the security of a strategic partner that continues to be an important force for political stability, peace, and economic progress in the Southeast Asia.

(U) The proposed sale will improve Philippines' capability to meet current and future threats by providing aircraft competency gaps in operating rotary wing aircraft as part of an upgraded Bell 505 Jet Ranger X Helicopter modern aircraft equipped with advanced system and thereby enhancing comprehensive training. This enhanced capability will facilitate the smooth transition for pilots to more complex rotary aircraft within the Armed Forces Philippines, and it is a cost-effective solution for developing rotary wing pilots.

(U) The proposed sale of this equipment and support will not alter the basic military balance in the region.

(U) The principal contractor will be Bell Textron Inc., located in Fort Worth, TX. At this time, the U.S. Government is not aware of any offset agreement proposed in connection with this potential sale. Any offset agreement will be defined in negotiations between the purchaser and the contractor.

(U) Implementation of this proposed sale will require the assignment of any additional three U.S. Government and three contractor representatives to Philippines for a duration of three years to support program requirements and technical oversight.

(U) There will be no adverse impact on U.S. defense readiness as a result of this proposed sale.

[FR Doc. 2026–11407 Filed 6–5–26; 8:45 am]

BILLING CODE 6001–FR–P

DEPARTMENT OF DEFENSE

Office of the Secretary

[Transmittal No. 26–0T]

Arms Sales Notification

AGENCY: Defense Security Cooperation Agency (DSCA), Department of Defense (DoD).

ACTION: Arms sales notice.

SUMMARY: The DoD is publishing the unclassified text of an arms sales notification.

FOR FURTHER INFORMATION CONTACT: Urooj Zahra at (703) 695–6233, *urooj.zahra.civ@mail.mil,* or *dsca.ncr.rsrcmgmt.list.cns-mbx@mail.mil*.

SUPPLEMENTARY INFORMATION: This 36(b) arms sales notification is published to fulfill the requirements of section 155 of Public Law 104–164 dated July 21, 1996. The following is a copy of the attached Transmittal 26–0T.

Dated: June 3, 2026.

Stephanie J. Bost,

Alternate OSD Federal Register Liaison Officer, Department of Defense.

Transmittal No. 26–0T

REPORT OF ENHANCEMENT OR UPGRADE OF SENSITIVITY OF TECHNOLOGY OR CAPABILITY (SEC. 36(B)(5)(C), AECA)

(i) *Prospective Purchaser:* Government of the Netherlands

(ii) *Sec. 36(b)(1), AECA Transmittal No.:* 25–35
Date: April 25, 2025
Implementing Agency: Navy

(iii) *Description:* On April 25, 2025, Congress was notified by congressional certification transmittal number 25–35 of the possible sale under Section 36(b)(1) of the Arms Export Control Act, of up to one hundred sixty-three (163) Tomahawk Block V All Up Rounds (AURs); twelve (12) Tomahawk Block IV AURs; up to ten (10) Tactical Tomahawk Weapons Control Systems (TTWCS); and up to two (2) Tomahawk Block IV telemetry missiles. The following non-major defense equipment (MDE) items were also included: satellite data link terminals (KIV–18A);

integrated secure broadcast systems (KSX–5); communications security devices (KGV–135A); technical, programmatic, engineering, and logistical support for the Tomahawk AUR missiles, TTWCS, mission distribution software; missile containers; software; hardware; training; training devices; unscheduled missile maintenance; spares; in-service support; communication equipment; operational flight test; publications; engineering and technical expertise to maintain the capability; non-recurring engineering; transportation; and other related elements of logistics and program support. The estimated total cost was $2.19 billion. MDE constituted $0.95 billion of this total.

This transmittal notifies the inclusion of the following non-MDE items: Block V Vertical Launch System test missiles; Theater Mission Planning Center (TMPC) communications system; and the TMPC Mission Planning System. The estimated total value of the new items is $400 million. No additional MDE items will be added and will remain at $0.95 billion. The estimated non-MDE value will increase by $400 million to a revised $1.64 billion. The estimated total case value will increase by $400 million to a revised $2.59 billion. MDE will remain $0.95 billion of this total.

(iv) *Significance:* This notification accounts for requested additional non-MDE items not included in the original notification. The inclusion of this non-MDE represents an increase in capability over what was previously notified. The proposed articles and services will support Netherlands capability to meet current and future threats by planning missions to employ long-range, conventional surface-to-surface missiles with significant standoff range that can neutralize growing threats.

(v) *Justification:* This proposed sale will support the foreign policy and national security objectives of the United States by improving the security of a NATO Ally which is an important force for political stability and economic progress in Europe.

(vi) *Sensitivity of Technology:*

The Block V Test Missiles are test missiles to be launched from the Netherlands' Air Defense and Command Frigates to certify the platform ahead of Initial Operational Capability.

The Tomahawk mission planning capability contains dynamic technology, hardware, and software which enhances the operational employment of the Tomahawk Land Attack Missile.

The highest level of classification of defense articles, components, and services included in this potential sale is SECRET.

(vii) *Date Report Delivered to Congress:* May 18, 2026

[FR Doc. 2026–11400 Filed 6–5–26; 8:45 am]

BILLING CODE 6001–FR–P

DEPARTMENT OF DEFENSE

Office of the Secretary

[Transmittal No. 0C–26]

Arms Sales Notification

AGENCY: Defense Security Cooperation Agency (DSCA), Department of Defense (DoD).

ACTION: Arms sales notice.

SUMMARY: The DoD is publishing the unclassified text of an arms sales notification.

FOR FURTHER INFORMATION CONTACT: Urooj Zahra at (703) 695–6233, *urooj.zahra.civ@mail.mil,* or *dsca.ncr.rsrcmgmt.list.cns-mbx@mail.mil.*

SUPPLEMENTARY INFORMATION: This 36(b) arms sales notification is published to fulfill the requirements of section 155 of Public Law 104–164 dated July 21, 1996. The following is a copy of the attached Transmittal 0C–26.

Dated: June 3, 2026.

Stephanie J. Bost,

Alternate OSD Federal Register Liaison Officer, Department of Defense.

Transmittal No. 0C–26

REPORT OF ENHANCEMENT OR UPGRADE OF SENSITIVITY OF TECHNOLOGY OR CAPABILITY (SEC. 36(B)(5)(A), AECA)

(i) *Prospective Purchaser:* Government of Singapore

(ii) *Sec. 36(b)(1), AECA Transmittal No.:* 23–03

Date: February 9, 2023

Implementing Agency: Air Force

Funding Source: National Funds

(iii) *Description:* On February 9, 2023, Congress was notified by congressional certification transmittal number 23–03 of the possible sale, under Section 36(b)(1) of the Arms Export Control Act, of one hundred (100) KMU–556 tail kits for Joint Direct Attack Munition (JDAM) GBU–31; nine hundred (900) KMU–572 tail kits for JDAM GBU–38 and Laser JDAM GBU–54; two hundred fifty (250) MAU–169 Computer Control Groups for 500-lb Paveway-II (PWII) GBU–12; and two hundred fifty (250) MXU–650 Air Foil Groups for 500-lb PWII GBU–12. The following items were also included: DSU–38 laser guidance sets; Common Munitions Built-In-Test/Reprogramming Equipment; spare parts, consumables, accessories, and repair and returns support; aircraft and munitions support and support equipment; personnel training and training equipment; unclassified software; unclassified technical books and other publications; U.S. Government and contractor engineering, technical, and logistics support services, studies and surveys; and other related elements of program and logistics support. The estimated total value was $55 million. Major defense equipment (MDE) constituted $37 million of this total.

On September 18, 2024, Congress was notified by congressional certification transmittal number 24–0S of the possible sale, under section 36(b)(5)(C) of the Arms Export Control Act, of the addition of the following MDE items: two hundred ninety (290) KMU–556 tail kits for JDAM GBU–31; nine hundred sixty-four (964) KMU–572 tail kits for JDAM GBU–38 and Laser JDAM GBU–54. The following non-MDE items were also included: bomb components; aircraft component parts and accessories; logistics and program support. The estimated total value of the new items was $63 million. The total MDE value was increased by $55 million to a revised $92 million. The total non-MDE value increased by $8 million to a revised $26 million. The estimated total case value was increased by $63 million to a revised $118 million. MDE constituted $92 million of this total.

This transmittal notifies the inclusion of the following additional MDE items: one hundred sixty-five (165) MAU–169 Computer Control Groups for 500-lb Paveway-II (PWII) GBU–12; and one hundred sixty-five (165) MXU–650 Air Foil Groups for 500-lb PWII GBU–12. The following non-MDE items will also be included: logistics and program support. The estimated total cost of the new items is $24 million. The estimated MDE value will increase by $3 million to a revised $95 million. The estimated non-MDE value will increase by $21 million to a revised $47 million. The estimated total case value will increase by $24 million to a revised $142 million. MDE constitutes $95 million of this total.

(iv) *Significance:* This notification accounts for requested additional MDE and non-MDE items not included in the original notification. The inclusion of this MDE and non-MDE represents an increase in capability over what was previously notified. The proposed sale will improve Singapore's capability to maintain operational readiness and

interoperability with U.S. and coalition forces.

(v) *Justification:* This proposed sale will enhance the foreign policy and national security objectives of the United States by improving the security of a strategic partner that is an important force for political stability and economic progress in Asia.

(vi) *Sensitivity of Technology:*

The Sensitivity of Technology statement contained in the original notification applies to items reported here.

The highest level of classification of defense articles, components, and services included in this potential sale is SECRET.

(vii) *Date Report Delivered to Congress:* May 18, 2026

[FR Doc. 2026–11398 Filed 6–5–26; 8:45 am]

BILLING CODE 6001–FR–P

DEPARTMENT OF DEFENSE

Office of the Secretary

[Transmittal No. 26–30]

Arms Sales Notification

AGENCY: Defense Security Cooperation Agency (DSCA), Department of Defense (DoD).

ACTION: Arms sales notice.

SUMMARY: The DoD is publishing the unclassified text of an arms sales notification.

FOR FURTHER INFORMATION CONTACT: Urooj Zahra at (703) 695–6233, *urooj.zahra.civ@mail.mil,* or *dsca.ncr.rsrcmgmt.list.cns-mbx@mail.mil*.

SUPPLEMENTARY INFORMATION: This 36(b) arms sales notification is published to fulfill the requirements of section 155 of Public Law 104–164 dated July 21, 1996. The following is a copy of the attached Transmittal 26–30, Policy Justification, and Sensitivity of Technology.

Dated: June 3, 2026.

Stephanie J. Bost,

Alternate OSD Federal Register Liaison Officer, Department of Defense.

Transmittal No. 26–30

Notice of Proposed Issuance of Letter of Offer Pursuant to Section 36(b)(1) of the Arms Export Control Act, as amended

(i) (U) *Prospective Purchaser:* Government of Ukraine

(ii) (U) *Total Estimated Value:*

Major Defense Equipment *	$ 93.6 million
Other	$280.0 million
TOTAL	$373.6 million

Funding Source: Jumpstart Funding from the Netherlands and Denmark

(iii) (U) *Description and Quantity or Quantities of Articles or Services under Consideration for Purchase:*

Major Defense Equipment (MDE):

One thousand two hundred (1,200) KMU–572 joint direct attack munition (JDAM) tail kits

Three hundred thirty-two (332) KMU–556 JDAM tail kits

Non-MDE:

The following non-MDE items will also be included: FMU–139 fuze systems; JDAM support equipment; spare and repair parts, consumables and accessories, and repair and return support; weapons software and support equipment; classified and unclassified publications and technical documentation; transportation support; studies and surveys; U.S. Government and contractor engineering, technical and logistics support services; and other related elements of logistics and program support.

(iv) (U) *Military Department:* Air Force (JU–D–YAB)

(v) (U) *Prior Related Cases, if any:* KA–D–YAE; NW–D–YAA

(vi) (U) *Sales Commission, Fee, etc., Paid, Offered, or Agreed to be Paid:* None known at this time

(vii) (U) *Sensitivity of Technology Contained in the Defense Article or Defense Services Proposed to be Sold:* See Attached Annex

(viii) (U) *Date Report Delivered to Congress:* May 5, 2026

* as defined in Section 47(6) of the Arms Export Control Act.

POLICY JUSTIFICATION

(U) *Ukraine—Joint Direct Attack Munitions—Extended Range*

(U) The Government of Ukraine has requested to buy one thousand two hundred (1,200) KMU–572 joint direct attack munition (JDAM) tail kits; and three hundred thirty-two (332) KMU–556 JDAM tail kits. The following non-MDE items will also be included: FMU–139 fuze systems; JDAM support equipment; spare and repair parts, consumables and accessories, and repair and return support; weapons software and support equipment; classified and unclassified publications and technical documentation; transportation support; studies and surveys; U.S. Government and contractor engineering, technical and logistics support services; and other related elements of logistics and program support. The estimated total cost is $373.6 million.

(U) This proposed sale will support the foreign policy and national security objectives of the United States by improving the security of a partner country that is a force for political stability and economic progress in Europe.

(U) The proposed sale will improve Ukraine's capability to meet current and future threats by further equipping it to conduct self-defense and regional security missions with a more robust air defense capability. Ukraine will have no difficulty absorbing these articles and services into its armed forces.

(U) The proposed sale of this equipment and support will not alter the basic military balance in the region.

(U) The principal contractor will be Boeing Company, located in St. Louis, MO. At this time, the U.S. Government is not aware of any offset agreement proposed in connection with this potential sale. Any offset agreement will be defined in negotiations between the purchaser and the contractor.

(U) Implementation of this proposed sale will not require the assignment of any additional U.S. Government or contractor representatives to Ukraine.

(U) There will be no adverse impact on U.S. defense readiness as a result of this proposed sale.

Transmittal No. 26–30

Notice of Proposed Issuance of Letter of Offer Pursuant to Section 36(b)(1) of the Arms Export Control Act

Annex

Item No. vii

(vii) *Sensitivity of Technology:*

1. (U) The joint direct attack munition—extended range (JDAM–ER) consists of a bomb body paired with a warhead-specific tail kit containing an inertial navigation system/global positioning system guidance capability that converts unguided free-fall bombs into accurate, adverse weather ''smart'' munitions. The ER wing kit can be readily installed on existing JDAM MK–82 500-lb weapons and JDAM MK–84 2000-lb weapons in the field and can also be used with a MK–82 laser JDAM weapon. The JDAM weapon can be used against a variety of land and surface targets during the day or night. The JDAM can receive target coordinates via preplanned mission data from the delivery aircraft, by onboard aircraft sensors (*i.e.,* Forward-Looking Infrared radar, etc.) during captive carry, or from a third-party source via manual or automated aircrew cockpit entry.

2. (U) The FMU–139 joint programmable fuze (JPF) is a multi-delay, multi-arm, and proximity sensor compatible with general purpose blast, frag, and hardened-target penetrator weapons. The JPF settings are cockpit

selectable in flight when used with numerous precision-guided weapons.

3. (U) The highest level of classification of defense articles, components, and services included in this potential sale is SECRET.

4. (U) If a technologically advanced adversary were to obtain knowledge of the specific hardware and software elements, the information could be used to develop countermeasures that might reduce system effectiveness or be used in the development of a system with similar or advanced capabilities.

5. (U) A determination has been made that Ukraine can provide substantially the same degree of protection for the sensitive technology being released as the U.S. Government. This proposed sale is necessary in furtherance of the U.S. foreign policy and national security objectives outlined in the Policy Justification

6. (U) All defense articles and services listed in this transmittal have been authorized for release and export to the Government of Ukraine.

[FR Doc. 2026–11404 Filed 6–5–26; 8:45 am]

BILLING CODE 6001–FR–P

DEPARTMENT OF DEFENSE

Office of the Secretary

[Transmittal No. 26–52]

Arms Sales Notification

AGENCY: Defense Security Cooperation Agency (DSCA), Department of Defense (DoD).

ACTION: Arms sales notice.

SUMMARY: The DoD is publishing the unclassified text of an arms sales notification.

FOR FURTHER INFORMATION CONTACT: Urooj Zahra at (703) 695–6233, *urooj.zahra.civ@mail.mil,* or *dsca.ncr.rsrcmgmt.list.cns-mbx@mail.mil.*

SUPPLEMENTARY INFORMATION: This 36(b) arms sales notification is published to fulfill the requirements of section 155 of Public Law 104–164 dated July 21, 1996. The following is a copy of the attached Transmittal 26–52, Policy Justification, and Sensitivity of Technology.

Dated: June 3, 2026.

Stephanie J. Bost,

Alternate OSD Federal Register Liaison Officer, Department of Defense.

Transmittal No. 26–52

Notice of Proposed Issuance of Letter of Offer Pursuant to Section 36(b)(1) of the Arms Export Control Act, as amended

(i) *Prospective Purchaser:* Government of Belgium

(ii) *Total Estimated Value:*

Major Defense Equipment *	$ 0 million
Other	$236 million
TOTAL	$236 million

(iii) *Description and Quantity or Quantities of Articles or Services under Consideration for Purchase:*

Major Defense Equipment (MDE):

None

Non-MDE:

The following non-MDE items will be included: AGM–184 Joint Strike Missiles; spare parts, consumables and accessories, repair and return support; training aids, devices, and spare parts; testing and multi-purpose missile equipment; classified and unclassified software delivery and support; classified and unclassified publications and technical documentation; transportation support; U.S. Government and contractor engineering, technical, and logistics support services; and other related elements of logistics and program support.

(iv) *Military Department:* Air Force (BE–D–YAB)

(v) *Prior Related Cases, if any:* None

(vi) *Sales Commission, Fee, etc., Paid, Offered, or Agreed to be Paid:* None known at this time

(vii) *Sensitivity of Technology Contained in the Defense Article or Defense Services Proposed to be Sold:* See Attached Annex

(viii) *Date Report Delivered to Congress:* May 18, 2026

* as defined in Section 47(6) of the Arms Export Control Act.

POLICY JUSTIFICATION

Belgium—AGM–184 Joint Strike Missiles

The Government of Belgium has requested to buy AGM–184 Joint Strike Missiles; spare parts, consumables and accessories, repair and return support; training aids, devices, and spare parts; testing and multi-purpose missile equipment; classified and unclassified software delivery and support; classified and unclassified publications and technical documentation; transportation support; U.S. Government and contractor engineering, technical, and logistics support services; and other related elements of logistics and program support. The estimated total cost is up to $236 million.

This proposed sale will support the foreign policy and national security objectives of the United States by improving the security of a NATO Ally which is an important force for political stability and economic progress in Europe.

The proposed sale will improve Belgium's capability to meet current and future threats by enhancing the lethality of its F–35 platform and assisting the Belgium Defense with completing their core tasks of contributing to the collective defense of NATO. Belgium will have no difficulty absorbing these articles and services into its armed forces.

The proposed sale of this equipment and support will not alter the basic military balance in the region.

The principal contractors will be Kongsberg Defence and Aerospace AS, located in Kongsberg, Norway; and RTX Corporation, located in Arlington, VA. At this time, the U.S. Government is not aware of any offset agreement proposed in connection with this potential sale. Any offset agreement will be defined in negotiations between the purchaser and the contractor.

Implementation of this proposed sale will not require the assignment of any additional U.S. Government or contractor representatives to Belgium.

There will be no adverse impact on U.S. defense readiness as a result of this proposed sale.

Transmittal No. 26–52

Notice of Proposed Issuance of Letter of Offer Pursuant to Section 36(b)(1) of the Arms Export Control Act

Annex

Item No. vii

(vii) *Sensitivity of Technology:*

1. The AGM–184 Joint Strike Missile is an air-launched, low-radar signature, high subsonic, long-range, precision-guided, network enabled, stand-off cruise missile. It is primarily integrated into the F–35 but can also be deployed on other platforms. It incorporates sophisticated guidance systems which include a combination of Global Positioning System, and Precise Positioning Services, Inertial Navigation System, and Terrain Contour Matching for enroute guidance and imaging infrared seeker with Autonomous Target Recognition, capable of identifying specific targets for terminal guidance. The missile can engage both ships and

land targets and is capable of sea-skimming or following complex terrain to evade detection. The warhead is a 260-pound class blast-fragmentation warhead.

2. The highest level of classification of defense articles, components, and services included in this potential sale is SECRET.

3. If a technologically advanced adversary were to obtain knowledge of the specific hardware and software elements, the information could be used to develop countermeasures that might reduce system effectiveness or be used in the development of a system with similar or advanced capabilities.

4. A determination has been made that Belgium can provide substantially the same degree of protection for the sensitive technology being released as the U.S. Government. This proposed sale is necessary in furtherance of the U.S. foreign policy and national security objectives outlined in the Policy Justification.

5. All defense articles and services listed in this transmittal have been authorized for release and export to the Government of Belgium.

[FR Doc. 2026–11402 Filed 6–5–26; 8:45 am]

BILLING CODE 6001–FR–P

DEPARTMENT OF DEFENSE

Office of the Secretary

[Transmittal No. 26–43]

Arms Sales Notification

AGENCY: Defense Security Cooperation Agency (DSCA), Department of Defense (DoD).

ACTION: Arms sales notice.

SUMMARY: The DoD is publishing the unclassified text of an arms sales notification.

FOR FURTHER INFORMATION CONTACT: Urooj Zahra at (703) 695–6233, *urooj.zahra.civ@mail.mil,* or *dsca.ncr.rsrcmgmt.list.cns-mbx@mail.mil*.

SUPPLEMENTARY INFORMATION: This 36(b) arms sales notification is published to fulfill the requirements of section 155 of Public Law 104–164 dated July 21, 1996. The following is a copy of the attached Transmittal 26–43, Policy Justification, and Sensitivity of Technology.

Dated: June 3, 2026.

Stephanie J. Bost,

Alternate OSD Federal Register Liaison Officer, Department of Defense.

Transmittal No. RSAT 26–43

Notice of Proposed Issuance of Letter of Offer Pursuant to Section 36(b)(1) of the Arms Export Control Act, as amended

(i) *Prospective Purchaser:* Republic of Korea

(ii) *Total Estimated Value:*

Major Defense Equipment *	$0.358 billion
Other	$0.842 billion
TOTAL	$1.200 billion

(iii) *Description and Quantity or Quantities of Articles or Services under Consideration for Purchase:*

Major Defense Equipment (MDE):

Eight (8) AN/APG–78 Fire Control Radars (FCR) Mast Mounted Assembly

Eight (8) Longbow FCR Radar Electronic Units

Forty (40) AN/ARC–231A (RT 1987) Very High Frequency/Ultra High Frequency radios

Non-MDE:

The following non-MDE items will also be included: Small Tactical Terminal KOR–24A with Link 16 capability; Improved Data Modem-401; AAR–57 Common Missile Warning System; Manned-Unmanned Teaming X; Enhanced Image Intensifier (EI2) cameras; items and services to support the mission equipment; communication and navigation equipment; special tools and test equipment; support equipment; U.S. Government and contractor engineering, technical, and logistics support services; repair, support, and test equipment; spare and repair parts; transportation and organization equipment; software delivery and support; publications and technical documentation; personnel training and training equipment; and other related elements of logistics and program support.

(iv) *Military Department:* Army (KS–B–ZJF)

(v) *Prior Related Cases, if any:* KS–B–ZCF; KS–B–ZFQ

(vi) *Sales Commission, Fee, etc., Paid, Offered, or Agreed to be Paid:* None known at this time

(vii) *Sensitivity of Technology Contained in the Defense Article or Defense Services Proposed to be Sold:* See Attached Annex

(viii) *Date Report Delivered to Congress:* May 18, 2026

* as defined in Section 47(6) of the Arms Export Control Act.

POLICY JUSTIFICATION

Korea—AH–64E Apache Upgrade Program

The Republic of Korea has requested to buy eight (8) AN/APG–78 Fire Control Radars (FCR) Mast Mounted Assembly; eight (8) Longbow FCR Radar Electronic Units; forty (40) AN/ARC–231A (RT 1987) Very High Frequency/Ultra High Frequency radios. The following non-major defense equipment items will also be included: Small Tactical Terminal KOR–24A with Link 16 capability; Improved Data Modem-401; AAR–57 Common Missile Warning System; Manned-Unmanned Teaming X (MUM–TX); Enhanced Image Intensifier (EI2) cameras; items and services to support the mission equipment; communication and navigation equipment; special tools and test equipment; support equipment; U.S. Government and contractor engineering, technical, and logistics support services; repair, support, and test equipment; spare and repair parts; transportation and organization equipment; software delivery and support; publications and technical documentation; personnel training and training equipment; and other related elements of logistics and program support. The estimated total cost is $1.2 billion.

This proposed sale will support the foreign policy and national security objectives of the United States by improving the security of a major ally that is an important force for political stability and economic progress in the Indo-Pacific region.

The proposed sale will improve Republic of Korea's capability to meet current and future threats by strengthening its Army heavy attack helicopter capability and providing a credible force that is capable of deterring adversaries. The Republic of Korea will have no difficulty absorbing this equipment into its armed forces.

The proposed sale of this equipment and support will not alter the basic military balance in the region.

The principal contractor will be The Boeing Company, located in Arlington, VA. At this time, the U.S. Government is not aware of any offset agreement proposed in connection with this potential sale. Any offset agreement will be defined in negotiations between the purchaser and the contractor.

Implementation of this proposed sale will not require the assignment of any additional U.S. Government or contractor representatives to Korea.

There will be no adverse impact on U.S. defense readiness as a result of this proposed sale.

Transmittal No. 26–43

Notice of Proposed Issuance of Letter of Offer Pursuant to Section 36(b)(1) of the Arms Export Control Act

Annex

Item No. vii

(vii) *Sensitivity of Technology:*

1. The AH–64E Apache attack helicopter is the U.S. Army's advanced attack helicopter, equipped for performing close air support, anti-armor, and armed reconnaissance missions. The AH–64E Apache attack helicopter contains the following communications and target identification equipment, navigation equipment, aircraft survivability equipment, displays, and sensors.

2. The AN/APG–78 Longbow Fire Control Radar (FCR) with Radar Electronics Unit is an active, low-probability of intercept, millimeter wave radar. The active radar is combined with a passive Radar Frequency Interferometer mounted on top of the helicopter mast. The FCR Ground Targeting Mode detects, locates, classifies, and prioritizes stationary or moving armored vehicles, tanks, and mobile air defense systems as well as hovering helicopters, helicopters, and fixed wing aircraft in normal flight. If desired, the radar data can be used to refer targets to the regular electro-optical Modernized Target Acquisition Designation Sight (MTADS).

3. The AN/ARC–231A (RT 1987) Very High Frequency (VHF)/Ultra High Frequency (UHF) radio is a multi-mode software defined radio providing line-of-sight VHF/UHF secure and non-secure voice and data communications over the 30.000–941.000 MHz frequency and satellite communications beyond line-of-sight secure and non-secure voice and data, including demand assignment multiple access communications from 240–320 MHz frequency on manned and unmanned aviation platforms. ARC–231A (RT 1987) includes improved type-1 cryptographic algorithm and processing capabilities, civil land mobile radio, Single Channel Ground and Airborne Radio System capabilities, HAVE QUICK, second-generation Anti-jam Tactical UHF Radio for NATO waveform, 8.33 kHz channel spacing for Global Air Traffic Management compliance, and capability for Mobile User Objective System waveform through possible future hardware and software updates.

4. The Link 16 data link is a military tactical data link network. Link 16 provides aircrews with enhanced situational awareness and the ability to exchange target information to Command and Control (C2) assets via Tactical Digital Information Link-Joint (TADIL–J). The Link 16 can provide a range of combat information in near-real time to U.S. and allies' combat aircraft and C2 centers. The AH–64E uses the Harris Small Tactical Terminal (STT) KOR–24A to provide Airborne, Maritime, Fixed Station Small Airborne Link 16 Terminal capability. The STT is the latest generation of small, two-channel, Link 16 and VHF/UHF radio terminals. While in flight, the STT provides simultaneous communication, voice or data, on two key waveforms.

5. The Improved Data Modem (IDM) provides digital air-to-air and air-to-ground connectivity and transmission of air-to-air target data between IDM equipped aircraft using legacy radio and crypto equipment. The IDM also serves as interface between aircraft mission computers, data capable radios, and Tactical internet (TI). The IDM manages Situational Awareness data, processes command and control messages, and incorporates protocols for sending and receiving mission command digital messages on the TI, Private Net, and Longbow Net using the protocols Air Force Application Program Development Net and Variable Message Format.

6. The Manned-Unmanned Teaming X (MUM–TX) data link system provides cross-platform communication and teaming between Apache, unmanned aerial systems (UAS), and other interoperable aircraft and ground platforms. It provides the ability to display real-time UAS sensor information and MTADS full motion video feeds across MUM–TX equipped platforms and ground stations.

7. The AAR–57 Common Missile Warning System (CMWS) detects energy emitted by threat missile in-flight, evaluates potential false alarm emitters in the environment, declares validity of threat, and selects appropriate countermeasures for defeat. The CMWS consists of an electronic control unit, Electro-Optic Missile Sensors, sequencer, and Improved Countermeasures Dispenser.

8. The highest level of classification of defense articles, components, and services included in this potential sale is SECRET.

9. If a technologically advanced adversary were to obtain knowledge of the specific hardware and software elements, the information could be used to develop countermeasures that might reduce system effectiveness or be used in the development of a system with similar or advanced capabilities.

10. A determination has been made that Korea can provide substantially the same degree of protection for the sensitive technology being released as the U.S. Government. This proposed sale is necessary in furtherance of the U.S. foreign policy and national security objectives outlined in the Policy Justification.

11. All defense articles and services listed in this transmittal have been authorized for release and export to the Republic of Korea.

[FR Doc. 2026–11401 Filed 6–5–26; 8:45 am]

BILLING CODE 6001–FR–P

DEPARTMENT OF EDUCATION

[Docket No.: ED–2026–SCC–1057]

Agency Information Collection Activities; Submission to the Office of Management and Budget for Review and Approval; Comment Request; Annual Report of Children in State Agency and Locally Operated Institutions for Neglected and Delinquent Children

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 currently approved information collection request (ICR).

DATES: Interested persons are invited to submit comments on or before July 8, 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 Victoria Rosenboom, (202) 987–1625.

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: Annual Report of Children in State Agency and Locally Operated Institutions for Neglected and Delinquent Children.

OMB Control Number: 1810–0060.

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: 2,812.

Total Estimated Number of Annual Burden Hours: 4,061.

Abstract: The U.S. Department of Education (ED) is requesting a three-year extension of the Annual Report of Children in Institutions for Neglected or Delinquent Children, Adult Correctional Institutions, and Community Day Programs for Neglected and Delinquent Children. Approval of this form is needed in order to continue the on-going collection of data used to allocate funds authorized under Title I, Part A and Title I, Part D, Subparts 1 and 2 of the Elementary and Secondary Education Act of 1965 (ESEA). Title I, Part A provides formula grants to local educational agencies (LEAs), through State educational agencies (SEAs), to improve the teaching and learning of at-risk students in high-poverty schools. In order to calculate Title, I, Part A allocations, ED must annually collect data on the number of children living in locally operated institutions for neglected or delinquent (N or D) children.

Ross Santy,

Chief Data Officer, Office of Planning, Evaluation and Policy Development.

[FR Doc. 2026–11396 Filed 6–5–26; 8:45 am]

BILLING CODE 4000–01–P

DEPARTMENT OF ENERGY

International Energy Agency Meetings

AGENCY: Department of Energy.

ACTION: Notice of meetings.

SUMMARY: The Industry Advisory Board (IAB) to the International Energy Agency (IEA) will meet on June 17, 2026, and June 18, 2026, as a hybrid meeting via webinar and in person, in connection with a joint meeting of the IEA's Standing Group on Emergency Questions (SEQ) and the IEA's Standing Group on the Oil Market (SOM) which is scheduled at the same time via webinar and in person.

DATES: June 17 and 18, 2026.

ADDRESSES: The location details of the SEQ and SOM webinar meeting are under the control of the IEA Secretariat, located at 9 rue de la Fédération, 75015 Paris, France. The in-person meeting will take place at IEA Headquarters, 9 rue de la Fédération, 75015 Paris, France.

FOR FURTHER INFORMATION CONTACT: Mr. Matthew Zogby, Attorney Advisor in the Office of the Assistant General Counsel for International and National Security Programs, Department of Energy, 1000 Independence Avenue SW, Washington, DC 20585, (202) 586–5000, *matthew.zogby@hq.doe.gov.*

SUPPLEMENTARY INFORMATION: In accordance with section 252(c)(1)(A)(i) of the Energy Policy and Conservation Act (42 U.S.C. 6272(c)(1)(A)(i)) (EPCA), the following notice of meetings is provided:

A meeting of the Industry Advisory Board (IAB) to the International Energy Agency (IEA) will be held in person and via webinar at the IEA Headquarters, 9 rue de la Fédération, 75015 Paris, commencing at 9:30 a.m., Paris time, on June 17, 2026. The purpose of this notice is to permit attendance by representatives of U.S. company members of the IAB at a meeting of the IEA's Standing Group on Emergency Questions (SEQ), which is scheduled to be held at the same location in person and via webinar at the same time. The IAB will also hold an online preparatory meeting among company representatives at 2 p.m., Paris time, on June 10, 2026. The agenda for this preparatory meeting is to review the agenda for the SEQ meeting.

The agenda of the SEQ meeting is under the control of the SEQ. It is expected that the SEQ will adopt the following agenda:

Closed SEQ Session—IEA Member Countries Only

1. Adoption of the Agenda
2. Approval of Summary Record of meeting of 26 March 2026 SEQ meeting
3. Stockholding Levels of IEA Member Countries
4. IEA Collective Action
5. Emergency Data Collection QuE

Open SEQ Session—Open to Association Countries

6. Energy Security Update: Southeast Asia
7. Energy Security Update: Ukraine/Moldova
8. Energy Security Update: Southeast Europe
9. Update on Energy Security Developments in Member Countries
10. LPG supply disruption and policy responses
11. Energy Crisis Policy Response Tracker
12. Crisis Response: IEA Cooperation with IMF and World Bank
13. Electricity Security: Impacts from the ongoing energy crisis
14. Emergency and Security Review (ESR) of Portugal
15. Update on Ongoing Work on Natural Gas Security
16. Update on Critical Minerals Reviews
17. Industry Advisory Board Update
18. Any other business:

Schedule of ESRs for 2026/27

Schedule of SEQ & SOM Meetings for 2026/27:

—17–19 November 2026
—24–25 March 2027
—23–24 June 2027
—17–18 November 2027

A meeting of the Industry Advisory Board (IAB) to the International Energy Agency (IEA) will be held in person and via webinar at the IEA Headquarters, 9 rue de la Fédération, 75015 Paris, commencing at 9:30 a.m., Paris time, on June 18, 2026. The purpose of this notice is to permit attendance by representatives of U.S. company members of the IAB at a joint meeting of the IEA's Standing Group on the Oil Market (SOM) and the IEA's Standing Group on Emergency Questions (SEQ), which is scheduled to be held at the same location in person and via webinar at the same time.

The agenda of the meeting is under the control of the SOM and the SEQ. It is expected that the SOM and the SEQ will adopt the following agenda:

1. Adoption of the Agenda
2. Approval of Summary Record of the 25 March 2026 meeting of the SEQ/SOM
3. Update on the Current Oil Market Situation
4. Update on the Outlook for European Refining

5. Aviation—Jet Fuel Update
6. Global Oil Inventory Developments
7. Assessing European Oil Inventories—ARA Case Study
8. Update on the Current Gas Market Situation
9. US Industry Response to Crisis
10. Traders Perspective
11. Infrastructure and Reconstruction and Recovery Timelines Following War in the Middle East
12. Update on the Global Outlook for Electric Vehicles
13. World Energy Investment Report
14. Any other business:

Date of next SOM/SEQ meetings:

—18–19 November 2026 (ERE 2026 will be 17–18 November)

As provided in section 252(c)(1)(A)(ii) of the Energy Policy and Conservation Act (42 U.S.C. 6272(c)(1)(A)(ii)), the meetings of the IAB are open to representatives of members of the IAB and their counsel; representatives of members of the IEA's Standing Group on Emergency Questions and the IEA's Standing Group on the Oil Markets; representatives of the Departments of Energy, Justice, and State, the Federal Trade Commission, the General Accounting Office, Committees of Congress, the IEA, and the European Commission; and invitees of the IAB, the SEQ, the SOM, or the IEA.

Signing Authority: This document of the Department of Energy was signed on June 4, 2026, by Andrew Rapp, Acting Assistant Secretary, Office of International Affairs, pursuant to delegated authority from the Secretary of Energy. That document with the original signature and date is maintained by DOE. For administrative purposes only, and in compliance with requirements of the Office of the Federal Register, the undersigned DOE Federal Register Liaison Officer has been authorized to sign and submit the document in electronic format for publication, as an official document of the Department of Energy. This administrative process in no way alters the legal effect of this document upon publication in the **Federal Register**.

Signed in Washington, DC, June 4, 2026.

Jennifer Hartzell,

Alternate Federal Register Liaison Officer, U.S. Department of Energy.

[FR Doc. 2026–11433 Filed 6–5–26; 8:45 am]

BILLING CODE 6450–01–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 and Accounting Request filings:

Filings Instituting Proceedings

Docket Numbers: AC26–78–000.
Applicants: Phillips 66 Pipeline LLC.
Description: Phillips 66 Pipeline LLC submits proposed journal entries re the 01/01/2026 acquisition of Spire NGL LLC.
Filed Date: 6/3/26.
Accession Number: 20260603–5056.
Comment Date: 5 p.m. ET 6/24/26.

Docket Numbers: RP26–917–000.
Applicants: Texas Eastern Transmission, LP.
Description: 4(d) Rate Filing: Negotiated Rates—Con Ed to NRG 9004628 eff 6–1–26 to be effective 6/1/2026.
Filed Date: 6/3/26.
Accession Number: 20260603–5018.
Comment Date: 5 p.m. ET 6/24/26.

Any person desiring to intervene, to protest, or to answer a complaint in any of the above proceedings must file in accordance with Rules 211, 214, or 206 of the Commission's Regulations (18 CFR 385.211, 385.214, or 385.206) on or before 5:00 p.m. Eastern time on the specified comment date. Protests may be considered, but intervention is necessary to become a party to the proceeding.

The filings are accessible in the Commission's eLibrary system (*https://elibrary.ferc.gov/idmws/search/fercgensearch.asp*) by querying the docket number.

eFiling is encouraged. More detailed information relating to filing requirements, interventions, protests, service, and qualifying facilities filings can be found at: *http://www.ferc.gov/docs-filing/efiling/filing-req.pdf.* For other information, call (866) 208–3676 (toll free). For TTY, call (202) 502–8659.

For public inquiries and assistance with making filings such as interventions, comments, or requests for rehearing, contact the Office of Public Participation at (202) 502–6595 or *OPP@ferc.gov.*

Dated: June 3, 2026.

Carlos D. Clay,

Deputy Secretary.

[FR Doc. 2026–11439 Filed 6–5–26; 8:45 am]

BILLING CODE 6717–01–P

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Project No. 1930–090]

Southern California Edison Company; Notice of Application Tendered for Filing With the Commission and Establishing Procedural Schedule for Licensing and Deadline for Submission of Final Amendments

Take notice that the following hydroelectric application has been filed with the Commission and is available for public inspection.

a. *Type of Application:* New Major License.
b. *Project No.:* 1930–090.
c. *Date Filed:* May 27, 2026.
d. *Applicant:* Southern California Edison Company (SCE).
e. *Name of Project:* Kern River No. 1 Hydroelectric Project (project).
f. *Location:* The existing project is located on the lower Kern River in Kern County, California. The existing project occupies 116.79 acres of federal lands within the Sequoia National Forest which is under the jurisdiction of the U.S. Forest Service.
g. *Filed Pursuant to:* Federal Power Act, 16 U.S.C. 791 (a)–825(r).
h. *Applicant Contact:* Mr. Wayne Allen, Principal Manager, Regulatory Support Services, SCE Co., 2244 Walnut Grove Avenue, Rosemead, CA 91770; Phone at (626) 302–9741 or email at *wayne.allen@sce.com.*
i. *FERC Contact:* Jessica Fefer at (202) 502–6631; or email at *jessica.fefer@ferc.gov.*
j. This application is not ready for environmental analysis at this time.
k. *The Project Description:* the project consists of: (1) a 27 acre impoundment; (2) a 58-foot-high cyclopean-concrete overflow gravity dam; (3) a 329-foot-long drainage tunnel with a 72-inch electric motor operated sluice gate at the base of dam; (4) a water intake structure which diverts water to the dam and includes two trash racks, one located immediately adjacent to the diversion dam and the other approximately 40-feet upstream; (5) a 104-foot-long, 20-foot-wide sandbox which is located approximately 700 feet downstream of the diversion dam at the head of the flowline; (6) a flowline which is comprised of a series of below and above-ground tunnels, flumes and conduits and is designed to carry a maximum of 412 cubic feet per second (cfs); (7) a forebay which is a 45-foot-long, 33-foot-wide, and 11-foot-deep concrete gravity structure that impounds less than 1 acre-feet of water

to regulate flow to the powerhouse; (8) an approximately 1,693-foot-long buried steel penstock which carries water to the powerhouse; and (9) a powerhouse which contains four Allis-Chalmers turbines rated at a total of 43,000 horsepower, and four horizontal shaft General Electric generators with a total installed capacity of 26,280 kilowatts or 26.3 megawatts; (10) a tailrace to slow the water exiting the powerhouse as it re-enters the river; (11) a switchyard located adjacent to the powerhouse; (12) necessary controls for semiautomatic operation; (13) access roads (2.35 miles) and trails (4.73 miles); (14) a 1,844-foot-long powerline that extends from the Democrat Dam Intake Gatehouse to an outlet box near the southern end of Flume No. 1; (15) a 1,665-foot-long communication line extending from the powerhouse to the forebay at the upper end of the penstock; (16) 3 gauging stations; (17) two stilling wells to measure water level in Kern River and the water conveyance system; and (18) appurtenant facilities.

The project is operated in a run-of-river mode with an estimated annual generating capacity is 26.3 megawatt hours. SCE proposes to continue to operate the project in a run-of-river mode.

l. In addition to publishing this notice in the **Federal Register**, the Commission provides all interested persons an opportunity to view and/or print the contents of this notice, as well as other documents in the proceeding (*e.g.,* license application) via the internet through the Commission's Home Page (*http://www.ferc.gov*), using the ''eLibrary'' link. Enter the docket number, excluding the last three digits in the docket number field to access the document (P–1930). For assistance, contact FERC at *FERCOnlineSupport@ferc.gov,* (866) 208–3676 (toll free), or (202) 502–8659 (TTY).

You may also register online at *http://www.ferc.gov/docs-filing/esubscription.asp* to be notified via email of new filings and issuances related to this or other pending projects. For assistance, contact FERC Online Support.

n. 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*.

o. *Procedural Schedule:* The application will be processed according to the following preliminary Hydro Licensing Schedule. Revisions to the schedule may be made as appropriate.

Milestone	Target date
Notice of Acceptance/Notice of Ready for Environmental Analysis (when FERC approved studies are complete).	August 2026.
Filing of recommendations, preliminary terms and conditions, and fishway prescriptions	October 2026.
Commission issues Non-Draft Environmental Assessment (EA)	January 2027.
Comments on EA	February 2027.
Modified terms and conditions	April 2027.

o. Final amendments to the application must be filed with the Commission no later than 30 days from the issuance date of the notice of ready for environmental analysis.

(Authority: 18 CFR 2.1)

Dated: June 3, 2026.

Carlos D. Clay,

Deputy Secretary.

[FR Doc. 2026–11442 Filed 6–5–26; 8:45 am]

BILLING CODE 6717–01–P

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

Combined Notice of Filings #2

Take notice that the Commission received the following electric rate filings:

Docket Numbers: ER19–2150–009.

Applicants: Shawville Power, LLC.

Description: Compliance filing: Compliance Filing Regarding Effective Date to be effective 10/25/2023.

Filed Date: 6/3/26.

Accession Number: 20260603–5124.

Comment Date: 5 p.m. ET 6/24/26.

Docket Numbers: ER19–2150–010.

Applicants: Shawville Power, LLC.

Description: Compliance filing: Compliance Filing Regarding Effective Date to be effective 11/1/2024.

Filed Date: 6/3/26.

Accession Number: 20260603–5126.

Comment Date: 5 p.m. ET 6/24/26.

Docket Numbers: ER19–2151–009.

Applicants: New Castle Power, LLC.

Description: Compliance filing: Compliance Filing Regarding Effective Date to be effective 10/25/2023.

Filed Date: 6/3/26.

Accession Number: 20260603–5105.

Comment Date: 5 p.m. ET 6/24/26.

Docket Numbers: ER19–2151–010.

Applicants: New Castle Power, LLC.

Description: Compliance filing: Compliance Filing Regarding Effective Date to be effective 11/1/2024.

Filed Date: 6/3/26.

Accession Number: 20260603–5106.

Comment Date: 5 p.m. ET 6/24/26.

Docket Numbers: ER19–2152–009.

Applicants: Brunot Island Power, LLC.

Description: Compliance filing: Compliance Filing Regarding Effective Date to be effective 10/25/2023.

Filed Date: 6/3/26.

Accession Number: 20260603–5085.

Comment Date: 5 p.m. ET 6/24/26.

Docket Numbers: ER19–2152–010.

Applicants: Brunot Island Power, LLC.

Description: Compliance filing: Compliance Filing Regarding Effective Date to be effective 11/1/2024.

Filed Date: 6/3/26.

Accession Number: 20260603–5086.

Comment Date: 5 p.m. ET 6/24/26.

Docket Numbers: ER19–2153–009.

Applicants: Gilbert Power, LLC.

Description: Compliance filing: Compliance Filing Regarding Effective Date to be effective 10/25/2023.

Filed Date: 6/3/26.

Accession Number: 20260603–5089.

Comment Date: 5 p.m. ET 6/24/26.

Docket Numbers: ER19–2153–010.

Applicants: Gilbert Power, LLC.

Description: Compliance filing: Compliance Filing Regarding Effective Date to be effective 11/1/2024.

Filed Date: 6/3/26.

Accession Number: 20260603–5090.

Comment Date: 5 p.m. ET 6/24/26.

Docket Numbers: ER19–2154–008.

Applicants: Sayreville Power, LLC.

Description: Compliance filing: Compliance Filing Regarding Effective Date to be effective 10/25/2023.

Filed Date: 6/3/26.

Accession Number: 20260603–5111.

Comment Date: 5 p.m. ET 6/24/26.

Docket Numbers: ER19–2154–009.

Applicants: Sayreville Power, LLC.

Description: Compliance filing: Compliance Filing Regarding Effective Date to be effective 11/1/2024.

Filed Date: 6/3/26.
Accession Number: 20260603–5115.
Comment Date: 5 p.m. ET 6/24/26.
Docket Numbers: ER19–2155–009.
Applicants: Portland Power, LLC.
Description: Compliance filing: Compliance Filing Regarding Effective Date to be effective 10/25/2023.
Filed Date: 6/3/26.
Accession Number: 20260603–5109.
Comment Date: 5 p.m. ET 6/24/26.
Docket Numbers: ER19–2155–010.
Applicants: Portland Power, LLC.
Description: Compliance filing: Compliance Filing Regarding Effective Date to be effective 11/1/2024.
Filed Date: 6/3/26.
Accession Number: 20260603–5110.
Comment Date: 5 p.m. ET 6/24/26.
Docket Numbers: ER19–2156–009.
Applicants: Warren Generation, LLC.
Description: Compliance filing: Compliance Filing Regarding Effective Date to be effective 10/25/2023.
Filed Date: 6/3/26.
Accession Number: 20260603–5134.
Comment Date: 5 p.m. ET 6/24/26.
Docket Numbers: ER19–2156–010.
Applicants: Warren Generation, LLC.
Description: Compliance filing: Compliance Filing Regarding Effective Date to be effective 11/1/2024.
Filed Date: 6/3/26.
Accession Number: 20260603–5137.
Comment Date: 5 p.m. ET 6/24/26.
Docket Numbers: ER19–2157–009.
Applicants: Mountain Power, LLC.
Description: Compliance filing: Compliance Filing Regarding Effective Date to be effective 10/25/2023.
Filed Date: 6/3/26.
Accession Number: 20260603–5100.
Comment Date: 5 p.m. ET 6/24/26.
Docket Numbers: ER19–2157–010.
Applicants: Mountain Power, LLC.
Description: Compliance filing: Compliance Filing Regarding Effective Date to be effective 11/1/2024.
Filed Date: 6/3/26.
Accession Number: 20260603–5101.
Comment Date: 5 p.m. ET 6/24/26.
Docket Numbers: ER19–2158–009.
Applicants: Orrtanna Power, LLC.
Description: Compliance filing: Compliance Filing Regarding Effective Date to be effective 10/25/2023.
Filed Date: 6/3/26.
Accession Number: 20260603–5107.
Comment Date: 5 p.m. ET 6/24/26.
Docket Numbers: ER19–2158–010.
Applicants: Orrtanna Power, LLC.
Description: Compliance filing: Compliance Filing Regarding Effective Date to be effective 11/1/2024.
Filed Date: 6/3/26.
Accession Number: 20260603–5108.
Comment Date: 5 p.m. ET 6/24/26.
Docket Numbers: ER19–2159–009.
Applicants: Shawnee Power, LLC.
Description: Compliance filing: Compliance Filing Regarding Effective Date to be effective 10/25/2023.
Filed Date: 6/3/26.
Accession Number: 20260603–5116.
Comment Date: 5 p.m. ET 6/24/26.
Docket Numbers: ER19–2159–010.
Applicants: Shawnee Power, LLC.
Description: Compliance filing: Compliance Filing Regarding Effective Date to be effective 11/1/2024.
Filed Date: 6/3/26.
Accession Number: 20260603–5119.
Comment Date: 5 p.m. ET 6/24/26.
Docket Numbers: ER19–2160–009.
Applicants: Titus Power, LLC.
Description: Compliance filing: Compliance Filing Regarding Effective Date to be effective 10/25/2023.
Filed Date: 6/3/26.
Accession Number: 20260603–5127.
Comment Date: 5 p.m. ET 6/24/26.
Docket Numbers: ER19–2160–010.
Applicants: Titus Power, LLC.
Description: Compliance filing: Compliance Filing Regarding Effective Date to be effective 11/1/2024.
Filed Date: 6/3/26.
Accession Number: 20260603–5130.
Comment Date: 5 p.m. ET 6/24/26.
Docket Numbers: ER19–2161–009.
Applicants: Hamilton Power, LLC.
Description: Compliance filing: Compliance Filing Regarding Effective Date to be effective 10/25/2023.
Filed Date: 6/3/26.
Accession Number: 20260603–5092.
Comment Date: 5 p.m. ET 6/24/26.
Docket Numbers: ER19–2161–010.
Applicants: Hamilton Power, LLC.
Description: Compliance filing: Compliance Filing Regarding Effective Date to be effective 11/1/2024.
Filed Date: 6/3/26.
Accession Number: 20260603–5094.
Comment Date: 5 p.m. ET 6/24/26.
Docket Numbers: ER19–2162–009.
Applicants: Blossburg Power, LLC.
Description: Compliance filing: Compliance Filing Regarding Effective Date to be effective 10/25/2023.
Filed Date: 6/3/26.
Accession Number: 20260603–5080.
Comment Date: 5 p.m. ET 6/24/26.
Docket Numbers: ER19–2162–010.
Applicants: Blossburg Power, LLC.
Description: Compliance filing: Compliance Filing Regarding Effective Date to be effective 11/1/2024.
Filed Date: 6/3/26.
Accession Number: 20260603–5084.
Comment Date: 5 p.m. ET 6/24/26.
Docket Numbers: ER19–2163–009.
Applicants: Hunterstown Power, LLC.
Description: Compliance filing: Compliance Filing Regarding Effective Date to be effective 10/25/2023.
Filed Date: 6/3/26.
Accession Number: 20260603–5096.
Comment Date: 5 p.m. ET 6/24/26.
Docket Numbers: ER19–2163–010.
Applicants: Hunterstown Power, LLC.
Description: Compliance filing: Compliance Filing Regarding Effective Date to be effective 11/1/2024.
Filed Date: 6/3/26.
Accession Number: 20260603–5098.
Comment Date: 5 p.m. ET 6/24/26.
Docket Numbers: ER19–2164–010.
Applicants: Tolna Power, LLC.
Description: Compliance filing: Compliance Filing Regarding Effective Date to be effective 10/25/2023.
Filed Date: 6/3/26.
Accession Number: 20260603–5131.
Comment Date: 5 p.m. ET 6/24/26.
Docket Numbers: ER19–2164–011.
Applicants: Tolna Power, LLC.
Description: Compliance filing: Compliance Filing Regarding Effective Date to be effective 11/1/2024.
Filed Date: 6/3/26.
Accession Number: 20260603–5133.
Comment Date: 5 p.m. ET 6/24/26.
Docket Numbers: ER24–2167–001.
Applicants: Sayreville Power, LLC.
Description: Compliance filing: Compliance Filing Regarding Effective Date to be effective 6/1/2024.
Filed Date: 6/3/26.
Accession Number: 20260603–5114.
Comment Date: 5 p.m. ET 6/24/26.
Docket Numbers: ER26–2724–000.
Applicants: Tri-State Generation and Transmission Association, Inc.
Description: 205(d) Rate Filing: Initial Filing of Rate Schedule No. 440 to be effective 8/3/2026.
Filed Date: 6/3/26.
Accession Number: 20260603–5077.
Comment Date: 5 p.m. ET 6/24/26.
Docket Numbers: ER26–2725–000.
Applicants: Idaho Power Company.
Description: 205(d) Rate Filing: Tariff Clean-Up: Attachments C, M and N to be effective 8/5/2026.
Filed Date: 6/3/26.
Accession Number: 20260603–5097.
Comment Date: 5 p.m. ET 6/24/26.
Docket Numbers: ER26–2726–000.
Applicants: Florida Power & Light Company.
Description: 205(d) Rate Filing: Revision to Section 17.3 of the FPL OATT to be effective 8/3/2026.
Filed Date: 6/3/26.
Accession Number: 20260603–5099.

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: June 3, 2026.

Carlos D. Clay,

Deputy Secretary.

[FR Doc. 2026–11438 Filed 6–5–26; 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: EC26–107–000.

Applicants: Gulf Pacific Power, LLC, Vandolah Power Company L.L.C.

Description: Joint Application for Authorization Under Section 203 of the Federal Power Act of Vandolah Power Company, L.L.C., et al.

Filed Date: 6/1/26.

Accession Number: 260601–5391.

Comment Date: 5 p.m. ET 6/22/26.

Take notice that the Commission received the following electric rate filings:

Docket Numbers: ER25–705–001.

Applicants: Green River Solar, LLC.

Description: Supplement to 07/31/2025, Green River Solar, LLC tariff filing.

Filed Date: 5/28/26.

Accession Number: 20260528–5349.

Comment Date: 5 p.m. ET 6/18/26.

Docket Numbers: ER26–2342–001.

Applicants: Tampa Electric Company.

Description: Tariff Amendment: Amended Emergency Interchange Service Schedules A&B to be effective 5/1/2026.

Filed Date: 6/3/26.

Accession Number: 20260603–5049.

Comment Date: 5 p.m. ET 6/24/26.

Docket Numbers: ER26–2717–000.

Applicants: Duke Energy Florida, LLC.

Description: 205(d) Rate Filing: Surplus Interconnection Service Study Agreement SA. No. 508 to be effective 8/2/2026.

Filed Date: 6/2/26.

Accession Number: 20260602–5151.

Comment Date: 5 p.m. ET 6/23/26.

Docket Numbers: ER26–2718–000.

Applicants: Duke Energy Carolinas, LLC.

Description: Tariff Amendment: Notice of Termination DEC–DEC EP Agreement RS 710 to be effective 8/13/2026.

Filed Date: 6/2/26.

Accession Number: 20260602–5166.

Comment Date: 5 p.m. ET 6/23/26.

Docket Numbers: ER26–2719–000.

Applicants: Southwest Power Pool, Inc.

Description: 205(d) Rate Filing: 2900R29 KMEA NITSA NOA to be effective 6/1/2026.

Filed Date: 6/3/26.

Accession Number: 20260603–5006.

Comment Date: 5 p.m. ET 6/24/26.

Docket Numbers: ER26–2720–000.

Applicants: Southwest Power Pool, Inc.

Description: 205(d) Rate Filing: 1166R48 Oklahoma Municipal Power Authority NITSA and NOA to be effective 9/1/2026.

Filed Date: 6/3/26.

Accession Number: 20260603–5017.

Comment Date: 5 p.m. ET 6/24/26.

Docket Numbers: ER26–2721–000.

Applicants: AEP Texas Inc.

Description: 205(d) Rate Filing: AEPTX—City Breeze BESS 2nd Amended Generator Interconnection Agreement to be effective 5/15/2026.

Filed Date: 6/3/26.

Accession Number: 20260603–5025.

Comment Date: 5 p.m. ET 6/24/26.

Docket Numbers: ER26–2722–000.

Applicants: Southwest Power Pool, Inc.

Description: 205(d) Rate Filing: 4489R2 OG&E Attachment AM to be effective 6/1/2026.

Filed Date: 6/3/26.

Accession Number: 20260603–5036.

Comment Date: 5 p.m. ET 6/24/26.

Take notice that the Commission received the following electric securities filings:

Docket Numbers: ES26–52–000.

Applicants: Southwest Power Pool, Inc.

Description: Application Under Section 204 of the Federal Power Act for Authorization to Issue Securities of Southwest Power Pool, Inc.

Filed Date: 6/1/26.

Accession Number: 20260601–5386.

Comment Date: 5 p.m. ET 6/22/26.

The filings are accessible in the Commission's eLibrary system by clicking on the links or querying the docket number. Any person desiring to intervene, to protest, or to answer a complaint in any of the above proceedings must file in accordance with Rules 211, 214, or 206 of the Commission's Regulations (18 CFR 385.211, 385.214, or 385.206) on or before 5:00 p.m. Eastern time on the specified comment date. Protests may be considered, but intervention is necessary to become a party to the proceeding.

eFiling is encouraged. More detailed information relating to filing requirements, interventions, protests, service, and qualifying facilities filings can be found at: *http://www.ferc.gov/docs-filing/efiling/filing-req.pdf.* For other information, call (866) 208–3676 (toll free). For TTY, call (202) 502–8659.

For public inquiries and assistance with making filings such as interventions, comments, or requests for rehearing, contact the Office of Public Participation at (202) 502–6595 or *OPP@ferc.gov.*

Dated: June 3, 2026.

Carlos D. Clay,

Deputy Secretary.

[FR Doc. 2026–11437 Filed 6–5–26; 8:45 am]

BILLING CODE 6717–01–P

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Project No. 9074–054]

Boralex Hydro Operations, Inc.; Notice of Application Accepted for Filing and Soliciting Motions To Intervene and Protests

Take notice that the following hydroelectric application has been filed with the Commission and is available for public inspection.

a. *Type of Application:* New Major License.

b. *Project No.:* 9074–054.

c. *Date filed:* December 31, 2024.

d. *Applicant:* Boralex Hydro Operations, Inc. (Boralex Hydro).

e. *Name of Project:* Warrensburg Hydroelectric Project (Warrensburg Project or project).

f. *Location:* On the Schroon River, Warrensburg, Warren County, New York.

g. *Filed Pursuant to:* Federal Power Act 16 U.S.C. 791(a)–825(r).

h. *Applicant Contacts:* Erik Bergman, Boralex Hydro Operations, 39 Hudson Falls Road, South Glens Falls, NY 12803; Phone at (518) 480–3962.

i. *FERC Contact:* Laurie Bauer at (202) 502–6519, or *laurie.bauer@ferc.gov*.

j. Deadline for filing motions to intervene and protests: on or before 5:00 p.m. Eastern Time on August 3, 2026.

The Commission strongly encourages electronic filing. Please file motions to intervene and protests using the Commission's eFiling system at *https://ferconline.ferc.gov/FERCOnline.aspx*. Commenters can submit brief comments up to 10,000 characters, without prior registration, using the eComment system at *https://ferconline.ferc.gov/QuickComment.aspx*. For assistance, please contact FERC Online Support 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, Maryland 20852. All filings must clearly identify the project name and docket number on the first page: Warrensburg Hydroelectric Project (P–9074–054).

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 on the official service list for the project. Further, if an intervenor files comments or documents with the Commission relating to the merits of an issue that may affect the responsibilities of a particular resource agency, they must also serve a copy of the document on that resource agency.

k. The application has been accepted for filing but is not ready for environmental analysis at this time.

l. The Warrensburg Hydroelectric Project consists of: (1) a broad crested concrete gravity dam, 184-feet-long and 22.5-feet-high, with nine 6-foot-high and 18-foot-wide hydraulically operated steel flashboards and one 6-foot-high and 18-foot-wide crest gate; (2) a 55-acre impoundment at elevation 643.6 feet National Geodetic Vertical Datum of 1929 (NGVD29), with a gross storage capacity of 500 acre-feet; (3) a 3-foot-wide by 40-foot-long intake equipped with a trash rack with 3.5-inch spacing; (4) a 38-foot by 88-foot concrete powerhouse containing a single Kaplan turbine-generating unit rated at 2,900 kilowatts at an average net head of 28 feet, with a hydraulic capacity of 1,565 cubic feet per second and an average annual output of 11.7 gigawatt-hours; (5) a reinforced concrete retaining wall, integral with the powerhouse, backfilled to an elevation of 653 feet NGVD29; (6) a 171-foot-long, 120-foot-wide riprap-lined tailrace channel; (7) a 0.7-mile, 34.5-kilovolt transmission line connecting to the Warrensburg Chesterton circuit; and (8) appurtenant facilities.

Boralex Hydro proposes to continue operating the Warrensburg Hydroelectric Project in a run-of-river mode.

m. A copy of the application can 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 documents (P–9074). For assistance, contact FERC Online Support (see item j above).

You may also register online at *https://ferconline.ferc.gov/FERCOnline.aspx* to be notified via email of new filings and issuances related to this or other pending projects. For assistance, contact FERC Online Support.

n. 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*.

o. Anyone may submit a protest or a motion to intervene in accordance with the requirements of Rules of Practice and Procedure, 18 CFR 385.210, 385.211, and 385.214. In determining the appropriate action to take, the Commission will consider all protests 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 protests or motions to intervene must be received on or before the specified deadline date for the particular application.

All filings must (1) bear in all capital letters the title ''PROTEST'' or ''MOTION TO INTERVENE;'' (2) set forth in the heading the name of the applicant and the project number of the application to which the filing responds; (3) furnish the name of the person protesting or intervening; and (4) otherwise comply with the requirements of 18 CFR 385.2001 through 385.2005. 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.

p. *Procedural schedule:* The application will be processed according to the following schedule. Revisions to the schedule will be made as appropriate.

Milestone	Target Date
Issue Scoping Notice for comments.	August 2026.
Scoping Comments due ...	September 2026.
Request Additional Information (if necessary).	October 2026.
Issue Notice of Ready for Environmental Analysis.	December 2026.

(Authority: 18 CFR 2.1)

Dated: June 3, 2026.

Carlos D. Clay,

Deputy Secretary.

[FR Doc. 2026–11445 Filed 6–5–26; 8:45 am]

BILLING CODE 6717–01–P

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Docket No. CP26–531–000]

National Fuel Gas Supply Corporation; Notice of Application and Establishing Intervention Deadline

Take notice that on May 26, 2026, National Fuel Gas Supply Corporation (National Fuel), 6363 Main Street, Williamsville, New York 14221, filed an application under section 7(b) of the Natural Gas Act (NGA) and Part 157 of the Commission's regulations requesting authorization for its Swede Hill Storage Field Abandonment Project (Project). The Project consists of the abandonment by sale, to Stirling Holding Company (Stirling), of all of its facilities comprising its Swede Hill Storage Field, including the base gas associated with the field, located in McKean County, Pennsylvania. The Project will allow National Fuel to avoid annual operation and maintenance expenses associated with the facilities and will allow Stirling to operate the facilities as part of its non-jurisdictional production and gathering facilities. National Fuel is not proposing to abandon service to any customer as part of the Project, all as more fully set forth in the application which is on file with the Commission and open for public inspection.

In addition to publishing the full text of this document in the **Federal Register**, the Commission provides all interested persons an opportunity to view and/or print the contents of this document via the internet through the

Commission's Home Page (*http://www.ferc.gov*). From the Commission's Home Page on the internet, this information is available on eLibrary. The full text of this document is available on eLibrary in PDF and Microsoft Word format for viewing, printing, and/or downloading. To access this document in eLibrary, type the docket number excluding the last three digits of this document in the docket number field.

User assistance is available for eLibrary and the Commission's website during normal business hours from FERC Online Support at (202) 502–6652 (toll free at 1–866–208–3676) or email at *ferconlinesupport@ferc.gov,* or the Public Reference Room at (202) 502–8371, TTY (202) 502–8659. Email the Public Reference Room at *public.referenceroom@ferc.gov.*

Any questions regarding the proposed project should be directed to Rosemary T. Garlapow, Assistant General Counsel, 6363 Main Street, Williamsville, New York 14221, by phone at (716) 857–7651, or by email at *garlapowr@natfuel.com.*

Pursuant to section 157.9 of the Commission's Rules of Practice and Procedure,[1] within 90 days of this Notice the Commission staff will either: complete its environmental review and place it into the Commission's public record (eLibrary) for this proceeding; or issue a Notice of Schedule for Environmental Review. If a Notice of Schedule for Environmental Review is issued, it will indicate, among other milestones, the anticipated date for the Commission staff's issuance of the final environmental impact statement (FEIS) or environmental assessment (EA) for this proposal. The filing of an EA in the Commission's public record for this proceeding or the issuance of a Notice of Schedule for Environmental Review will serve to notify federal and state agencies of the timing for the completion of all necessary reviews, and the subsequent need to complete all federal authorizations within 90 days of the date of issuance of the Commission staff's FEIS or EA.

Public Participation

There are three ways to become involved in the Commission's review of this project: you can file comments on the project, you can protest the filing, and you can file a motion to intervene in the proceeding. There is no fee or cost for filing comments or intervening. The deadline for filing a motion to intervene is 5:00 p.m. Eastern Time on June 24, 2026. How to file protests, motions to intervene, and comments is explained below.

For public inquiries and assistance with making filings such as interventions, comments, or requests for rehearing, contact the Office of Public Participation (OPP) at (202) 502–6595 or *OPP@ferc.gov.*

Comments

Any person wishing to comment on the project may do so. Comments may include statements of support or objections, to the project as a whole or specific aspects of the project. The more specific your comments, the more useful they will be.

Protests

Pursuant to sections 157.10(a)(4)[2] and 385.211[3] of the Commission's regulations under the NGA, any person[4] may file a protest to the application. Protests must comply with the requirements specified in section 385.2001[5] of the Commission's regulations. A protest may also serve as a motion to intervene so long as the protestor states it also seeks to be an intervenor.

To ensure that your comments or protests are timely and properly recorded, please submit your comments on or before 5:00 p.m. Eastern Time on June 24, 2026.

There are three methods you can use to submit your comments or protests to the Commission. In all instances, please reference the Project docket number CP26–531–000 in your submission.

(1) You may file your comments electronically by using the eComment feature, which is located on the Commission's website at *www.ferc.gov* under the link to Documents and Filings. Using eComment is an easy method for interested persons to submit brief, text-only comments on a project;

(2) You may file your comments or protests electronically by using the eFiling feature, which is located on the Commission's website (*www.ferc.gov)* under the link to Documents and Filings. With eFiling, you can provide comments in a variety of formats by attaching them as a file with your submission. New eFiling users must first create an account by clicking on ''eRegister.'' You will be asked to select the type of filing you are making; first select ''General'' and then select ''Comment on a Filing''; or

(3) You can file a paper copy of your comments or protests by mailing them to the following address below. Your written comments must reference the Project docket number (CP26–531–000).

To file via USPS:

Debbie-Anne A. Reese, Secretary, Federal Energy Regulatory Commission, 888 First Street NE, Washington, DC 20426.

To file via any other courier: Debbie-Anne A. Reese, Secretary, Federal Energy Regulatory Commission, 12225 Wilkins Avenue, Rockville, Maryland 20852.

The Commission encourages electronic filing of comments (options 1 and 2 above) and has eFiling staff available to assist you at (202) 502–8258 or *FercOnlineSupport@ferc.gov.*

Persons who comment on the environmental review of this project will be placed on the Commission's environmental mailing list, and will receive notification when the environmental documents (EA or EIS) are issued for this project and will be notified of meetings associated with the Commission's environmental review process.

The Commission considers all comments received about the project in determining the appropriate action to be taken. However, the filing of a comment alone will not serve to make the filer a party to the proceeding. To become a party, you must intervene in the proceeding. For instructions on how to intervene, see below.

Interventions

Any person, which includes individuals, organizations, businesses, municipalities, and other entities,[6] has the option to file a motion to intervene in this proceeding. Only intervenors have the right to request rehearing of Commission orders issued in this proceeding and to subsequently challenge the Commission's orders in the U.S. Circuit Courts of Appeal.

To intervene, you must submit a motion to intervene to the Commission in accordance with Rule 214 of the Commission's Rules of Practice and Procedure[7] and the regulations under the NGA[8] by the intervention deadline for the project, which is 5:00 p.m. Eastern Time on June 24, 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

[1] 18 CFR 157.9.

[2] 18 CFR 157.10(a)(4).

[3] 18 CFR 385.211.

[4] Persons include individuals, organizations, businesses, municipalities, and other entities. 18 CFR 385.102(d).

[5] 18 CFR 385.2001.

[6] 18 CFR 385.102(d).

[7] 18 CFR 385.214.

[8] 18 CFR 157.10.

landowner, ratepayer, resident of an impacted community, or recreationist. You do not need to have property directly impacted by the project in order to intervene. For more information about motions to intervene, refer to the FERC website at *https://www.ferc.gov/resources/guides/how-to/intervene.asp.*

There are two ways to submit your motion to intervene. In both instances, please reference the Project docket number CP26–531–000 in your submission.

(1) You may file your motion to intervene by using the Commission's eFiling feature, which is located on the Commission's website (*www.ferc.gov)* under the link to Documents and Filings. New eFiling users must first create an account by clicking on ''eRegister.'' You will be asked to select the type of filing you are making; first select ''General'' and then select ''Intervention.'' The eFiling feature includes a document-less intervention option; for more information, visit *https://www.ferc.gov/docs-filing/efiling/document-less-intervention.pdf.;* or

(2) You can file a paper copy of your motion to intervene, along with three copies, by mailing the documents to the address below. Your motion to intervene must reference the Project docket number CP26–531–000.

To file via USPS: Debbie-Anne A. Reese, Secretary, Federal Energy Regulatory Commission, 888 First Street NE, Washington, DC 20426.

To file via any other courier: Debbie-Anne A. Reese, Secretary, Federal Energy Regulatory Commission, 12225 Wilkins Avenue, Rockville, Maryland 20852.

The Commission encourages electronic filing of motions to intervene (option 1 above) and has eFiling staff available to assist you at (202) 502–8258 or *FercOnlineSupport@ferc.gov.*

Protests and motions to intervene must be served on the applicant either by mail at: Rosemary T. Garlapow, Assistant General Counsel, 6363 Main Street, Williamsville, New York 14221, or by email (with a link to the document) at *garlapowr@natfuel.com.* Any subsequent submissions by an intervenor must be served on the applicant and all other parties to the proceeding. Contact information for parties can be downloaded from the service list at the eService link on FERC Online. Service can be via email with a link to the document.

All timely, unopposed [9] motions to intervene are automatically granted by operation of Rule 214(c)(1).[10] Motions to intervene that are filed after the intervention deadline are untimely, and may be denied. Any late-filed motion to intervene must show good cause for being late and must explain why the time limitation should be waived and provide justification by reference to factors set forth in Rule 214(d) of the Commission's Rules and Regulations.[11] A person obtaining party status will be placed on the service list maintained by the Secretary of the Commission and will receive copies (paper or electronic) of all documents filed by the applicant and by all other parties.

Tracking the Proceeding

Throughout the proceeding, additional information about the project will be available from OPP at (202) 502–6595 or on the FERC website at *www.ferc.gov* using the ''eLibrary'' link as described above. The eLibrary link also provides access to the texts of all formal documents issued by the Commission, such as orders, notices, and rulemakings.

In addition, the Commission offers a free service called eSubscription which allows you to keep track of all formal issuances and submittals in specific dockets. This can reduce the amount of time you spend researching proceedings by automatically providing you with notification of these filings, document summaries, and direct links to the documents. For more information and to register, go to *www.ferc.gov/docs-filing/esubscription.asp.*

Intervention Deadline: 5:00 p.m. Eastern Time on June 24, 2026.

(Authority: 18 CFR 2.1)

Dated: June 3, 2026.

Carlos D. Clay,

Deputy Secretary.

[FR Doc. 2026–11440 Filed 6–5–26; 8:45 am]

BILLING CODE 6717–01–P

[9] The applicant has 15 days from the submittal of a motion to intervene to file a written objection to the intervention.

[10] 18 CFR 385.214(c)(1).

[11] 18 CFR 385.214(b)(3) and (d).

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Project No. 8791–005]

R.J. Fortier Hydropower, Inc.; Notice of Application for Surrender of Exemption Accepted for Filing, Soliciting Comments, Motions To Intervene, and Protests

Take notice that the following hydroelectric application has been filed with the Commission and is available for public inspection:

a. *Application Type:* Surrender of exemption.

b. *Project No:* P–8791–005.

c. *Date Filed:* April 28, 2026.

d. *Applicant:* R.J. Fortier Hydropower, Inc.

e. *Name of Project:* Starks Hydroelectric Project.

f. *Location:* The project is located on Lemon Stream in Somerset County, Maine. The project does not occupy any federal lands.

g. *Filed Pursuant to:* Public Utility Regulatory Policies Act of 1978, 16 U.S.C. 2705, 2708.

h. *Applicant Contact:* Landis Hudson, Executive Director, Maine Rivers, 162 Main Street, Yarmouth, ME 04096, *contact@mainerivers.org,* and 207–847–9277.

i. *FERC Contact:* Diana Shannon, (202) 502–6136, *diana.shannon@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 k 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. *Deadline for filing comments, motions to intervene, and protests:* July 3, 2026, by 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.* 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–8791–005. 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.

l. *Description of Request:* Maine Rivers, on behalf of the applicant, has filed an application to surrender the project exemption. The project has not operated for 20 years and the exemptee no longer wishes to retain the exemption. To decommission the project, which is located within designated critical habitat for Atlantic salmon, Maine Rivers proposes to remove the dam, powerhouse, and appurtenant project features. Part of the dam's left abutment would remain due to its proximity to the Anson Road bridge's (Route 43) foundation. Overall, an approximately 0.26-mile stretch of Lemon Stream would be restored to a natural, free-flowing channel. Proposed restoration activities include re-grading, restoration of the floodplain, filling the tailrace, and reconstruction of the west bank (*i.e.,* at the powerhouse and tailrace channel locations). Flows would be pumped around the work area during construction. Construction is planned for the low flow period, *i.e.,* June 15–September 30, 2027, and will depend on receipt of all necessary permits. The application includes documentation of consultation with numerous federal and state resource agencies, as well as the Maine Department of Transportation.

m. *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.

n. Individuals desiring to be included on the Commission's mailing list should so indicate by writing to the Secretary of the Commission.

o. *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.

p. *Filing and Service of Documents:* Any filing must (1) bear in all capital letters the title ''COMMENTS'', ''PROTEST'', or ''MOTION TO INTERVENE'' 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; and (3) otherwise comply with the requirements of 18 CFR 385.2001 through 385.2005. All comments, motions to intervene, or protests must set forth their evidentiary basis. Any filing made by an intervenor 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 385.2010.

q. 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: June 3, 2026.

Carlos D. Clay,

Deputy Secretary.

[FR Doc. 2026–11444 Filed 6–5–26; 8:45 am]

BILLING CODE 6717–01–P

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

Notice of Effectiveness of Exempt Wholesale Generator and Foreign Utility Company Status

	Docket Nos.
Texas City Cogeneration, LLC	EG26–163–000
SR Bacon, LLC	EG26–164–000
SR Bacon II, LLC	EG26–165–000
SR Bacon III, LLC	EG26–166–000
Horus Kentucky 1, LLC	EG26–167–000
SR Middleton, LLC	EG26–168–000
SR Rochelle, LLC	EG26–169–000
SR Rochelle II, LLC	EG26–170–000
SR Puryear, LLC	EG26–171–000
SR Tullahoma, LLC	EG26–172–000
Sycamore Riverside Energy LLC.	EG26–173–000
Panther Grove Wind, LLC	EG26–174–000
Panther Grove 2 LLC	EG26–175–000
Big Muddy Solar Project, LLC	EG26–176–000
Oystercatcher Solar, LLC	EG26–177–000
Cold Creek Solar LLC	EG26–178–000
Cold Creek Storage LLC	EG26–179–000
Hillsboro Solar, LLC	EG26–180–000
Baldy Mesa C, LLC	EG26–181–000
Pin Oak Creek Energy Center, LLC.	EG26–182–000
Colleen VA BESS 1 LLC	EG26–183–000
Meadow Creek VA BESS 1 LLC.	EG26–184–000
Piney River VA BESS 1 LLC	EG26–185–000
Salem VA BESS 1 LLC	EG26–186–000
45MG 8me LLC	EG26–187–000
301AK 8me LLC	EG26–188–000
KES Yona Solar LLC	EG26–189–000
Deer Creek Solar I LLC	EG26–190–000
Lake Iris Solar, LLC	EG26–191–000
SR Denmark, LLC	EG26–192–000
SR Magnolia, LLC	EG26–193–000
SR Quincy Valley, LLC	EG26–194–000
Hornet Solar, LLC	EG26–195–000
USS Hampden Solar LLC	EG26–196–000
USS Tallgrass Solar LLC	EG26–197–000
Arlen Energy Storage 1 LP	FC26–13–000
Conrad Energy Limited	FC26–14–000

Take notice that during the month of May 2026, the status of the above-captioned entities as Exempt Wholesale Generators or Foreign Utility Companies became effective by operation of the Commission's regulations. 18 CFR 366.7(a) (2025).

Dated: June 3, 2026.

Carlos D. Clay,

Deputy Secretary.

[FR Doc. 2026–11441 Filed 6–5–26; 8:45 am]

BILLING CODE 6717–01–P

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Project No. 2416–036]

Aquenergy Systems, LLC; Notice of Application Accepted for Filing and Soliciting Comments, Motions To Intervene, and Protests

Take notice that the following hydroelectric application has been filed with the Commission and is available for public inspection:

a. *Application Type:* Temporary Variance of Reservoir Elevation.

b. *Project No:* 2416–036.

c. *Date Filed:* August 21, 2024, as supplemented on May 27, 2025, and June 4, 2025.

d. *Applicant:* Aquenergy Systems, LLC (licensee).

e. *Name of Project:* Ware Shoals Hydroelectric Project.

f. *Location:* The project is located on the Saluda River, in the Town of Ware Shoals, within Laurens, Greenwood, and Abbeville counties, South Carolina. The project does not occupy any federal lands.

g. *Filed Pursuant to:* Federal Power Act, 16 U.S.C. 791a–825r.

h. *Applicant Contact:* Kevin Webb; Aquenergy Systems, LLC; 670 N. Commercial Street, Suite 204, Manchester, NH 03101; (978) 935–6039; *kwebb@patriothydro.com*.

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 k 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. *Deadline for filing comments, motions to intervene, and protests:* July 6, 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–2416–036. 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.

l. *Description of Request:* The licensee requests Commission approval for a temporary variance from the reservoir elevation requirements of Article 401 of the project's license. Under Article 401, the licensee is required to attenuate inflows to the project utilizing a 1-foot daily elevation range below the normal water surface elevation of 524 feet mean sea level (msl) between March 1 and May 31, and a 3-foot daily elevation range during the rest of the year. Due to dam safety concerns, the licensee has been implementing interim risk reduction measures at the project that, in part, involve keeping the project's spillway and canal gates open. This results in the reservoir elevation being between 507 and 514 feet msl (*i.e.,* 10–17 feet below normal), depending on inflows.

The licensee initially requested the temporary variance until permanent dam safety repairs could be completed; however, the May 27, 2025 supplemental filing states the licensee now intends to surrender the license. Therefore, the licensee requests that the variance remains in effect until the Commission can act on a future application to surrender the license. Any future application to surrender the license would be handled in a separate proceeding, and this notice is only seeking comments on the temporary variance request.

m. *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.

n. *Individuals desiring to be included on the Commission's mailing list should so indicate by writing to the Secretary of the Commission.*

o. *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.

p. *Filing and Service of Documents:* Any filing must (1) bear in all capital letters the title ''COMMENTS'', ''PROTEST'', or ''MOTION TO INTERVENE'' 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 must set forth their evidentiary basis. Any filing made by an intervenor 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 385.2010.

q. 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: June 3, 2026.

Carlos D. Clay,

Deputy Secretary.

[FR Doc. 2026–11443 Filed 6–5–26; 8:45 am]

BILLING CODE 6717–01–P

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Project No. 15312–001]

MQR Storage, LLC; Notice of Surrender of Preliminary Permit

Take notice that MQR Storage, LLC., permittee for the proposed MQR Pumped Storage Project, has requested that its preliminary permit be terminated. The permit was issued on December 27, 2023, and would have

expired on November 30, 2027.[1] The project would have been located near the City of Tracy in Alameda County, California.

The preliminary permit for Project No. 15312 will remain in effect until the close of business, July 3, 2026. But, if the Commission is closed on this day, then the permit remains in effect until the close of business on the next day in which the Commission is open.[2] New applications for this site may not be submitted until after the permit surrender is effective.

(Authority: 18 CFR 2.1)

Dated: June 3, 2026.

Carlos D. Clay,

Deputy Secretary.

[FR Doc. 2026–11446 Filed 6–5–26; 8:45 am]

BILLING CODE 6717–01–P

FEDERAL COMMUNICATIONS COMMISSION

[OMB 3060–0501; FR ID 349887]

Information Collection Being Reviewed by the Federal Communications Commission

AGENCY: Federal Communications Commission.

ACTION: Notice; request for comments.

SUMMARY: As part of its continuing effort to reduce paperwork burdens, and as required by the Paperwork Reduction Act (PRA), 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 August 7, 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: 3060–0501.

Title: Section 73.1942 Candidates Rates; Section 76.206 Candidate Rates; Section 76.1611, Political Cable Rates and Classes of Time.

Type of Review: Extension of a currently approved collection.

Respondents: Business or other for-profit entities.

Number of Respondents and Responses: 17,561 respondents; 403,610 responses.

Estimated Time per Response: 0.5 hours to 20 hours.

Frequency of Response: Recordkeeping requirement; On occasion reporting requirement; Semi-annual 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 154(i) and 315 of the Communications Act of 1934, as amended.

Total Annual Burden: 927,269 hours.

Total Annual Cost: No cost.

Needs and Uses: Section 315 of the Communications Act directs broadcast stations and cable operators to charge political candidates the ''lowest unit charge of the station'' for the same class and amount of time for the same period, during the 45 days preceding a primary or runoff election and the 60 days preceding a general or special election.

The information collection requirements contained in 47 CFR 73.1942 require broadcast licensees and the requirements contained in 47 CFR 76.206 require cable television systems to disclose any station practices offered to commercial advertisers that enhance the value of advertising spots and different classes of time (immediately preemptible, preemptible with notice, fixed, fire sale, and make good). These rule sections also require licensees and cable TV systems to calculate the lowest unit charge. Broadcast stations and cable systems are also required to review their advertising records throughout the election period to determine whether compliance with these rule sections require that candidates receive rebates or credits.

The information collection requirements contained in 47 CFR 76.1611 require cable systems to disclose to candidates information about rates, terms, conditions and all value-enhancing discount privileges offered to commercial advertisers.

Federal Communications Commission.

Marlene Dortch,

Secretary, Office of the Secretary.

[FR Doc. 2026–11450 Filed 6–5–26; 8:45 am]

BILLING CODE 6712–01–P

FEDERAL COMMUNICATIONS COMMISSION

[FR ID 349172]

Federal Advisory Committee Act; Communications Security, Reliability, and Interoperability Council

AGENCY: Federal Communications Commission.

ACTION: Notice of public meeting.

SUMMARY: In accordance with the Federal Advisory Committee Act, this notice advises interested persons that the Federal Communications Commission's (FCC) tenth Communications Security, Reliability, and Interoperability Council (CSRIC X) will hold its first meeting on June 23, 2026, at 1:00 p.m. EDT.

[1] 185 FERC ¶ 62,173 (2023).

[2] 18 CFR 385.2007(a)(2) (2025).

DATES: June 23, 2026.

ADDRESSES: The first meeting will be held at 45 L Street NE, Washington, DC, and via conference call. The meeting is open to the public and is also available at *https://www.fcc.gov/live* and on the FCC's YouTube channel.

FOR FURTHER INFORMATION CONTACT: Suzon Cameron, Designated Federal Officer (DFO), CSRIC X, FCC, at (202) 418–1916 or email: *CSRIC@fcc.gov;* Kurian Jacob, CSRIC X Deputy DFO, (202) 418–2040; or George Weber, CSRIC X Deputy DFO, (202) 418–1095.

SUPPLEMENTARY INFORMATION: The meeting will be held on June 23, 2026, at 1:00 p.m. EDT, in the Commission Meeting Room of the Federal Communications Commission, 45 L Street NE, Washington, DC. While the CSRIC X meeting is open to the public, the FCC headquarters building is not open access, and all guests must check in with and be screened by FCC security at the main entrance on L Street. Attendees at the meeting will not be required to have an appointment but must otherwise comply with protocols outlined at: *https://www.fcc.gov/visit.*

The CSRIC is a Federal Advisory Committee that will provide recommendations to the Commission to improve the security, reliability, and interoperability of communications systems. On March 26, 2026, the Commission, pursuant to the Federal Advisory Committee Act, renewed the charter for CSRIC X for a period of two years through March 25, 2028. The meeting on June 23, 2026, will be the first meeting of CSRIC X under the current charter. The FCC will provide audio and/or video coverage of the meeting over the internet from the FCC's web page at *https://www.fcc.gov/live* and on the FCC's YouTube channel. The public may submit written comments before the meeting to Suzon Cameron, DFO, CSRIC IX, via email to *CSRIC@fcc.gov.*

Open captioning will be provided for this event. Other reasonable accommodations for people with disabilities are available upon request. Requests for such accommodations should be submitted via email to *fcc504@fcc.gov* or by calling the Consumer & Governmental Affairs Bureau at (202) 418–0530 (voice). Such requests should include a detailed description of the accommodation needed. In addition, please include a way the Commission can contact you if it needs more information. Please allow at least five days' advance notice; last-minute requests will be accepted but may not be possible to accommodate.

Federal Communications Commission.

Marlene Dortch,

Secretary, Office of the Secretary.

[FR Doc. 2026–11449 Filed 6–5–26; 8:45 am]

BILLING CODE 6712–01–P

FEDERAL COMMUNICATIONS COMMISSION

[OMB 3060–0161, OMB 3060–1124; FR ID 349177]

Information Collections Being Submitted for Review and Approval to Office of Management and Budget

AGENCY: Federal Communications Commission.

ACTION: Notice; request for comments.

SUMMARY: As part of its continuing effort to reduce paperwork burdens, as required by the Paperwork Reduction Act (PRA) of 1995, the Federal Communications Commission (FCC or the Commission) invites the general public and other Federal Agencies to take this opportunity to comment on the following information collection. Pursuant to the Small Business Paperwork Relief Act of 2002, the FCC seeks specific comment on how it can further reduce the information collection burden for small business concerns with fewer than 25 employees.

DATES: Written comments and recommendations for the proposed information collection should be submitted on or before July 8, 2026.

ADDRESSES: Comments should be sent to *www.reginfo.gov/public/do/PRAMain.* Find this particular information collection by selecting ''Currently under 30-day Review—Open for Public Comments'' or by using the search function. Your comment must be submitted into *www.reginfo.gov* per the above instructions for it to be considered. In addition to submitting in *www.reginfo.gov* also send a copy of your comment on the proposed information collection to Cathy Williams, FCC, via email to *PRA@fcc.gov* and to *Cathy.Williams@fcc.gov.* Include in the comments the OMB control number as shown in the **SUPPLEMENTARY INFORMATION** below.

FOR FURTHER INFORMATION CONTACT: For additional information or copies of the information collection, contact Cathy Williams at (202) 418–2918. To view a copy of this information collection request (ICR) submitted to OMB: (1) go to the web page *http://www.reginfo.gov/public/do/PRAMain,* (2) look for the section of the web page called ''Currently Under Review,'' (3) click on the downward-pointing arrow in the ''Select Agency'' box below the ''Currently Under Review'' heading, (4) select ''Federal Communications Commission'' from the list of agencies presented in the ''Select Agency'' box, (5) click the ''Submit'' button to the right of the ''Select Agency'' box, (6) when the list of FCC ICRs currently under review appears, look for the Title of this ICR and then click on the ICR Reference Number. A copy of the FCC submission to OMB will be displayed.

SUPPLEMENTARY INFORMATION: The Commission may not conduct or sponsor a collection of information unless it displays a currently valid Office of Management and Budget (OMB) control number. No person shall be subject to any penalty for failing to comply with a collection of information subject to the PRA that does not display a valid OMB control number.

As part of its continuing effort to reduce paperwork burdens, as required by the Paperwork Reduction Act (PRA) of 1995 (44 U.S.C. 3501–3520), the FCC invited the general public and other Federal Agencies to take this opportunity to comment on the following information collection. Comments are requested concerning: (a) Whether the proposed collection of information is necessary for the proper performance of the functions of the Commission, including whether the information shall have practical utility; (b) the accuracy of the Commission's burden estimates; (c) ways to enhance the quality, utility, and clarity of the information collected; and (d) ways to minimize the burden of the collection of information on the respondents, including the use of automated collection techniques or other forms of information technology. Pursuant to the Small Business Paperwork Relief Act of 2002, Public Law 107–198, see 44 U.S.C. 3506(c)(4), the FCC seeks specific comment on how it might ''further reduce the information collection burden for small business concerns with fewer than 25 employees.''

OMB Control Number: 3060–0161.

Title: § 73.61, AM Directional Antenna Field Strength Measurements.

Form Number: N/A.

Type of Review: Extension of a currently approved collection.

Respondents: Business and other for-profit entities.

Number of Respondents and Responses: 1,904 respondents and 1,904 responses.

Estimated Time per Response: 4–50 hours.

Frequency of Response: Recordkeeping requirement.

Total Annual Burden: 30,124 hours.

Total Annual Cost: None.

Obligation to Respond: Required to obtain or retain benefits. The statutory authority for this collection of information is contained in §§ 154(i) and 303 of the Communications Act of 1934, as amended.

Needs and Uses: The information collection requirements contained in 47 CFR 73.61 require that each AM station using directional antennas to make field strength measurement as often as necessary to ensure proper directional antenna system operation. Stations not having approved sampling systems make field strength measurements every three months. Stations with approved sampling systems must take field strength measurements as often as necessary. Also, all AM stations using directional signals must take partial proofs of performance as often as necessary. The FCC staff used the data in field inspections/investigations. AM licensees with directional antennas use the data to ensure that adequate interference protection is maintained between stations and to ensure proper operation of antennas.

OMB Control No.: 3060–1124.

Title: 80.231, Technical Requirements for Class B Automatic Identification System (AIS) Equipment.

Form No.: Not applicable.

Type of Review: Extension of a currently approved collection.

Respondents: Business or other for-profit entities.

Number of Respondents and Responses: 20 respondents; 50,020 responses.

Estimated Time per Response: 1 hour per requirement.

Frequency of Response: On occasion reporting requirement and third-party disclosure requirement.

Obligation to Respond: Required to obtain or retain benefits. Statutory authority for this information collection is contained in 47 U.S.C. 154, 303, 307(e), 309 and 332 of the Communications Act of 1934, as amended.

Total Annual Burden: 50,020 hours.

Annual Cost Burden: $25,000.

Needs and Uses: On September 19, 2008, the Commission adopted a Second Report and Order, FCC 08–208, which added a § 80.231, which requires that manufacturers of Class B Automatic Identification Systems (AIS) transmitters for the Marine Radio Service include with each transmitting device a statement explaining how to enter static information accurately and a warning statement that entering inaccurate information is prohibited. The Commission is seeking to extend this collection in order to obtain the full three-year clearance from OMB. Specifically, the information collection requires that manufacturers of AIS transmitters label each transmitting device with the following statement: WARNING: It is a violation of the rules of the Federal Communications Commission to input an MMSI that has not been properly assigned to the end user, or to otherwise input any inaccurate data in this device. Additionally, prior to submitting a certification application (FCC Form 731, OMB Control Number 3060–0057) for a Class B AIS device, the following information must be submitted in duplicate to the Commandant (CG–521), U.S. Coast Guard, 2100 2nd Street SW, Washington, DC 20593–0001: (1) The name of the manufacturer or grantee and the model number of the AIS device; and (2) copies of the test report and test data obtained from the test facility showing that the device complies with the environmental and operational requirements identified in IEC 62287–1. After reviewing the information described in the certification application, the U.S. Coast Guard will issue a letter stating whether the AIS device satisfies all of the requirements specified in IEC 62287–1. A certification application for an AIS device submitted to the Commission must contain a copy of the U.S. Coast Guard letter stating that the device satisfies all of the requirements specified in IEC–62287–1, a copy of the technical test data and the instruction manual(s).

These reporting and third-party disclosure requirements aid the Commission monitoring advance marine vessel tracking and navigation information transmitted from Class B AIS devices to ensure that they are accurate and reliable, while promoting marine safety.

Federal Communications Commission.

Marlene Dortch,

Secretary, Office of the Secretary.

[FR Doc. 2026–11452 Filed 6–5–26; 8:45 am]

BILLING CODE 6712–01–P

FEDERAL RESERVE SYSTEM

Change in Bank Control Notices; Acquisitions of Shares of a Bank or Bank Holding Company

The notificants listed below have applied under the Change in Bank Control Act (Act) (12 U.S.C. 1817(j)) and § 225.41 of the Board's Regulation Y (12 CFR 225.41) to acquire shares of a bank or bank holding company. The factors that are considered in acting on the applications are set forth in paragraph 7 of the Act (12 U.S.C. 1817(j)(7)).

The public portions of the applications listed below, as well as other related filings required by the Board, if any, are available for immediate inspection at the Federal Reserve Bank(s) indicated below and at the offices of the Board of Governors. This information may also be obtained on an expedited basis, upon request, by contacting the appropriate Federal Reserve Bank and from the Board's Freedom of Information Office at *https://www.federalreserve.gov/foia/request.htm.* Interested persons may express their views in writing on the standards enumerated in paragraph 7 of the Act.

Comments received are subject to public disclosure. In general, comments received will be made available without change and will not be modified to remove personal or business information including confidential, contact, or other identifying information. Comments should not include any information such as confidential information that would not be appropriate for public disclosure.

Comments regarding each of these applications must be received at the Reserve Bank indicated or the offices of the Board of Governors, Benjamin W. McDonough, Secretary of the Board, 20th Street and Constitution Avenue NW, Washington, DC 20551–0001, not later than June 23, 2026.

A. Federal Reserve Bank of Kansas City (Jeffrey Imgarten, Assistant Vice President) 1 Memorial Drive, Kansas City, Missouri 64198–0001. Comments can also be sent electronically to *KCApplicationComments@kc.frb.org:*

1. *The Lynda Cameron Legacy Trust II, Brian Raftery, as trustee, both of Westfield, New Jersey;* to become a member of the Cameron Family Control Group, a group acting concert, to acquire voting shares of First Fidelity Bancorp, Inc., and thereby indirectly acquire voting shares of First Fidelity Bank, both of Oklahoma City, Oklahoma.

Board of Governors of the Federal Reserve System.

Michele Taylor Fennell,

Associate Secretary of the Board.

[FR Doc. 2026–11448 Filed 6–5–26; 8:45 am]

BILLING CODE 6210–01–P

GOVERNMENT ACCOUNTABILITY OFFICE

Request for Nominations for the Physician-Focused Payment Model Technical Advisory Committee (PTAC)

AGENCY: Government Accountability Office.

ACTION: Request for letters of nomination and resumes.

SUMMARY: The Medicare Access and CHIP Reauthorization Act of 2015 established the Physician-Focused Payment Model Technical Advisory Committee to provide comments and recommendations to the Secretary of Health and Human Services on physician payment models and gave the Comptroller General responsibility for appointing its members. The Government Accountability Office (GAO) is now accepting nominations of individuals for this committee.

DATES: Letters of nomination and resumes should be submitted no later than July 13, 2026, to ensure adequate opportunity for review and consideration of nominees prior to appointment. Appointments will be made in October 2026.

ADDRESSES: Submit letters of nomination and resumes to *PTACcommittee@gao.gov*.

FOR FURTHER INFORMATION CONTACT: Greg Giusto at *giustog@gao.gov* or (202) 512–7114 if you do not receive an acknowledgement within a week of submission or you need additional information. For general information, contact GAO's Office of Public Affairs, at *PublicAffairs@gao.gov*.

Authority: Sec. 101(e), Pub. L. 114–10, 129 Stat. 87, 115.

Orice Williams Brown,

Acting Comptroller General of the United States.

[FR Doc. 2026–11457 Filed 6–5–26; 8:45 am]

BILLING CODE 1610–02–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Administration for Children and Families

[Office of Management and Budget #: 0970–0430]

Proposed Information Collection Activity; ACF–700 Tribal Annual Report

AGENCY: Office of Child Care, Administration for Children and Families, Department of Health and Human Services.

ACTION: Request for public comments.

SUMMARY: The Administration for Children and Families (ACF) is requesting Office of Management and Budget (OMB) to reinstate approval of the ACF–700: Tribal Annual Report (OMB #0970–0430) with proposed revisions. ACF requests changes to the form that reduce annual burden hours.

DATES: Comments due August 7, 2026.

ADDRESSES: In compliance with the requirements of the Paperwork Reduction Act of 1995, ACF is soliciting public comment on the specific aspects of the information collection described above. You can obtain copies of the proposed collection of information and submit comments by emailing *infocollection@acf.hhs.gov.* Identify all requests by the title of the information collection.

SUPPLEMENTARY INFORMATION:

Description: Tribal Lead Agencies (TLA) for the Child Care and Development Fund (CCDF) are required on an annual basis to submit aggregate information on services provided via the ACF–700 CCDF Tribal Annual Report. This report offers the Office of Child Care (OCC) insight into how CCDF program dollars are being spent. The ACF–700 report collects administrative data about the number of children and families served. The report also asks specific questions that collect programmatic information about tribal quality activities, coordination for activities with other early childhood programs, compliance with health and safety standards, and pursuit of accreditation. The information collected from this report allows OCC to generate and analyze aggregate information, thereby giving OCC a more comprehensive understanding of tribal program activities more easily. The data are essential for demonstrating the accomplishments of tribal child care programs. OCC has revised the previous version of the ACF–700 to reduce administrative burden for tribes. Specifically:

Part 2: Tribal Narrative on the form was reduced due to repetitive questions.

Part 3: American Rescue Plan (ARP) was deleted since OCC is no longer collecting ARP data.

Respondents: Tribal Grantees receiving CCDF funding. Tribes that operate child care under Public Law 102–477 Indian Employment, Training, and Related Services Plan are exempt from ACF–700.

Annual Burden Estimates

OCC has revised the burden estimates based on the proposed revisions and to reflect the current number of TLAs. In prior years, burden was broken out by the size of the TLA, with small allocation tribes estimated to take less time to complete the request than medium/large allocation tribes. OCC is no longer differentiating between TLAs with small and medium/large allocations because most TLAs (74 percent) receive small allocations. Due to this and based on the revisions, OCC estimates an average time per response for all TLAs, regardless of size, of 13 hours. Overall, the proposed revisions result in a 40 percent decrease in burden compared to the currently approved information collection.

Instrument	Total number of respondents	Annual number of responses per respondent	Average burden hours per response	Annual burden hours
ACF–700	210	1	13	2,730

Comments: The Department specifically requests comments on (a) whether the proposed collection of information is necessary for the proper performance of the functions of the agency, including whether the information shall have practical utility; (b) the accuracy of the agency's estimate of the burden of the proposed collection of information; (c) the quality, utility, and clarity of the information to be collected; and (d) ways to minimize the burden of the collection of information on respondents, including through the use of automated collection techniques or other forms of information technology. Consideration will be given to comments and suggestions submitted within 60 days of this publication.

Authority: 42 U.S.C. 9857 *et seq.*

Mary C. Jones,

ACF/OPRE Certifying Officer.

[FR Doc. 2026–11428 Filed 6–5–26; 8:45 am]

BILLING CODE 4184–87–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Food and Drug Administration

[Docket No. FDA–2026–N–5817]

Determination That Protamine Sulfate (Protamine Sulfate) Intravenous; Solution, 50 Milligrams/5 Milliliters, and Other Drug Products Were Not Withdrawn From Sale for Reasons of Safety or Effectiveness

AGENCY: Food and Drug Administration, HHS.

ACTION: Notice.

SUMMARY: The Food and Drug Administration (FDA or Agency) has determined that the drug products listed in this document were 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 these drug products, and it will allow FDA to continue to approve ANDAs that refer to the products as long as they meet relevant legal and regulatory requirements.

FOR FURTHER INFORMATION CONTACT: Stacy Kane, Center for Drug Evaluation and Research, Food and Drug Administration, 10903 New Hampshire Ave., Bldg. 51, Rm. 6236, Silver Spring, MD 20993–0002, 301–796–8363, *Stacy.Kane@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 generally known as the ''Orange Book.'' Under FDA regulations, a drug is 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).

Under § 314.161(a) (21 CFR 314.161(a)), the Agency must determine whether a listed drug was withdrawn from sale for reasons of safety or effectiveness: (1) before an ANDA that refers to that listed drug may be approved, (2) whenever a listed drug is voluntarily withdrawn from sale and ANDAs that refer to the listed drug have been approved, and (3) when a person petitions for such a determination under 21 CFR 10.25(a) and 10.30. Section 314.161(d) provides that if FDA determines that a listed drug was withdrawn from sale for safety or effectiveness reasons, the Agency will initiate proceedings that could result in the withdrawal of approval of the ANDAs that refer to the listed drug.

FDA has become aware that the drug products listed in table 1 are no longer being marketed.

TABLE 1—DRUG PRODUCTS NOT WITHDRAWN FROM SALE FOR REASONS OF SAFETY OR EFFECTIVENESS

Application No.	Drug name	Active ingredient(s)	Strength(s)	Dosage form/route	Applicant
NDA 006460	PROTAMINE SULFATE	Protamine Sulfate	50 Milligrams (mg)/5 Milliliters (mL) (10 mg/mL).	Solution; Intravenous	Eli Lilly and Co.
NDA 011719	METHOTREXATE SODIUM; METHOTREXTATE LPF AND METHOTREXATE PRESERVATIVE FREE.	Methotrexate Sodium	Equal to (EQ) 2.5 mg Base/mL; EQ 20 mg Base/2 mL (EQ 10 mg Base/mL); EQ 20 mg Base/Vial; EQ 25 mg Base/mL; EQ 25 mg Base/mL; EQ 2.5 grams (g) Base/100 mL (EQ 25 mg Base/mL); EQ 50 mg Base/Vial; EQ 100 mg Base/Vial; EQ 1g Base/Vial.	Injectable; Injection	Hospira, Inc.
NDA 012250	CARBOCAINE	Mepivacaine Hydrochloride.	1%; 1.5%; 2%	Injectable; Injection	Hospira, Inc.
NDA 016909	LIDEX	Fluocinonide	0.05%	Ointment; Topical	Alvogen, Inc.
NDA 017010	DESONIDE	Desonide	0.05%	Cream; Topical	Padagis LLC.
NDA 017735	MODICON 28	Ethinyl Estradiol; Norethindrone.	0.035 mg; 0.5 mg	Tablet; Oral-28	Janssen Pharmaceuticals, Inc.
NDA 018337	ACETAMINOPHEN	Acetaminophen	650 mg	Suppository; Rectal	Taro Pharmaceutical Industries Ltd.
NDA 019260	PSORCON	Diflorasone Diacetate	0.05%	Ointment; Topical	Pfizer Inc.
NDA 019487 P001	IMODIUM A-D	Loperamide Hydrochloride.	1 mg/5 mL	Solution; Oral	Kenvue Brands LLC.
NDA 020021	SUDAFED 24 HOUR	Pseudoephedrine Hydrochloride.	240 mg	Tablet, Extended Release; Oral.	Kenvue Brands LLC.
NDA 020449	TAXOTERE	Docetaxel	20 mg/mL (20 mg/mL); 80 mg/4 mL (20 mg/mL).	Injectable; Injection	Sanofi-Aventis U.S. LLC.
NDA 020497	FARESTON	Toremifene Citrate	EQ 60 mg Base	Tablet; Oral	Kyowa Kirin.
NDA 020657	SPORANOX	Itraconazole	10 mg/mL	Solution; Oral	Janssen Pharmaceuticals.
NDA 020710	PAXIL	Paroxetine Hydrochloride.	EQ 10 mg Base/5 mL	Suspension; Oral	Apotex Inc.
NDA 020747	ACTIQ	Fentanyl Citrate	EQ 0.2 mg Base; EQ 0.4 mg Base; EQ 0.6 mg Base; eq 0.8 mg Base; EQ 1.2 mg Base; EQ 1.6 mg Base.	Troche/Lozenge; Transmucosal.	Cephalon, LLC.
NDA 020757	AVAPRO	Irbesartan	75 mg	Tablet; Oral	Sanofi-Aventis U.S. LLC.
NDA 021065	FEMHRT	Ethinyl Estradiol; Norethindrone Acetate.	0.0025 mg; 0.5 mg	Tablet; Oral	Allergan Pharmaceuticals International Ltd.
NDA 021087	TAMIFLU	Oseltamivir Phosphate	EQ 30 mg Base; EQ 45 mg Base	Capsule; Oral	Roche.

TABLE 1—DRUG PRODUCTS NOT WITHDRAWN FROM SALE FOR REASONS OF SAFETY OR EFFECTIVENESS—Continued

Application No.	Drug name	Active ingredient(s)	Strength(s)	Dosage form/route	Applicant
NDA 021227	CANCIDAS	Caspofungin Acetate	50 mg/Vial; 70 mg/Vial	Powder; Intravenous	Merck Sharp & Dohme.
NDA 021506	MYCAMINE	Micafungin Sodium	EQ 50 mg Base/Vial; EQ 100 mg Base/Vial.	Injectable; Intravenous	Astellas Pharma US Inc.
NDA 021520	SYMBYAX	Fluoxetine Hydrochloride; Olanzapine.	EQ 25 mg Base; EQ 3 mg Base; EQ 25 mg Base; EQ 6 mg Base; EQ 25 mg Base; EQ 12 mg Base; EQ 50 mg Base; EQ 6 mg Base; EQ 50 mg Base; EQ 12 mg Base.	Capsule; Oral	Eli Lilly and Co.
NDA 021947	FENTORA	Fentanyl Citrate	EQ 0.1 mg Base; EQ 0.2 mg Base; EQ 0.4 mg Base; EQ 0.6 mg Base; EQ 0.8 mg Base.	Tablet; Buccal, Sublingual.	Cephalon, LLC.
NDA 022076	LOCOID	Hydrocortisone Butyrate	0.1%	Lotion; Topical	Bausch Health.
NDA 022116	LEXIVA	Fosamprenavir Calcium	EQ 50 mg Base/mL	Suspension; Oral	ViiV Healthcare.
NDA 022224	TRILIPIX	Choline Fenofibrate	EQ 45 mg Fenofibric Acid; EQ 135 mg Fenofibric Acid.	Capsule, Delayed Release; Oral.	AbbVie Inc.
NDA 022525	NAMENDA XR	Memantine Hydrochloride.	14 mg; 21 mg; 28 mg	Capsule, Extended Release; Oral.	AbbVie Inc.
NDA 022573	NORETHINDRONE AND ETHINYL ESTRADIOL AND FERROUS FUMARATE.	Ethinyl Estradiol; Norethindrone.	0.025 mg; 0.8 mg	Tablet, Chewable; Oral	Teva Branded Pharmaceutical Products R&D, Inc.
NDA 050007	VIBRAMYCIN	Doxycycline Hyclate	EQ 100 mg Base	Capsule; Oral	Pfizer, Inc.
NDA 050537	CLEOCIN	Clindamycin Phosphate	EQ 1% Base	Swab; Topical	Pfizer, Inc.
ANDA 080615	DIMENHYDRINATE	Dimenhydrinate	50 mg/mL	Injectable; Injection.	
ANDA 084499	ESTRACE	Estradiol	1 mg	Tablet; Oral	Bristol Myers Squibb.
ANDA 084500	ESTRACE	Estradiol	2 mg	Tablet; Oral	Bristol Myers Squibb.
ANDA 088023	ADIPEX–P	Phentermine Hydrochloride.	37.5 mg	Capsule; Oral	Teva USA.
NDA 204300	VAZCULEP	Phenylephrine Hydrochloride.	10 mg/mL (10 mg/mL); 50 mg/5 mL; 100 mg/10 mL.	Solution; Intravenous	Exela Pharma Sciences.
NDA 204412	DELZICOL	Mesalamine	400 mg	Capsule, Delayed Release; Oral.	AbbVie Inc.
NDA 208418	CALCIUM GLUCONATE	Calcium Gluconate	1 g/50 mL; 2 g/100mL	Solution; Intravenous	Fresenius Kabi USA, LLC.
NDA 209091	QTERN	Dapagliflozin; Saxagliptin Hydrochloride.	5 mg; EQ 5 mg Base 10 mg; EQ 5 mg Base.	Tablet; Oral	AstraZeneca AB.

FDA has reviewed its records and, under § 314.161, has determined that the drug products listed were not withdrawn from sale for reasons of safety or effectiveness. Accordingly, the Agency will continue to list the drug products in the ''Discontinued Drug Product List'' section of the Orange Book. The ''Discontinued Drug Product List'' identifies, among other items, drug products that have been discontinued from marketing for reasons other than safety or effectiveness.

Approved ANDAs that refer to the drug products listed are unaffected by the discontinued marketing of the products subject to these applications. Additional ANDAs that refer to these products may also be approved by the Agency if they comply with relevant legal and regulatory requirements. If FDA determines that labeling for these drug products 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. 2026–11429 Filed 6–5–26; 8:45 am]

BILLING CODE 4164–01–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

National Institutes of Health

Center for Scientific Review; Notice of Closed Meetings

Pursuant to section 1009 of the Federal Advisory Committee Act, as amended, notice is hereby given of the following meetings.

The meetings will be closed to the public in accordance with the provisions set forth in sections 552b(c)(4) and 552b(c)(6), Title 5 U.S.C., as amended. The grant applications and the discussions could disclose confidential trade secrets or commercial property such as patentable material, and personal information concerning individuals associated with the grant applications, the disclosure of which would constitute a clearly unwarranted invasion of personal privacy.

Name of Committee: Center for Scientific Review Special Emphasis Panel; Career Development Training.

Date: July 7, 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: Tushar Baran Deb, Ph.D., Scientific Review Officer, Center for Scientific Review, National Institute of Health, 6701 Rockledge Drive, Rockville, MD 20850, (240) 276–6132, *tushar.deb@nih.gov*.

Name of Committee: Infectious Diseases and Immunology A Integrated Review Group; Bacterial Virulence Study Section.

Date: July 7–8, 2026.

Time: 10:00 a.m. to 6:00 p.m.

Agenda: To review and evaluate grant applications.

Address: National Institutes of Health, Rockledge II, 6701 Rockledge Drive, Bethesda, MD 20892.

Meeting Format: Virtual Meeting.

Contact Person: Susan Daum, Ph.D., Scientific Review Officer, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Drive, Room 3202, Bethesda, MD 20892, 301–827–7233, *susan.boyle-vavra@nih.gov*.

Name of Committee: Center for Scientific Review Special Emphasis Panel; NIDCD Clinical Research Center Grant (P50) Review.

Date: July 7, 2026.

Time: 10:00 a.m. to 3:00 p.m.

Agenda: To review and evaluate grant applications.

Address: National Institutes of Health, Rockledge II, 6701 Rockledge Drive, Bethesda, MD 20892.

Meeting Format: Virtual Meeting.
Contact Person: Li Jia, Ph.D., Scientific Review Officer, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Drive, Bethesda, MD 20892, (301) 451–2854, *li.jia@nih.gov*.

Name of Committee: Center for Scientific Review Special Emphasis Panel; Training and Career Development: Clinical Care, Treatment & Disease Management.
Date: July 8–9, 2026.
Time: 9:00 a.m. to 5:30 p.m.
Agenda: To review and evaluate grant applications.
Address: National Institutes of Health, Rockledge II, 6701 Rockledge Drive, Bethesda, MD 20892.
Meeting Format: Virtual Meeting.
Contact Person: Trina Colleen Salm Ward, Ph.D., Scientific Review Officer, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Drive, Bethesda, MD 20892, (301) 594–5254, *salmwardtc@csr.nih.gov*.

Name of Committee: Center for Scientific Review Special Emphasis Panel; Fellowships: Clinical Neurosciences.
Date: July 8–9, 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: Anita T Tandle, Ph.D., Scientific Review Officer, Center or Scientific Review, National Institutes of Health, 6701 Rockledge Drive, Bethesda, MD 20892, (240) 204–0329, *tandlea@mail.nih.gov*.

Name of Committee: Center for Scientific Review Special Emphasis Panel; PAR–24–268: Biomedical Research Environment & Sponsored Programs Administration Development (BRE–SPAD) Program.
Date: July 8, 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: Dylan P Flather, Ph.D., Scientific Review Officer, Center or Scientific Review, National Institutes of Health, 6701 Rockledge Drive, Bethesda, MD 20892, (406) 802–6209, *dylan.flather@nih.gov*.

Name of Committee: Center for Scientific Review Special Emphasis Panel; PAR Panel: Cancer Etiology, Diagnosis, Prevention and Treatment.
Date: July 8, 2026.
Time: 9:00 a.m. to 5:00 p.m.
Agenda: To review and evaluate grant applications.
Address: National Institutes of Health, Rockledge II, 6701 Rockledge Drive, Bethesda, MD 20892.
Meeting Format: Virtual Meeting.
Contact Person: Hasan Siddiqui, Ph.D., Scientific Review Officer, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Drive, Bethesda, MD 20892, (301) 451–0395, *hasan.siddiqui@nih.gov*.

Name of Committee: Center for Scientific Review, Special Emphasis Panel; Biological Processes and Social-Ecological Factors.
Date: July 8–9, 2026.
Time: 10:00 a.m. to 6:00 p.m.
Agenda: To review and evaluate grant applications.
Address: National Institutes of Health, Rockledge II, 6701 Rockledge Drive, Bethesda, MD 20892.
Meeting Format: Virtual Meeting.
Contact Person: Brittany L Mason-Mah, Ph.D., Scientific Review Officer, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Drive, Room 1000A, Bethesda, MD 20892, (301) 594–3163, *masonmahbl@mail.nih.gov*.

Name of Committee: Center for Scientific Review Special Emphasis Panel; Special: Cardiovascular and Circulation.
Date: July 8, 2026.
Time: 10:00 a.m. to 6:30 p.m.
Agenda: To review and evaluate grant applications.
Address: National Institutes of Health, Rockledge II, 6701 Rockledge Drive, Bethesda, MD 20892.
Meeting Format: Virtual Meeting.
Contact Person: Nakia C Brown, Ph.D., Scientific Review Officer, Center or Scientific Review, National Institutes of Health, 6701 Rockledge Drive, Bethesda, MD 20892, 301–827–4905, *brownnac@mail.nih.gov*.

Name of Committee: Center for Scientific Review Special Emphasis Panel; Member Conflict: Topics in Adaptive and Innate Immunity.
Date: July 8, 2026.
Time: 10:00 a.m. to 6:00 p.m.
Agenda: To review and evaluate grant applications.
Address: National Institutes of Health, Rockledge II, 6701 Rockledge Drive, Bethesda, MD 20892.
Meeting Format: Virtual Meeting.
Contact Person: Diana Maria Ortiz-Garcia, Ph.D., Scientific Review Officer, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Drive, Bethesda, MD 20892, (301) 594–5614, *diana.ortiz-garcia@nih.gov*.

(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: June 3, 2026.

Denise M. Santeufemio,

Supervisory Program Analyst, Office of Federal Advisory Committee Policy.

[FR Doc. 2026–11390 Filed 6–5–26; 8:45 am]

BILLING CODE 4140–01–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

National Institutes of Health

Eunice Kennedy Shriver National Institute of Child Health & Human Development; Notice of Meeting

Pursuant to section 1009 of the Federal Advisory Committee Act, as amended, notice is hereby given of a meeting of the National Advisory Child Health and Human Development Council.

The meeting will be open to the public as indicated below, with attendance limited to space available. Individuals who plan to attend and need special assistance, such as sign language interpretation or other reasonable accommodations, should notify the Contact Person listed below in advance of the meeting. The meeting can be accessed from the NIH Videocast at the following link: *http://videocast.nih.gov/.*

The meeting will be closed to the public in accordance with the provisions set forth in sections 552b(c)(4) and 552b(c)(6), Title 5 U.S.C., as amended. The 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: National Advisory Child Health and Human Development Council.
Date: October 14, 2026.
Open: 9:00 a.m. to 1:45 p.m.
Agenda: Introductory Remarks; NICHD Director's Report; Concept Clearance; Invited Director: Clinical Center; Annual Division of Intramural Research; Scientific Presentation; Voice of the Participant; Remarks from Retiring Members.
Address: National Institutes of Health, Natcher Building, 45 Center Drive, Bethesda, MD 20892.
Meeting Format: In Person.
Closed: 2:00 p.m. to 5:00 p.m.
Agenda: Review of Applications, Closing Remarks; Adjournment.
Address: National Institutes of Health, Natcher Building, 45 Center Drive, Bethesda, MD 20892.
Meeting Format: In Person.
Contact Person: Rebekah S. Rasooly, Ph.D., *Eunice Kennedy Shriver* National Institute of Child Health and Human Development, National Institutes of Health, 6710B Rockledge Drive, Bethesda, MD 20817, Phone: 301–827–2599, Email: *Rebekah.rasooly@nih.gov*.

Registration is not required to attend the open portion of this meeting.

Any interested person may file written comments with the committee by forwarding the statement to the Contact Person listed on this notice. The statement should include the name, address, telephone number and when applicable, the business or professional affiliation of the interested person.

Information is also available on the Institute's/Center's home page: *https://www.nichd.nih.gov/about/advisory/council,* where an agenda and any additional information for the meeting will be posted when available.

Dated: June 4, 2026.

Margaret N. Vardanian,

Program Analyst, Office of Federal Advisory Committee Policy.

[FR Doc. 2026–11461 Filed 6–5–26; 8:45 am]

BILLING CODE 4140–01–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

National Institutes of Health

Office of the Director, National Institutes of Health; Notice of Meeting

Pursuant to section 1009 of the Federal Advisory Committee Act, as amended, notice is hereby given of a meeting of the NIH Clinical Center Research Hospital Board.

This will be a hybrid meeting held in-person and virtually and will be open to the public as indicated below. Individuals who plan to attend in-person or view the virtual meeting and need special assistance or other reasonable accommodations should notify the Contact Person listed below in advance of the meeting. The meeting can be accessed from the NIH Videocast at the following link: *https://videocast.nih.gov/.*

Name of Committee: NIH Clinical Center Research Hospital Board.

Date: October 16, 2026.

Time: 9:00 a.m. to 1:00 p.m.

Agenda: NIH and Clinical Center (CC) Leadership Announcements, CC Chief Executive Officer (CEO) Update of Recent Activities and Organizational Priorities, and Other Business of the Clinical Center Research Hospital Board (CCRHB).

Address: National Institutes of Health, Building 31, Conference Room 6C02 A & B, 9000 Rockville Pike, Bethesda, MD 20892.

Meeting Format: In-person and Virtual Meeting.

Contact Person: Patricia Piringer, RN, MSN (C), National Institutes of Health Clinical Center, 10 Center Drive, Bethesda, MD 20892, (301) 402–2435, (202) 460–7542 (direct), *ppiringer@cc.nih.gov.*

Natascha Pointer, Management Analyst, Executive Assistant to Dr. Green and Mr. Aiyelawo, Office of the Chief Executive Officer, National Institutes of Health Clinical Center, 10 Center Drive, Bethesda, MD 20892, (301) 496–4114, (301) 402–2434 (direct), *npointer@cc.nih.gov.*

Any interested person may file written comments with the committee by forwarding the statement to the Contact Person listed on this notice. The statement should include the name, address, telephone number and when applicable, the business or professional affiliation of the interested person.

In the interest of security, NIH has procedures at *https://security.nih.gov/visitors/Pages/visitor-campus-access.aspx* for entrance into on-campus and off-campus facilities. All visitor vehicles, including taxicabs, hotel, and airport shuttles will be inspected before being allowed on campus. Visitors attending a meeting on campus or at an off-campus federal facility will be asked to show one form of identification (for example, a government-issued photo ID, driver's license, or passport) and to state the purpose of their visit.

Information is also available on the CCRHB website: *https://www.ccrhb.od.nih.gov/* where an agenda and any additional information for the meeting will be posted when available.

(Catalogue of Federal Domestic Assistance Program Nos. 93.14, Intramural Research Training Award; 93.22, Clinical Research Loan Repayment Program for Individuals from Disadvantaged Backgrounds; 93.232, Loan Repayment Program for Research Generally; 93.39, Academic Research Enhancement Award; 93.936, NIH Acquired Immunodeficiency Syndrome Research Loan Repayment Program; 93.187, Undergraduate Scholarship Program for Individuals from Disadvantaged Backgrounds, National Institutes of Health, HHS)

Dated: June 3, 2026.

Denise M. Santeufemio,

Supervisory Program Analyst, Office of Federal Advisory Committee Policy.

[FR Doc. 2026–11369 Filed 6–5–26; 8:45 am]

BILLING CODE 4167–05–P

DEPARTMENT OF THE INTERIOR

Fish and Wildlife Service

[Docket No. FWS–R4–ES–2026–1851; FXES11140400000–267–FF04AL4000]

General Conservation Plan for the Alabama Beach Mouse; Categorical Exclusion; Baldwin County, AL

AGENCY: Fish and Wildlife Service, Interior.

ACTION: Notice of availability; request for comment.

SUMMARY: We, the Fish and Wildlife Service (Service), announce receipt of nine separate applications for incidental take permits (ITPs) under the Endangered Species Act (ESA): One from Chris Prantl, Dan Higdon, Elite South Alabama Vacation Rental Series LLC, John Davidson Properties LLC, Johnathon Lazzarino, Phouc Nguyen, RBM Homes LLC, Silver Davis LLC, and Willie and Sheri Payne (applicant/applicants), under the approved general conservation plan (GCP) for the Alabama beach mouse (ABM; *Peromyscus polionotus ammobates*). Each applicant requests an ITP to take the federally listed ABM incidental to construction in Baldwin County, Alabama. We request public comment on these applications, which include the applicants' proposed habitat conservation plan (HCP) and on the Service's preliminary determination that the proposed permitting action qualifies under the terms of the ABM GCP.

DATES: We must receive your written comments on or before July 8, 2026.

ADDRESSES:

Obtaining Documents: The documents this notice announces, as well as any comments and other materials that we receive, will be available for public inspection online in Docket No. FWS–R4–ES–2026–1851 at *https://www.regulations.gov.*

Submitting Comments: All submissions must include the docket number [FWS–R4–ES–2026–1851] for this document. You must submit comments using one of the following methods:

- *Online:* Federal eRulemaking Portal at: *https://www.regulations.gov.* Follow the instructions for submitting comments on Docket No. FWS–R4–ES–2026–1851.
- *U.S. Mail:* Public Comments Processing, Attn: Docket No. FWS–R4–ES–2026–1851; Policy and Regulations Branch; U.S. Fish and Wildlife Service, MS: PRB (JAO/3W), 5275 Leesburg Pike, Falls Church, VA 22041–3803.

Comments submitted through any method not authorized in this document, or sent to an address not listed here, will not be considered. We will not accept comments via email, fax, or hand delivery. We are not required to consider comments that are submitted after the comment period ends or that are submitted via a method outside of these instructions. Comments containing profanity, vulgarity, threats, or other inappropriate content will not be considered.

We will post all comments at *https://www.regulations.gov.* You may request that we withhold personal identifying information from public review; however, we cannot guarantee that we will be able to do so. See Public Availability of Comments for additional information.

FOR FURTHER INFORMATION CONTACT: William Lynn, by U.S. mail (see **ADDRESSES**), by telephone at 1–251–538–2065, or via email at *william_lynn@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.

SUPPLEMENTARY INFORMATION: We, the Fish and Wildlife Service (Service), announce receipt of nine applications under the approved GCP for the ABM (*Peromyscus polionotus ammobates*) from Chris Prantl, Dan Higdon, Elite South Alabama Vacation Rental Series LLC, John Davidson Properties LLC, Johnathon Lazzarino, Phouc Nguyen, RBM Homes LLC, Silver Davis LLC, and Willie and Sheri Payne for nine separate ITPs—also known as a section 10(a)(1)(B) permit—under the Endangered Species Act, as amended (ESA; 16 U.S.C. 1531 *et seq.*). The ABM GCP was approved March 28, 2012. An environmental impact statement and record of decision for the GCP was approved at the same time.

A GCP is a mechanism that meets the definition of a conservation plan in section 10(a)(1)(B) of the ESA and enables the construct of a programmatic permitting and conservation process to address a defined suite of proposed activities over a defined planning area.

We certify that each application is statutorily complete and includes the necessary information to enroll in the GCP. We have no evidence that the applicant would be disqualified pursuant to 50 CFR 13.21.

Each applicant requests an ITP to take ABM, incidental to construction in Baldwin County, Alabama. We request comment from the public and local, State, Tribal, and Federal agencies on each application, which includes the applicants' HCPs, and on the Service's preliminary determination that the proposed ITP qualifies under the ABM GCP and Final Environmental Impact Statement (FEIS) published on March 28, 2012 (77 FR 18857).

Proposed Projects

Permit Number: PER28008529

Chris Prantl, applicant, requests a 50-year ITP to take ABM via the conversion of 0.08 acre (ac) of occupied nesting, foraging, and sheltering ABM habitat incidental to the construction of a single-family home on a 0.145-ac parcel located on Buchanan Court East, Gulf Shores, Baldwin County, Alabama. The applicant proposes to mitigate for the take of ABM through an in-lieu fee of $7,902.80 to the Alabama Coastal Heritage Trust's Alabama beach mouse conservation fund.

Permit Number: PER26823969

Dan Higdon, applicant, requests a 50-year ITP to take ABM via the conversion of 0.11 ac of occupied nesting, foraging, and sheltering ABM habitat incidental to the construction of a long driveway and single-family home on a 1.04-ac parcel located at 2509 West Beach Blvd., Gulf Shores, Baldwin County, Alabama. The applicant proposes to mitigate for the take of ABM through an in-lieu fee of $11,049.20 to the Alabama Coastal Heritage Trust's Alabama beach mouse conservation fund.

Permit Number: PER26823534

Elite South Alabama Vacation Series LLC, applicant, requests a 50-year ITP to take ABM via the conversion of 0.017 ac of occupied nesting, foraging, and sheltering habitat incidental to the construction of a pool with deck to an existing house on a 0.464-ac parcel located at 6897 Driftwood Drive, Gulf Shores, Baldwin County, Alabama. The applicant proposes to mitigate for the take of ABM through an in-lieu fee of $1,656.00 to the Alabama Coastal Heritage Trust's ABM conservation fund.

Permit Number: PER27847814

John Davidson Properties LLC, applicant, requests a 50-year ITP to take ABM via the conversion of 0.204 ac of occupied nesting, foraging, and sheltering ABM habitat incidental to the construction of a long driveway; a single-family home with decks and a pool; and a recreational vehicle storage area on a 0.784 ac lot located at 9195 Gulf Crest Drive, Gulf Shores, Baldwin County, Alabama. The applicant sought a long driveway option under the GCP to reach his lot. The applicant proposes to mitigate for the take of ABM through an in-lieu fee of $20,488.40 to the Alabama Coastal Heritage Trust's Alabama beach mouse conservation fund.

Permit Number: PER27582682

Jonathon Lazzarino, applicant, requests a 50-year ITP to take ABM via the conversion of 0.006 ac of occupied nesting, foraging, and sheltering ABM habitat incidental to the construction of a pool and deck addition to a single-family home on a 0.706-ac parcel located at 3730 Ponce de Leon Court, Gulf Shores, Baldwin County, Alabama. The applicant proposes to mitigate for the take of ABM through an in-lieu fee of $616.40 to the Alabama Coastal Heritage Trust's Alabama beach mouse conservation fund.

Permit Number: PER27003784

Phouc Nguyen, applicant, requests a 50-year ITP to take ABM via the conversion of 0.10 ac of occupied nesting, foraging, and sheltering ABM habitat incidental to the construction of a single-family home on a 0.446-ac parcel located at 8920 Dolphin Lane, Gulf Shores, Baldwin County, Alabama. The applicant proposes to mitigate for the take of ABM through an in-lieu fee of $10,011.90 to the Alabama Coastal Heritage Trust's Alabama beach mouse conservation fund.

Permit Number: PER25662935

RBM Homes LLC, applicant, requests a 50-year ITP to take Alabama beach mice via the conversion of 0.082 ac of occupied nesting, foraging, and sheltering ABM habitat incidental to the construction of a single-family home on a 0.465-ac parcel located at 828 Gulf Way Drive, Gulf Shores, Baldwin County, Alabama. The applicant proposes to mitigate for the take of ABM through an in-lieu fee of $8227.10 to the Alabama Coastal Heritage Trust's Alabama beach mouse conservation fund.

Permit Number: PER26824147

Silver Davis LLC, applicant, requests a 50-year ITP to take ABM via the conversion of 0.125 ac of occupied nesting, foraging, and sheltering ABM habitat incidental to the construction of a long driveway and single-family home on a 0.8-ac parcel located at 2881 West Beach Blvd., Gulf Shores, Baldwin County, Alabama. The applicant proposes to mitigate for the take of ABM through an in-lieu fee of $12,507.40 to the Alabama Coastal Heritage Trust's Alabama beach mouse conservation fund.

Permit Number: PER24494290

Willie and Sheri Payne, applicants, request a 50-year ITP to take ABM via the conversion of 0.06 ac of occupied nesting, foraging, and sheltering ABM habitat incidental to the construction of a single-family home on a 0.168-ac parcel located at 3188 State Highway 180, Gulf Shores, Baldwin County, Alabama. The applicants propose to mitigate for the take of ABM through an in-lieu fee of $6,556.15 to the Alabama Coastal Heritage Trust's Alabama beach mouse conservation fund.

Our Preliminary Determination

The Service has made a preliminary determination that reasonably foreseeable effects of the applicants' proposed projects, including the construction of the residential development and associated

infrastructure (*e.g.,* electric, water, sewer lines, driveways), would individually and cumulatively have a minor effect on ABM and the human environment. Reasonably foreseeable effects encompass effects of implementation of the action along with other past, present, and reasonably foreseeable future effects. Therefore, we have then made a preliminary determination that each proposed ESA section 10(a)(1)(B) permit would meet the requirements of the GCP and FEIS.

Next Steps

The Service will evaluate each application and any comments received as a result of this notice to determine whether to issue the requested ITPs. We will also conduct an intra-Service consultation pursuant to section 7 of the ESA to evaluate the effects of the proposed take. After considering the preceding and other matters, we will determine whether the permit issuance criteria of section 10(a)(1)(B) of the ESA have been met. If met, the Service will issue:

- ITP number PER28008529 to Chris Prantl,
- ITP number PER26823969 to Dan Higdon,
- ITP number PER26823534 to Elite South Alabama Vacation Series LLC,
- ITP number PER27847814 to John Davidson Properties LLC,
- ITP number PER27582682 to Jonathon Lazzarino,
- ITP number PER27003784 to Phouc Nguyen,
- ITP number PER25662935 to RBM Homes LLC,
- ITP number PER26824147 to Silver Davis LLC, and
- ITP number PER24494290 to Willie and Sheri Payne.

Public Availability of Comments

Before including your address, phone number, email address, or other personal identifying information in your comment, be aware that your entire comment, including your personal identifying information, may be made available to the public. If you submit a comment at *https://www.regulations.gov,* your entire comment, including any personal identifying information, will be posted on the website. If you submit a hardcopy comment that includes personal identifying information, such as your address, phone number, or email address, you may request at the top of your document that we withhold this information from public review. However, we cannot guarantee that we will be able to do so. Moreover, all submissions from organizations or businesses, and from individuals identifying themselves as representatives or officials of organizations or businesses, will be made available for public disclosure in their entirety.

Authority

The U.S. Fish and Wildlife Service provides this notice under the ESA section 10(c) and its implementing regulations (50 CFR 17.32), the National Environmental Policy Act of 1969 (42 U.S.C. 4321 *et seq.*), and the Department of the Interior's implementing regulations (43 CFR part 46).

Jeffrey Powell,

Acting Field Supervisor, Alabama Ecological Service Field Office.

[FR Doc. 2026–11418 Filed 6–5–26; 8:45 am]

BILLING CODE 4333–15–P

DEPARTMENT OF THE INTERIOR

Fish and Wildlife Service

[Docket No. FWS–HQ–IA–2026–1948; FXES111609C0000–267–FF09E41000; OMB Control Number 1018–0186]

Agency Information Collection Activities; Federal Fish and Wildlife Permit Applications and Reports—Requirements for African Elephants

AGENCY: Fish and Wildlife Service, Interior.

ACTION: Notice of information collection; request for comment.

SUMMARY: In accordance with the Paperwork Reduction Act of 1995, we, the U.S. Fish and Wildlife Service (Service), are proposing to renew an information collection without change.

DATES: Comments will be accepted on or before August 7, 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. To ensure your comment is received and considered, you must submit it using one of the methods identified in the **ADDRESSES** section of this document. Comments submitted through any method not authorized in this document, or sent to an address not listed here, will not be considered.

ADDRESSES:

Comment submission: All submissions must include the docket number [FWS–HQ–IA–2026–1948] for this document. You must submit comments using one of the following methods:

- *Electronic submission:* Federal eRulemaking Portal at: *https://www.regulations.gov.* In the Search box, enter FWS–HQ–IA–2026–1948, which is the docket number for this action. Then click the Search button. On the resulting page, you may submit a comment by clicking on ''Comment.'' Please ensure that you have found the correct document before submitting your comments.
- *U.S. mail:* Service Information Collection Clearance Officer, Attn: Docket No. FWS–HQ–IA–2026–1948, U.S. Fish and Wildlife Service, MS: PRB (JAO/3W), 5275 Leesburg Pike, Falls Church, VA 22041–3803.

Comments submitted through any method not authorized in this document, or sent to an address not listed here, will not be considered. We will not accept comments via email, fax, or hand delivery. We are not required to consider comments that are submitted after the comment period ends or that are submitted via a method outside of these instructions. Comments containing profanity, vulgarity, threats, or other inappropriate content will not be considered. We will post all comments at *https://www.regulations.gov.*

FOR FURTHER INFORMATION CONTACT: Madonna Baucum, Service Information Collection Clearance Officer, by email at *Info_Coll@fws.gov,* or by telephone at (703) 358–2503. Individuals who are hearing or speech impaired may call the Federal Relay Service at 1–800–877–8339 for TTY assistance. You may also view the information collection request (ICR) at *http://www.reginfo.gov/public/do/PRAMain.*

SUPPLEMENTARY INFORMATION: In accordance with the Paperwork Reduction Act of 1995 (44 U.S.C. 3501 *et seq.*) and 5 CFR 1320.8(d)(1), we provide the general public and other Federal agencies with an opportunity 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.

An agency may not conduct or sponsor and a person is not required to respond to a collection of information unless it displays a currently valid Office of Management and Budget (OMB) control number. As part of our continuing effort to reduce paperwork and respondent burdens, we are soliciting comments from the public and other Federal agencies on the proposed ICR described below. 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 or not 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 might the agency minimize the burden of the collection of information on those who are to respond, including through the use of appropriate automated, electronic, mechanical, or other technological collection techniques or other forms of information technology (*e.g.,* permitting electronic submission of response).

Comments that you submit in response to this notice are a matter of public record. Before including your address, phone number, email address, or other personally identifiable information in your comment, you should be aware that your entire comment—including your personally identifiable information—may be publicly available at any time. While you can ask us in your comment to withhold your personally identifiable information from public review, we cannot guarantee that we will be able to do so.

Abstract: The general permit provisions in 50 CFR part 13 provide the uniform rules, conditions, and procedures for activities requiring a permit under all laws, treaties, and regulations administered by the Service. The requirements in 50 CFR part 13 are in addition to any other permit regulations that may apply to a specific circumstance.

When a species is listed as threatened, section 4(d) of the Endangered Species Act of 1973, as amended (ESA; 16 U.S.C. 1533), gives discretion to the Secretary of the Interior (Secretary) to issue regulations that the Secretary deems necessary and advisable to provide for the conservation of such species. Considering the rise in international trade of live elephants, particularly of wild-sourced elephants, and recent CITES developments concerning regulation of trade in live elephants, as well as a need to clarify our enhancement standards and improve the permitting process for import of sport-hunted elephant trophies, we reevaluated the provisions of the regulations that were issued under section 4(d) of the ESA for the African elephant. We found it is appropriate for the United States to adopt requirements under the ESA to ensure that activities with live African elephants under U.S. jurisdiction enhance the conservation of the species and that live African elephants are well cared for, so that any domestic demand for live African elephants enhances their conservation and does not contribute to their decline in the wild.

In addition, clarifying the enhancement requirement for the import of African elephant sport-hunted trophies and receiving information from the range countries enables us to ensure that authorized imports contribute to enhancing the conservation of the species and do not contribute to the decline of the species. Clarifying the enhancement standards in the decision-making process for the import of African elephant sport-hunted trophies increases transparency with stakeholders. To support U.S. African elephant conservation efforts, we allow certain types of imports only from countries that have achieved a Category One designation under the CITES National Legislation Project, which is accomplished by meeting the basic requirements to implement CITES through the Party's adoption of national laws to implement the treaty.

On April 1, 2024, we issued a rule (89 FR 22522) which revised regulations promulgated under ESA section 4(d) rule (50 CFR 17.40(e)) by adopting measures that were necessary and advisable for the current conservation needs of the species, based on our evaluation of the current threats to the African elephant. This final section 4(d) rule removed from 50 CFR 17.40(e)(2) the exception from prohibitions for import, export, interstate commerce, and foreign commerce in live African elephants, except when a permit can be issued under 50 CFR part 17. The final rule also established the standards used to evaluate ''enhancement'' under the ESA for the import of wild-sourced live African elephants under a new 50 CFR 17.40(e)(10). This provision established an annual certification requirement for range countries that allow for export of live African elephants destined for the United States to provide the Service with information about the management and status of African elephants in their country.

This final rule also clarified our evaluation of the existing enhancement requirement regarding applications for the import of sport-hunted trophies by adding a new provision to 50 CFR 17.40(e)(6). This provision established an annual certification requirement for range countries that allow for export of sport-hunted trophies destined for the United States to provide the Service with information about the management and status of African elephants and the hunting programs in their country. This provision did not change the enhancement requirement for the import of sport-hunted trophies under the previous section 4(d) rule but clarified how that requirement can be met.

The final rule also incorporated the CITES National Legislation Project category designations (see 50 CFR 23.7 and *https://www.cites.org*) into the acceptance of imports under 50 CFR 17.40(e)(2), (e)(6), and (e)(10) under a new 50 CFR 17.40(e)(11).

Before a country can issue an export permit for CITES Appendix I or II specimens, the CITES Scientific Authority of the exporting country must determine that the export will not be detrimental to the species, and the Management Authority must be satisfied that the specimens were acquired legally. For the export of Appendix III specimens, the Management Authority must be satisfied that the specimens were acquired legally (CITES does not require findings from the Scientific Authority). Prior to the importation of Appendix I specimens, both the scientific and Management Authorities of the importing country must make required findings. The Scientific Authority must also monitor trade of all species to ensure that the level of trade is sustainable.

Article VIII(3) of the CITES treaty states that participating parties should make efforts to ensure that CITES specimens are traded with a minimum of delay. Section XII of Resolution Conf. 12.3 (Rev. CoP20) *Permits and certificates* recommends use of simplified procedures for issuing CITES documents to expedite trade that will have no impact, or a negligible impact on conservation of the species involved.

All Service permit applications use forms in the 3–200 series, with each form tailored to a specific activity and its corresponding permitting requirements. We collect standard identifier information for all permits, such as the name of the applicant and the applicant's address, telephone numbers, tax identification number, email address, and website address, if applicable. Standardization of general information common to the application forms makes filing applications easier for the public, as well as expediting our review of applications.

The information that we collect on applications and reports is the minimum necessary for us to determine if the applicant meets/continues to meet issuance requirements for the particular

activity. Respondents submit application forms periodically as needed; submission of reports is generally on an annual basis, or as identified conditionally as part of an issued permit. We examined applications in this collection, focusing on questions frequently misinterpreted or not addressed by applicants. We have made clarifications to many of our applications to make it easier for the applicant to know what information we need and to accommodate future electronic permitting. Use of these forms:

- Reduces burden on applicants.
- Improves customer service.
- Allows us to process applications and finalize reviews quickly.

We will request OMB approval to renew, without change, the reporting and recordkeeping requirements identified below:

(1) Permit Application (Form 3–200–37h), ''*Interstate Commerce, Transfer, Export, or Foreign Commerce of Live African Elephants under the U.S. Endangered Species Act (ESA)*'' 50 CFR 17.40—Form 3–200–37h will cover activities involving the interstate commerce, transfer, export, or foreign commerce of live African elephants. The application form applies to both wild-sourced and captive-bred live African elephants. The information provided in the application form will be used to determine whether a permit can be issued to the applicant under the relevant Federal regulations pertaining to the requested activity. We collect the following information from domestic entities (*i.e.,* individuals, private sector, State/local/Tribal governments), noting applicants may need to provide information from the foreign entity as part of their application submission:

- Standardized identifier information required in 50 CFR 13.12.
- Name and address where the permit is to be mailed, if different from physical address.
- Name, phone number, and email of individual(s) for the Service to contact with questions.
- Whether the applicant or any owners of the business (if applying as a business, corporation, or institution) have been assessed a civil penalty or convicted of any criminal provision of any statute or regulation relating to the activity for which the application is filed; been convicted, or entered a plea of guilty or nolo contendere, for a felony violation of the Lacey Act, the Migratory Bird Treaty Act, or the Bald and Golden Eagle Protection Act; forfeited collateral; or are currently under charges for any violation of the laws.
- Type of activity requested (interstate commerce, transfer, export, or foreign commerce).
- The current location of the animal(s) (if different from the physical address).
- Name and physical address of the recipient of the specimen.
- For each animal involved in the export/transport, the applicant must provide the following information:
  - Scientific name (genus, species, and if applicable, subspecies);
  - Common name;
  - Approximate birth date (mm/dd/yyyy);
  - Wild or captive-bred;
  - Quantity;
  - Sex (males, females, *e.g.,* 10, 2); and
  - Permanent markings or identification (microchip #, leg band #, tattoos, studbook #, etc.).
- Information regarding source of specimen(s).
- A description and justification for the requested activity.
- Information regarding technical expertise and facilities.
- Information confirming that the receiving facility meets the CITES ''suitably equipped to house and care for'' requirements.
- The transportation/shipment condition of the live animals.

A. *Recordkeeping Requirements*—Completion of Form 3–200–37h requires the retention of records regarding details on the identification of the elephants, as well as regarding their acquisition, original source, and subsequent transfers, as well as records documenting staff technical expertise and facility information for the species.

B. *Permit Fee*—Form 3–200–37h imposes a nonhour burden cost of $100 per application. Amendments will incur a $50 processing fee.

(2) *Range Country Certification Requirements*—As described above, the final rule establishes an annual certification requirement for range countries to provide the Service with information about the management and status of African elephants and their habitat, within their country. This is not part of the application form itself, but a separate certification document/report/letter from the foreign country's government. The foreign government may provide the certification and information directly to the Service, or the applicant may provide it to the Service. The certification and information will be subject to verification by the Service.

This annual certification from the range country will be kept on file and made available to the public. Without this properly documented and verifiable annual certification, the Service would be unable to issue the requested import permit. This annual certification is specifically for requests to import live, wild-sourced African elephants or African elephant sport-hunted trophies.

Information to be collected from the range country for the import of live, wild-sourced elephants includes specific information on whether family units were kept intact and whether any of the animals collected are pregnant. Alternatively, information collected for the import of sport-hunted trophies includes specific information on the use of the meat of the animal.

A copy of the Form 3–200–37h, ''Interstate Commerce, Transfer, Export, or Foreign Commerce of Live African Elephants under the U.S. Endangered Species Act (ESA)'' is available to the public by submitting a request to the Service Information Collection Clearance Officer using one of the methods identified in **ADDRESSES**.

Title of Collection: Federal Fish and Wildlife Permit Applications and Reports—Requirements for African Elephants.

OMB Control Number: 1018–0186.

Form Numbers: Form 3–200–37h.

Type of Review: Extension without change of a currently approved collection.

Respondents/Affected Public: Individuals (including hunters); private sector (including biomedical companies, circuses, zoological parks, botanical gardens, nurseries, museums, universities, antique dealers, exotic pet industry, taxidermists, commercial importers/exporters of wildlife and plants, freight forwarders/brokers); State, local, Tribal, and Federal governments; and foreign governments.

Respondent's Obligation: Required to obtain or retain a benefit.

Frequency of Collection: On occasion or annually, depending on activity.

Total Estimated Annual Nonhour Burden Cost: $2,800 for costs associated with application processing fees, which range from $0 to $250. State, local, Tribal, and Federal government agencies and those acting on their behalf are exempt from processing fees.

Requirement	Average number of annual respondents	Average number of responses each	Average number of annual responses	Average completion time per response	Estimated annual burden hours *
Hardcopy Application—Interstate Commerce, Transfer, Export, or Foreign Commerce of Live African Elephants under the U.S. Endangered Species Act (ESA) (Form 3–200–37h) 50 CFR 17.40(e)					
Individuals	1	1	1	6	6
Private Sector	10	1	10	6	60
Government	5	1	5	6	30
ePermits Application—Interstate Commerce, Transfer, Export, or Foreign Commerce of Live African Elephants under the U.S. Endangered Species Act (ESA) (Form 3–200–37h) 50 CFR 17.40(e)					
Individuals	1	1	1	5.25	5
Private Sector	10	1	10	5.25	53
Government	5	1	5	5.25	26
Amendment—Interstate Commerce, Transfer, Export, or Foreign Commerce of Live African Elephants under the U.S. Endangered Species Act (ESA) (Form 3–200–37h) 50 CFR 17.40(e)					
Individuals	1	1	1	4	4
Private Sector	5	1	5	4	20
Government	3	1	3	4	12
ePermits Amendment—Interstate Commerce, Transfer, Export, or Foreign Commerce of Live African Elephants under the U.S. Endangered Species Act (ESA) (Form 3–200–37h) 50 CFR 17.40(e)					
Individuals	1	1	1	3.5	4
Private Sector	5	1	5	3.5	18
Government	3	1	3	3.5	11
Range Country Certification Requirements 50 CFR 17.40(e) NEW					
Foreign Government	37	1	37	10	370
Totals	87		87		619

* Rounded.

The authority for this action is the Paperwork Reduction Act of 1995 (44 U.S.C. 3501 *et seq.*).

Madonna Baucum,

Information Collection Clearance Officer, U.S. Fish and Wildlife Service.

[FR Doc. 2026–11412 Filed 6–5–26; 8:45 am]

BILLING CODE 4333–15–P

DEPARTMENT OF THE INTERIOR

Fish and Wildlife Service

[Docket No. FWS–R5–MB–2026–1981; FXMB1231099BPP0–267–FF09M21200; OMB Control Number 1018–0195]

Agency Information Collection Activities; Submission to the Office of Management and Budget; Northeast Region Hunter Participation Surveys

AGENCY: Fish and Wildlife Service, Interior.

ACTION: Notice of information collection; request for comment.

SUMMARY: In accordance with the Paperwork Reduction Act of 1995 (PRA), we, the U.S. Fish and Wildlife Service (Service), are proposing to renew a currently approved information collection.

DATES: Interested persons are invited to submit comments on or before July 8, 2026.

ADDRESSES: Written comments and recommendations for the proposed information collection should be sent within 30 days of publication of this notice 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. Please provide a copy of your comments to the Service Information Collection Clearance Officer, U.S. Fish and Wildlife Service, MS: PRB (JAO/3W), 5275 Leesburg Pike, Falls Church, VA 22041–3803 (mail); or by email to *Info_Coll@fws.gov.* Please reference ''1018–0195'' in the subject line of your comments.

FOR FURTHER INFORMATION CONTACT: Madonna Baucum, Service Information Collection Clearance Officer, by email at *Info_Coll@fws.gov,* or by telephone at (703) 358–2503. 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. You may also view the information collection request at *https://www.reginfo.gov/public/do/PRAMain.*

SUPPLEMENTARY INFORMATION: In accordance with the Paperwork Reduction Act (PRA; 44 U.S.C. 3501 *et seq.*) and its implementing regulations at 5 CFR part 1320, 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 Office of Management and Budget (OMB) control number.

On February 27, 2026, we published in the **Federal Register** (91 FR 9877) a notice of our intent to request that OMB approve this information collection. In that notice, we solicited comments for 60 days, ending on April 28, 2026. We also published the **Federal Register** notice on *Regulations.gov* (Docket No. FWS–R5–MB–2025–1497) to provide

the public with an additional method to submit comments (in addition to the typical U.S. mail submission method). We received one anonymous comment via *Regulations.gov* (FWS–R5–MB–2025–1497–0004) on April 27, 2026, in response to that notice requesting the Service not allow hunting. The commenter did not address the information collection requirements; therefore, no response is required to that comment.

As part of our continuing effort to reduce paperwork and respondent burdens, we are again inviting 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 comment 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 or not 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 might the agency minimize the burden of the collection of information on those who are to respond, including through the use of appropriate automated, electronic, mechanical, or other technological collection techniques or other forms of information technology (*e.g.,* permitting electronic submission of response).

Comments that you submit in response to this notice are a matter of public record. Before including your address, phone number, email address, or other personally identifiable information in your comment, you should be aware that your entire comment—including your personally identifiable information—may be publicly available at any time. While you can ask us in your comment to withhold your personally identifiable information from public review, we cannot guarantee that we will be able to do so.

Abstract: The Service has overall Federal responsibility for managing the Nation's fish and wildlife resources. One of the Service's priorities is to provide the public with wildlife-based outdoor recreation opportunities on National Wildlife Refuges, National Fish Hatcheries, and other Service lands (collectively, refuges). These outdoor recreation opportunities include hunting, which is an important opportunity for people to connect with nature, harvest food, and assist the Service in managing wildlife populations.

The National Wildlife Refuge System Administration Act, as amended by the National Wildlife Refuge System Improvement Act (the Act; 16 U.S.C. 668dd *et seq.*) stipulates that refuges undergo a comprehensive conservation planning process that, among other things, must look at the compatibility of wildlife-dependent recreation (including hunting) on refuges. We will use the information from the proposed survey effort to inform planning on refuges as mandated by the Act.

Hunting on refuges is regulated by both State and Federal laws, as well as through refuge-specific regulations. These refuge-specific regulations are made in accordance with hunt plans required to be developed for each refuge. These hunt plans outline refuge-specific bag limits, season dates, areas open and closed to hunting, allowed hunting time, and other requirements. The hunt plans are an important tool that refuges use to manage harvest, safety, and visitor experience.

Creating hunt plans relies on sound biological and social data. Understanding hunter experience, preference, and harvest helps refuge managers and planners tailor hunt plans to suit biological and visitor objectives and maintain a safe environment for hunters and non-hunting visitors.

To ensure the surveys were comprehensive, the Service convened an interdisciplinary team made up of biologists, managers, visitor services specialists, social scientists, and law enforcement officers. The team identified data gaps needed to inform future hunt plan development, identified safety concerns, and considered methods to better understand hunter preference in order to improve visitor experience.

We use the following survey forms to collect information:

1. Form 3–2557, *Hunter Participation Survey*—The survey's purpose is to learn more about big game, small game, migratory bird, and upland game hunters and their overall experience hunting on national wildlife refuges and hatcheries. The survey includes questions about species harvested, methods and preferences for managing hunter numbers, safety concerns, hunter regulations, user conflicts, satisfaction, and motivations for hunting.

2. Form 3–2558, *Spring Turkey Hunter Participation Survey*—The survey's purpose is to learn more about spring turkey hunters and their overall experience hunting on national wildlife refuges and hatcheries. The survey includes questions about species harvested, methods and preferences for managing hunter numbers, safety concerns, hunter regulations, user conflicts, satisfaction, and motivations for hunting.

In conjunction with this renewal, we made the following nonsubstantive edits to Forms 3–2557 and 3–2558 since OMB's initial approval on November 7, 2023:

1. *Form 3–2557, ''Hunter Satisfaction Survey''*—

a. Big game question 2ii—The question currently reads, ''What method (s) of take did you use?'' To minimize confusion to respondents, we propose to change that question to ''What method(s) of take did you use, regardless of whether you harvested an animal?''

b. Small game question 4—The question currently reads, ''What methods did you use to hunt small game on the refuge?'' To minimize confusion to respondents, we propose to change that question to ''What method(s) of take did you use to hunt small game on the refuge, regardless of whether you harvested an animal?''

2. *Form 3–2558, ''Spring Turkey Hunter Participation Survey''*—

a. Question 3 currently reads, ''What method of take did you use to hunt turkey during the previous spring turkey hunting season?'' To minimize confusion to respondents, we propose to change the question to ''What method of take did you use to hunt turkey during the previous spring turkey hunting season, regardless of whether you harvested an animal?''

The public may request copies of any form or document contained in this information collection by sending a request to the Service Information Collection Clearance Officer in **ADDRESSES**, above.

Title of Collection: Northeast Region Hunter Participation Surveys.

OMB Control Number: 1018–0195.

Form Numbers: Forms 3–2557 and 3–2558.

Type of Review: Extension of a currently approved collection.

Respondents/Affected Public: Individuals.

Respondent's Obligation: Voluntary.

Total Estimated Number of Annual Respondents: 760.

Total Estimated Number of Annual Responses: 760.

Estimated Completion Time per Response: 8 minutes for Form 3–2557 and 6 minutes for Form 3–2558.

Total Estimated Number of Annual Burden Hours: 99.

Frequency of Collection: On occasion.

Total Estimated Annual Nonhour Burden Cost: None.

The authority for this action is the Paperwork Reduction Act of 1995 (44 U.S.C. 3501 *et seq.*).

Madonna Baucum,

Information Collection Clearance Officer, U.S. Fish and Wildlife Service.

[FR Doc. 2026–11413 Filed 6–5–26; 8:45 am]

BILLING CODE 4333–15–P

DEPARTMENT OF THE INTERIOR

Fish and Wildlife Service

[Docket No. FWS–HQ–OCI–2026–2080; FVWF97820900000–XXX–FF09W13000 and FVWF54200900000–XXX–FF09W13000; OMB Control Number 1018–0088]

Agency Information Collection Activities; Submission to the Office of Management and Budget; National Survey of Fishing, Hunting, and Wildlife Watching

AGENCY: Fish and Wildlife Service, Interior.

ACTION: Notice of information collection; request for comment.

SUMMARY: In accordance with the Paperwork Reduction Act of 1995 (PRA), we, the U.S. Fish and Wildlife Service (Service), are proposing to revise a currently approved information collection.

DATES: Interested persons are invited to submit comments on or before July 8, 2026.

ADDRESSES: Written comments and recommendations for the proposed information collection should be sent within 30 days of publication of this notice 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. Please provide a copy of your comments to the Service Information Collection Clearance Officer, U.S. Fish and Wildlife Service, MS: PRB (JAO/3W), 5275 Leesburg Pike, Falls Church, VA 22041–3803 (mail); or by email to *Info_Coll@fws.gov.* Please reference ''1018–0088'' in the subject line of your comments.

FOR FURTHER INFORMATION CONTACT: Madonna Baucum, Service Information Collection Clearance Officer, by email at *Info_Coll@fws.gov,* or by telephone at (703) 358–2503. 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. You may also view the information collection request at *https://www.reginfo.gov/public/do/PRAMain.*

SUPPLEMENTARY INFORMATION: In accordance with the Paperwork Reduction Act (PRA; 44 U.S.C. 3501 *et seq.*) and its implementing regulations at 5 CFR part 1320, 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 Office of Management and Budget (OMB) control number.

On February 12, 2026, we published in the **Federal Register** (91 FR 6651) a notice of our intent to request that OMB approve this information collection. In that notice, we solicited comments for 60 days, ending on April 13, 2026. We also published the **Federal Register** notice on *Regulations.gov* (Docket No. FWS–HQ–OCI–2025–0209) to provide the public with an additional method to submit comments (in addition to the typical U.S. mail submission method). We received two comments in response to that notice. However, the commenters did not address the information collection requirements; therefore, no response is required to those comments.

As part of our continuing effort to reduce paperwork and respondent burdens, we are again inviting 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 comment 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 or not 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 might the agency minimize the burden of the collection of information on those who are to respond, including through the use of appropriate automated, electronic, mechanical, or other technological collection techniques or other forms of information technology, *e.g.,* permitting electronic submission of response.

Comments that you submit in response to this notice are a matter of public record. Before including your address, phone number, email address, or other personally identifiable information in your comment, you should be aware that your entire comment—including your personally identifiable information—may be publicly available at any time. While you can ask us in your comment to withhold your personally identifiable information from public review, we cannot guarantee that we will be able to do so.

Abstract: The information collected for the National Survey of Fishing, Hunting and Wildlife-Associated Recreation (FHWAR, or National Survey) assists the Service in administering the Wildlife and Sport Fish Restoration grant programs. The FHWAR, conducted about every 5 years since 1955, is a comprehensive survey of anglers, hunters, and wildlife watchers and includes information on their participation and how much they spend on these activities in the United States. The FHWAR provides up-to-date information on the uses and demands for wildlife-related recreation resources and a basis for developing and evaluating programs and projects to meet existing and future needs.

We collect the information in conjunction with carrying out our responsibilities under the Dingell-Johnson Sport Fish Restoration Act (16 U.S.C. 777–777m) and the Pittman-Robertson Wildlife Restoration Act (16 U.S.C. 669–669l). Under these Acts, we provide approximately $1 billion in grants annually to States for projects that support sport fish and wildlife management and restoration, including:

- Improvement of fish and wildlife habitats,
- Fishing and boating access,
- Fish stocking, and
- Hunting and fishing opportunities.

We also provide grants for aquatic education and hunter education, maintenance of completed projects, and research into problems affecting fish and wildlife resources. These projects help to ensure that the American people have adequate opportunities for fish and

wildlife recreation. We conduct the survey about every 5 years. The 2027 FHWAR survey will be the 15th conducted since 1955. We coordinate the survey at the States' request, which is made through the Association of Fish and Wildlife Agencies. We will contract with a data collector to collect the information using internet, telephone, or mail-in paper-and-pencil instrument (PAPI).

Respondents are invited to take the survey with a mailed letter. The data collector will select a sample of sportspersons and wildlife watchers from a household screen and conduct three detailed interviews during the survey year. The survey collects information on the number of days of participation, and expenditures for trips and equipment. Information on the characteristics of participants includes age, income, sex, education, race, and State of residence. The Freshwater/Saltwater Ratio Questionnaire is designed to get freshwater and saltwater fishing data for coastal States. The Service's Wildlife and Sportfish Restoration Program is required to divide fishing management funds according to the ratio of freshwater and saltwater anglers in each coastal State.

Federal and State agencies use information from the survey to make policy decisions related to fish and wildlife restoration and management. Participation patterns and trend information help identify present and future needs and demands. Land management agencies use the data on expenditures and participation to assess the value of wildlife-related recreational uses of natural resources. Wildlife-related recreation expenditure information is used to estimate the impact on the economy and to support the dedication of tax revenues for fish and wildlife restoration programs.

Pre-test: Cognitive Interviews—We anticipate the continuing need to conduct web-based cognitive interviews prior to the next FHWW. The cognitive interviews will enable the research team to identify problems with survey items and with the organization and order of items in the instrument. We expect the data from the cognitive interviews to reveal potential sources of response error in the National Survey and to inform the redesign efforts. The objective of the cognitive interviews is to test and refine the proposed instruments from the full survey, with particular focus on the revised questions on bounding, expenditure reporting, and 5-year recall of activities. We will use the results of this research to refine the survey instruments in preparation for fielding the next National Survey. Respondents will have the option to pause/resume the pretest as they work through the questionnaire.

We anticipate a maximum of 70 respondents will participate in the web-based study. Respondents will be individuals who have participated in fishing, hunting, and wildlife-watching activities in within 1 year of the cognitive interviews. Respondents will be adults aged 18 and over and children aged 16 and 17 who participate with the consent of a parent or guardian. The participants will represent a range of demographic characteristics (*e.g.,* age, gender, education level, State of residence).

We plan to recruit a non-probability sample of respondents for this research. The Association of Fish & Wildlife Agencies will work with State fish and wildlife directors to obtain lists of license holders. The data collector will send an invitation via email or text message to invite license holders to participate in a survey. Further, the data collector will place advertisements on Facebook in selected geographies in order to recruit individuals interested in being interviewed and will disseminate information about the study through word of mouth. People responding to an invitation to participate in the research will complete a brief eligibility screening to determine whether they have recently participated in fishing, hunting, or wildlife watching activities and to collect household composition and demographic information.

Potential participants will also be asked whether other household members would be interested in participating in the study. Adult participants for screener interviews will be household members who would likely complete a screener questionnaire, such as a head of household or adult sportsperson or wildlife watcher. We plan to request that a screener respondent (a respondent who finished the screen interview), or another household member aged 16 and up who participates in fishing, hunting, or wildlife watching activities, complete the wave questionnaires. In addition, two to three respondents who do not participate in the relevant activities will be recruited for interviews in order to test the functioning of the instruments with non-participants.

Proposed Revisions

1. *Change in Title of Information Collection*—With the submission, the Service is proposing to change the title of the information collection from ''National Survey of Fishing, Hunting, and Wildlife-Associated Recreation (FHWAR)'' to ''National Survey of Fishing, Hunting, and Wildlife Watching (FHWW).'' The Service considers the wildlife-associated recreation reference to be dated and misleading, prompting the Service's intention to change the title of the Survey. The new title more accurately reflects the activities covered by the Survey, which will aid communication efforts.

2. *Revisions to the Survey Instruments*—The prior, previously approved questionnaire for the 2027 National Survey of Fishing, Hunting, and Wildlife-Associated Recreation (Survey) was based on the 2022 effort. Proposed revisions are intended to improve the quality, clarity, and utility of the information to be collected. Several of the revisions described below involve reinstating questions that were part of the Survey prior to 2022. The 2022 questionnaire was dramatically reduced in scope from the 2016 and 2011 efforts. Some of the questions that were eliminated significantly reduced the utility of the Survey. The Survey is composed of four different questionnaires (screen, fishing, hunting, and wildlife-watching) with each intended for different portions of the U.S. population. The changes to each are as follows:

A. *Screen*—The revisions to this questionnaire are as follows:

—The questionnaire already asks respondents about whether they participate in target or sport shooting. To this a follow-up question is added about how many days respondents participated in target or sport shooting (if answered ''yes'').

—The questionnaire already asks respondents about whether they participate in archery. To this a follow-up question is added about how many days respondents participated in archery (if answered ''yes'').

—The questionnaire already asks respondents whether they participate in motorized boating. Respondents are now also asked whether they participate in non-motorized boating.

—The questionnaire already asks respondents about whether they are likely to participate in wildlife watching around-the-home and away-from-home. For each activity, around-the-home and away-from-home, the revision adds two questions: one about whether 2026 was the first year of participation, and, if the respondent reports that it was not, a question about participation from 2022 to 2025.

—A question about the marital status of respondents is eliminated.

—Finally, a question is added to evaluate the public's approval of legalized hunting.

B. *Hunting*—We propose the following revisions to this questionnaire:

—Add a question about whether a respondent hunts with firearm, bow and arrow, or both firearm and bow and arrow. This information was collected in Surveys prior to 2022, and it will be added back in.

—A follow-up question is added about how many days one participates with bow and arrow.

—To improve accuracy of estimates, two new questions are added to about participation in hunting, which are used together to determine prior years participation: one asks whether 2027 was the first year of participation and if not, a follow up question asks about participation from 2022 through 2026. Prior year participation is already asked on the Screen, and these questions are added to the Hunting questionnaire to capture the information from respondents who did not complete a Screen.

—A question that is also on the Screen regarding participation in target shooting will be added to the hunter questionnaire to capture this information from respondents who do not complete the Screen.

—Add a question about how much more a person would be willing to spend to go on hunting trips.

—Add a question that asks respondents to identify species pursued on big game hunting trips. This information was collected in Surveys prior to 2022, and it will be reincorporated.

—Add a question that asks respondents to identify species pursued on migratory bird hunting trips. This information was collected in Surveys prior to 2022, and it will be reincorporated.

—Add a question that asks respondents to identify species pursued on small game hunting trips. This information was collected in Surveys prior to 2022, and it will be reincorporated.

—To enhance the quality of estimates, for each major purchase category like recreational vehicles, land leasing and ownership, a question is added to determine if someone would have still purchased the item if they could not have used it for hunting.

—Eliminate four questions related to land co-ownership and co-leasing and the number of acres owned or leased for the purposes of hunting.

—Two new questions are added about participation in around-the-home wildlife watching among hunters, which are used together to determine prior year participation: one asks whether 2027 was the first year of participation and if not, a follow up question asks about participation from 2022 through 2026. These questions are added to the Hunting questionnaire to capture the information from respondents who did not complete a Screen.

—Two new questions are added about participation in away-from-home wildlife watching among hunters, which are used together to determine prior year participation: one asks whether 2027 was the first year of participation and if not, a follow up question asks about participation from 2022 through 2026. these questions are added to the Hunting questionnaire to capture the information from respondents who did not complete a Screen.

—Two new questions are added that are used together to determine prior years participation of fishing among hunters: one asks whether 2027 was the first year of participation and if not, a follow up question asks about participation from 2022 through 2026. Prior year participation is already asked on the Screen, and these questions are added to capture the information from respondents who did not complete a Screen.

—The Screen contains a question about target shooting that will be added to the hunting questionnaire to capture this information from respondents who do not complete the Screen.

C. *Fishing*—We propose the following revisions to this questionnaire:

—A principal purpose of the Survey is to estimate the freshwater and saltwater fishing participation for all coastal states. To improve these estimates, two questions are added about freshwater and saltwater fishing participation in coastal states and one question is added about fishing for finfish or shellfish among saltwater anglers.

—Two questions are added about participation in fishing, which are used together to determine prior years participation: one asks whether 2027 was the first year of participation and if not, a follow up question asks about participation from 2022 through 2026. Prior year participation is already asked on the Screen, and these questions are added to capture the information from respondents who did not complete a Screen.

—Add a question to determine how much more a person would be willing to spend to go on fishing trips.

—Add a question that asks respondents to identify species pursued on freshwater fishing trips. This information was collected in Surveys prior to 2022, and it will be reincorporated.

—Add a question that asks respondents to identify species pursued on saltwater fishing trips. This information was collected in Surveys prior to 2022, and it will be reincorporated.

—To enhance the quality of estimates, for each major purchase category like recreational vehicles, land leasing and ownership, a question is added to determine if someone would have still purchased the item if they could not have used it for fishing.

—Four questions related to land co-ownership and co-leasing and the number of acres owned or leased were eliminated.

—Two questions are added about participation in around-the-home wildlife watching among anglers, which are used together to determine prior year participation: one asks whether 2027 was the first year of participation and if not, a follow up question asks about participation from 2022 through 2026.

—Two questions are added about participation in away-from-home wildlife watching among anglers, which are used together to determine prior year participation: one asks whether 2027 was the first year of participation and if not, a follow up question asks about participation from 2022 through 2026.

—Two questions are added that are used together to determine prior years participation in hunting among anglers: one asks whether 2027 was the first year of participation and if not, a follow up question asks about participation from 2022 through 2026. Prior year participation is already asked on the Screen, and these questions are added to the Fishing questionnaire to capture the information from respondents who did not complete a Screen.

—The Screen contains a question about target shooting that will be added to the fishing questionnaire to capture this information from respondents who do not complete the Screen.

D. *Wildlife Watching*—We propose the following revisions to this questionnaire:

—There are currently four questions related to bird watching on the questionnaire. For the 2022 collection, these questions were only on the last wave (wave three) of questionnaires. These questions will be included in waves one and two as well.

—For those participating in bird watching activities, a follow-up question is added regarding the types of birds viewed. This information was collected in Surveys prior to 2022, and it will be reincorporated.
—Two questions are added about participation in around-the-home wildlife watching, which are used together to determine prior year participation: one asks whether 2027 was the first year of participation and if not, a follow up question asks about participation from 2022 through 2026.
—Two questions are added about participation in away-from-home wildlife watching, which are used together to determine prior year participation: one asks whether 2027 was the first year of participation and if not, a follow up question asks about participation from 2022 through 2026.
—Add a question about how much more a person would be willing to spend to go on wildlife watching trips.
—The Screen contains a question about target shooting that will be added to the wildlife watching questionnaire to capture this information from respondents who do not complete the Screen.
—Two questions are added that are used together to determine prior years participation in fishing among wildlife watchers: one asks whether 2027 was the first year of participation and if not, a follow up question asks about participation from 2022 through 2026. Prior year participation is already asked on the Screen, and these questions are added to the wildlife-watching questionnaire to capture the information from respondents who did not complete a Screen.
—Two questions are added that are used together to determine prior years participation in hunting among wildlife watchers: one asks whether 2027 was the first year of participation and if not, a follow up question asks about participation from 2022 through 2026. Prior year participation is already asked on the Screen, and these questions are added to the wildlife-watching questionnaire to capture the information from respondents who did not complete a Screen.
—To enhance the quality of estimates, for each major purchase category like recreational vehicles, land leasing and ownership, a question is added to determine if someone would have still purchased the item if they could not have used it for hunting.
—Four questions related to the number of acres owned or leased, and co-ownership or leasing among partners are eliminated.

The public may request copies of any form or document contained in this information collection by sending a request to the Service Information Collection Clearance Officer in **ADDRESSES**, above.

Title of Collection: National Survey of Fishing, Hunting, and Wildlife-Associated Watching (FHWW).

OMB Control Number: 1018–0088.

Form Number: None.

Type of Review: Revision of a currently approved information collection.

Respondents/Affected Public: Individuals/households.

Respondent's Obligation: Voluntary.

Frequency of Collection: We estimate the next full survey will be conducted in 2027, or possibly 2028.

Total Estimated Annual Nonhour Burden Cost: None.

Activity	Estimated number of household responses	Median completion time per response (minutes)	Estimated burden hours *
Screener Survey:			
Screener: Web	48,540	13	10,517
Screener: Phone	4,100	22	1,503
Screener: PAPI	360	15	90
Wave 1 Survey:			
Wave Questionnaires: Web	18,238	13	3,952
Wave Questionnaires: Phone	3,848	22	1,411
Wave Questionnaires: PAPI	214	15	54
Wave 2 Survey:			
Wave Questionnaires: Web	16,599	13	3,596
Wave Questionnaires: Phone	3,784	22	1,387
Wave Questionnaires: PAPI	117	15	29
Wave 3 Survey:			
Wave Questionnaires: Web	73,238	14	17,089
Wave Questionnaires: Phone	1,600	25	667
Wave Questionnaires: PAPI	162	17	46
Wave 3 Coastal Freshwater/Saltwater Ratio Questionnaire	13,500	3	675
Pre-test/Cognitive Interviews	70	70	82
Grand Total	184,370	.....	41,098

* Rounded.

The authority for this action is the Paperwork Reduction Act of 1995 (44 U.S.C. 3501 *et seq.*).

Madonna Baucum,

Information Collection Clearance Officer, U.S. Fish and Wildlife Service.

[FR Doc. 2026–11411 Filed 6–5–26; 8:45 am]

BILLING CODE 4333–15–P

INTERNATIONAL TRADE COMMISSION

[Investigation No. 337–TA–1503]

Certain Pickleball Paddles; 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 April 7, 2026, under section 337 of the Tariff Act of 1930, as amended, on behalf of Sport Squad, Inc. d/b/a JOOLA of North Bethesda, Maryland. An amended complaint was filed on April 17, 2026. A supplement to the amended complaint was filed on May 19, 2026. The amended 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 pickleball paddles by reason of the infringement of certain claims of U.S. Patent No. 12,465,826 (''the '826 patent'') and U.S. Patent No. 12,357,891 (''the '891 patent''). The amended complaint, as supplemented, further alleges that an industry in the United States exists or is in the process of being established, 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 amended 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 June 4, 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 1–16 and 18–20 of the '826 patent and claims 1–29 of the '891 patent, and whether an industry in the United States exists or is in the process of being established 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 ''pickleball paddles with a core, comprised of foam or other material, and various filler material(s)'';

(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:* Sport Squad, Inc., d/b/a JOOLA, 915 Meeting Street, North Bethesda, Maryland 20852.

(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:

Franklin Sports, Inc., 17 Campanelli Parkway, Stoughton, Massachusetts 02072
Proton Sports, Inc., 9048 East Bahia Drive, Scottsdale, Arizona 85260
Proton Pickleball, Inc., 9048 East Bahia Drive, Scottsdale, Arizona 85260
Vegas Pickleball LLC d/b/a RPM Pickleball, 1075 Anchor Point, Delray Beach, Florida 33444
Engage Pickleball, LLC, 4095 County Road 106, Oxford, Florida 34484
Engage Sporting, LLC, 4095 County Road 106, Oxford, Florida 34484
Friday Labs, LLC, 117 Bartlett Street, San Francisco, California 94110
Diadem Sports LLC, 200 Park Central Boulevard South, Suite 1, Pompano Beach, Florida 33064
Facolospickleball LLC, 1500 North Grant Street, Suite R, Denver, Colorado 80203
Facolos Sports Joint Stock Company, 18 Vu Trong Phung, Thanh Xuan Trung Ward, Ha Noi, Vietnam
Paddletek, LLC, 1990 South 11th Street, Suite 44, Niles, Michigan 49120
Paddletek Pickleball, LLC, 850 New Burton Road, Suite 201, Dover, DE 19904
ProXR, LLC, 615 South Bishop Avenue, Suite F, Rolla, Missouri 65401
ProXR Pickleball, LLC, 850 New Burton Road, Suite 201, Dover, DE 19904
Thirty-Five Capital LLC, 911 West Randolph Street, 2nd Floor, Chicago, IL 60607
United Pickleball Properties, LLC, 850 New Burton Road, Suite 201, Dover, DE 19904
UPP Paddles, LLC, 850 New Burton Road, Suite 201, Dover, DE 19904
All Racquet Sports, LLC, 251 Little Falls Drive, Wilmington, Delaware 19808
All For Padel S.L., Avenue del Tranvia 20, Alcorcón, Spain 28925
Volair C Corp., Inc., 3005 South Lamar Boulevard, Suite 109D, Austin, Texas 78704

(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 amended complaint and the notice of investigation must be submitted by the named respondent 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 amended complaint and the notice of investigation. Extensions of time for submitting responses to the amended 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: June 4, 2026.

Lisa Barton,

Secretary to the Commission.

[FR Doc. 2026–11459 Filed 6–5–26; 8:45 am]

BILLING CODE 7020–02–P

INTERNATIONAL TRADE COMMISSION

[Investigation No. 731–TA–1070A (Fourth Review)]

Crepe Paper From China; Scheduling of an Expedited Five-Year Review

AGENCY: United States International Trade Commission.

ACTION: Notice.

SUMMARY: The Commission hereby gives notice of the scheduling of an expedited review pursuant to the Tariff Act of 1930 (''the Act'') to determine whether revocation of the antidumping duty order on crepe paper from China would be likely to lead to continuation or recurrence of material injury within a reasonably foreseeable time.

DATES: May 8, 2026.

FOR FURTHER INFORMATION CONTACT: Nitin Joshi (202–708–1669), Office of Investigations, U.S. International Trade Commission, 500 E Street SW, Washington, DC 20436. Hearing-impaired persons can obtain information on this matter by contacting the Commission's TDD terminal on 202–205–1810. Persons with mobility impairments who will need special assistance in gaining access to the Commission should contact the Office of the Secretary at 202–205–2000. General information concerning the Commission may also be obtained by accessing its internet server (*https://www.usitc.gov).* The public record for this proceeding may be viewed on the Commission's electronic docket (EDIS) at *https://edis.usitc.gov*.

SUPPLEMENTARY INFORMATION:

Background.—On May 8, 2026, the Commission determined that the domestic interested party group response to its notice of institution (91 FR 4611, February 2, 2026) of the subject five-year review was adequate and that the respondent interested party group response was inadequate. The Commission did not find any other circumstances that would warrant conducting a full review.[1] Accordingly, the Commission determined that it would conduct an expedited review pursuant to section 751(c)(3) of the Act (19 U.S.C. 1675(c)(3)).[2]

For further information concerning the conduct of this review and rules of general application, consult the Commission's Rules of Practice and Procedure, part 201, subparts A and B (19 CFR part 201), and part 207, subparts A, D, E, and F (19 CFR part 207).

Staff report.—A staff report containing information concerning the subject matter of the review has been placed in the nonpublic record, and will be made available to persons on the Administrative Protective Order service list for this review on June 10, 2026. A public version will be issued thereafter, pursuant to § 207.62(d)(4) of the Commission's rules.

Written submissions.—As provided in § 207.62(d) of the Commission's rules, interested parties that are parties to the review and that have provided individually adequate responses to the notice of institution,[3] and any party other than an interested party to the review may file written comments with the Secretary on what determination the Commission should reach in the review. Comments are due on or before June 17, 2026 and may not contain new factual information. Any person that is neither a party to the five-year review nor an interested party may submit a brief written statement (which shall not contain any new factual information) pertinent to the review by June 17, 2026. However, should the Department of Commerce (''Commerce'') extend the time limit for its completion of the final results of its review, the deadline for comments (which may not contain new factual information) on Commerce's final results is three business days after the issuance of Commerce's results. If comments contain business proprietary information (BPI), they must conform with the requirements of §§ 201.6, 207.3, and 207.7 of the Commission's rules. The Commission's *Handbook on Filing Procedures,* available on the Commission's website at *https://www.usitc.gov/documents/handbook_on_filing_procedures.pdf,* elaborates upon the Commission's procedures with respect to filings.

In accordance with §§ 201.16(c) and 207.3 of the rules, each document filed by a party to the review must be served on all other parties to the review (as identified by either the public or BPI service list), and a certificate of service must be timely filed. The Secretary will not accept a document for filing without a certificate of service.

Determination.—The Commission has determined this review is extraordinarily complicated and therefore has determined to exercise its authority to extend the review period by up to 90 days pursuant to 19 U.S.C. 1675(c)(5)(B).

Authority: This review is being conducted under authority of title VII of the Tariff Act of 1930; this notice is published pursuant to § 207.62 of the Commission's rules.

By order of the Commission.

Issued: June 3, 2026.

Lisa Barton,

Secretary to the Commission.

[FR Doc. 2026–11387 Filed 6–5–26; 8:45 am]

BILLING CODE 7020–02–P

[1] A record of the Commissioners' votes, the Commission's statement on adequacy, and any individual Commissioner's statements will be available from the Office of the Secretary and at the Commission's website.

[2] Commissioner David S. Johanson voted to conduct a full review.

[3] The Commission has found the response submitted on behalf of Seaman Paper Company of Massachusetts, Inc. to be individually adequate. Comments from other interested parties will not be accepted (*see 19 CFR 207.62(d)(2)).*

INTERNATIONAL TRADE COMMISSION

[Investigation No. 731–TA–1059 (Fourth Review)]

Hand Trucks From China; Scheduling of an Expedited Five-Year Review

AGENCY: United States International Trade Commission.

ACTION: Notice.

SUMMARY: The Commission hereby gives notice of the scheduling of an expedited review pursuant to the Tariff Act of 1930 (''the Act'') to determine whether revocation of the antidumping duty order on hand trucks from China would be likely to lead to continuation or recurrence of material injury within a reasonably foreseeable time.

DATES: May 8, 2026.

FOR FURTHER INFORMATION CONTACT: Alejandro Orozco (202–205–3177), Office of Investigations, U.S. International Trade Commission, 500 E Street SW, Washington, DC 20436. Hearing-impaired persons can obtain information on this matter by contacting the Commission's TDD terminal on 202–205–1810. Persons with mobility impairments who will need special assistance in gaining access to the Commission should contact the Office of the Secretary at 202–205–2000. General information concerning the Commission may also be obtained by accessing its internet server (*https://www.usitc.gov*). The public record for this proceeding may be viewed on the Commission's electronic docket (EDIS) at *https://edis.usitc.gov.*

SUPPLEMENTARY INFORMATION:

Background.—On May 8, 2026, the Commission determined that the domestic interested party group response to its notice of institution (91 FR 4613, February 2, 2026) of the subject five-year review was adequate and that the respondent interested party group response was inadequate. The Commission did not find any other circumstances that would warrant conducting a full review.[1] Accordingly, the Commission determined that it would conduct an expedited review

[1] A record of the Commissioners' votes, the Commission's statement on adequacy, and any individual Commissioner's statements will be available from the Office of the Secretary and at the Commission's website.

pursuant to section 751(c)(3) of the Act (19 U.S.C. 1675(c)(3)).[2]

For further information concerning the conduct of this review and rules of general application, consult the Commission's Rules of Practice and Procedure, part 201, subparts A and B (19 CFR part 201), and part 207, subparts A, D, E, and F (19 CFR part 207).

Staff report.—A staff report containing information concerning the subject matter of the review has been placed in the nonpublic record, and will be made available to persons on the Administrative Protective Order service list for this review on July 15, 2026. A public version will be issued thereafter, pursuant to § 207.62(d)(4) of the Commission's rules.

Written submissions.—As provided in § 207.62(d) of the Commission's rules, interested parties that are parties to the review and that have provided individually adequate responses to the notice of institution,[3] and any party other than an interested party to the review may file written comments with the Secretary on what determination the Commission should reach in the review. Comments are due on or before July 22, 2026 and may not contain new factual information. Any person that is neither a party to the five-year review nor an interested party may submit a brief written statement (which shall not contain any new factual information) pertinent to the review by July 22, 2026. However, should the Department of Commerce (''Commerce'') extend the time limit for its completion of the final results of its review, the deadline for comments (which may not contain new factual information) on Commerce's final results is three business days after the issuance of Commerce's results. If comments contain business proprietary information (BPI), they must conform with the requirements of §§ 201.6, 207.3, and 207.7 of the Commission's rules. The Commission's *Handbook on Filing Procedures,* available on the Commission's website at *https://www.usitc.gov/documents/handbook_on_filing_procedures.pdf,* elaborates upon the Commission's procedures with respect to filings.

In accordance with §§ 201.16(c) and 207.3 of the rules, each document filed by a party to the review must be served on all other parties to the review (as identified by either the public or BPI service list), and a certificate of service must be timely filed. The Secretary will not accept a document for filing without a certificate of service.

Determination.—The Commission has determined this review is extraordinarily complicated and therefore has determined to exercise its authority to extend the review period by up to 90 days pursuant to 19 U.S.C. 1675(c)(5)(B).

Authority: This review is being conducted under authority of title VII of the Tariff Act of 1930; this notice is published pursuant to § 207.62 of the Commission's rules.

By order of the Commission.

Issued: June 4, 2026.

Lisa Barton,

Secretary to the Commission.

[FR Doc. 2026–11465 Filed 6–5–26; 8:45 am]

BILLING CODE 7020–02–P

[2] Commissioner David S. Johanson voted to conduct a full review.

[3] The Commission has found the responses submitted on behalf of Gleason Industrial Products, Inc. and Precision Products, Inc. to be individually adequate. Comments from other interested parties will not be accepted (*see* 19 CFR 207.62(d)(2)).

INTERNATIONAL TRADE COMMISSION

[Investigation No. 337–TA–1428]

Certain Women's Flats With Colored Outsoles Thereof; Notice of the Commission's Final Determination Finding a Violation of Section 337: Issuance of a General Exclusion Order and a Limited Exclusion Order; Termination of the Investigation

AGENCY: U.S. International Trade Commission.

ACTION: Notice.

SUMMARY: Notice is hereby given that the U.S. International Trade Commission (''Commission'') has determined that a violation under section 337 of the Tariff Act of 1930, as amended (19 U.S.C. 1337) has occurred. The Commission has further determined to issue a general exclusion order (''GEO'') and a limited exclusion order (''LEO'') and set the bond at one hundred percent (100%) of the entered value of the covered articles during the period of Presidential review. The investigation is terminated.

FOR FURTHER INFORMATION CONTACT: Jonathan D. Link, Esq., Office of the General Counsel, U.S. International Trade Commission, 500 E Street SW, Washington, DC 20436, telephone (202) 205–3103. 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 18, 2024, based on a complaint filed by Gavrieli Brands LLC (''Complainant'') of Culver City, California. 89 FR 102951–53 (Dec. 18, 2024). The complaint, as supplemented, alleges violations of section 337 of the Tariff Act of 1930, as amended, 19 U.S.C. 1337 (''section 337''), in the importation into the United States, the sale for importation, or the sale within the United States after importation of certain women's flats with colored outsoles thereof by reason of infringement of the claim of one or more of U.S. Patent Nos. D681,928 (''the D'928 patent''), D844,951 (''the D'951 patent''), D681,927 (''the D'927 patent''), D686,812 (''the D'812 patent''), D688,853 (''the D'853 patent''), D844,950 (''the D'950 patent''), D781,032 (''the D'032 patent''), and D781,035 (''the D'035 patent'') (collectively, the ''Asserted Patents''). *Id.* The complaint also alleges violations of section 337 based upon the importation into the United States, or in the sale within the United States after importation of certain women's flats with colored outsoles thereof by reason of trade dress infringement, the threat or effect of which is to destroy or substantially injure an industry in the United States. *Id.* at 102952. The complaint further alleges that a domestic industry exists. *Id.* The Commission's notice of investigation named as respondents Kijera's OneDrop LLC d/b/a ''OneDrop Clothing'' (''OneDrop'') of New York, New York; CrazeFashionShoes (''Craze''), of Philippines; Pierjeda Information Technology Co., Ltd. d/b/a ''Piergitar'' (''Piergitar''), and Guangzhou Shun Cheng Trading Co., Ltd. d/b/a ''koshio_luxury_shoes'' (''Guangzhou Shun Cheng'') of Guangzhou, China; Zhangpu County Shengze Trading Company d/b/a ''Trend is awesome'' (''Shengze Trading Company'') of Zhangshou City, China; Kunming Ouxiang Trading Co., Ltd. d/b/a ''funny_store 23'' of Kunming City, China; Huihui Bianan d/b/a ''The Other Side of HuiHui'' (''Huihui'') of Beijing, China; Bingxin Qingfeng d/b/a ''Leather women's shoes clearance sale'' (''Bingxin Qingfeng'') of Zhongshan City, China; Baiqiuju1983 d/b/a ''Singing barefoot in the trees'' (''Baiqiuju1983''), tb249835650 d/b/a ''If I am sincere, I will be free''

(''tb249835650''), Yuyoufang Foreign Trade Store d/b/a ''Ten Mile Chunfeng Store BBC20199'' (''Yuyoufang'') and Xu Wengping 123 d/b/a ''Cinderella Fashion House 888'' (''Xu Wengping'') of Zhongshan City, China; and Ynwll d/b/a ''Xiao Chenchen's foreign trade shoes'' (''Ynwll'') of Huilonguan, China (collectively, ''Respondents''). *Id.* The Office of Unfair Import Investigations (''OUII'') is also a party to this investigation. *Id.*

On May 5, 2025, the ALJ issued an order (Order No. 7) granting Complainant's motion for an order to show cause and entry of default and directing the Respondents to show cause why they should not be found in default no later than May 12, 2025. Order No. 7 at 3. The ALJ found that Respondent OneDrop was served with a copy of the notice of investigation, the complaint, and all public exhibits and appendices to the complaint by express delivery (Federal Express) on March 4, 2025; all other Respondents were served with these documents by hand delivery no later than March 25, 2025. *Id.* at 2. The ALJ found that the latest date any of the Respondents would have been required to respond to the complaint and notice of investigation was April 14, 2025, but as of the date of the order to show cause, *i.e.,* May 5, 2025, no Respondent had filed such a response or otherwise participated in the investigation. *Id.* at 3. The ALJ thus directed the Respondents to show cause, no later than May 12, 2025, as to why they should not be held in default. *Id.* No responses to the show cause order were filed.

On May 13, 2025, the ALJ issued Order No. 8 finding all Respondents in default after they failed to respond to the order to show cause. On June 3, 2025, the Commission determined not to review Order No. 8, thereby finding all Respondents in default. *See* Order No. 8 (May 13, 2025), *unreviewed by* Comm'n Notice (Jun. 3, 2025).

On July 23, 2025, the ALJ issued Order No. 10, granting Complainant's motion for summary determination of violation of section 337. Specifically, the ID found a violation of section 337 by Piergitar, Bingxin Qingfeng, and tb249835650 based on the importation of products infringing the claims of the D'928, D'951, D'927, D'812, and D'853 patents. Order No. 10 at 14–31. The ID also found that the domestic industry requirement is satisfied as to those five patents and the evidence supporting its violation findings to be substantial, reliable, and probative. *Id.* at 31–38. No party disputed the validity of the Asserted Patents and thus, they are presumed valid. The ALJ recommended a GEO based on the claims of the D'928, D'951, D'927, D'812, and D'853 patents under section 337(g)(2), as well as a bond of one hundred percent (100%) of the entered value of the infringing articles imported during the period of Presidential review. *Id.* at 38–42. The ALJ did not address Complainant's request for an LEO under section 337(g)(1) against Respondents' infringing articles, noting that ''[u]nder Commission rules, the complaint's assertions surrounding these acts are assumed to be true, and limited exclusion orders must issue.'' *Id.* at 13–14. The ID also terminated the investigation before the ALJ. *Id.* at 42. No party filed a petition for review of the subject ID.

On September 8, 2025, the Commission determined to review the subject ID's findings regarding the economic prong of the domestic industry and affirm the remainder of the ID. 90 FR 43629–630 (Sept. 10, 2025). The Commission also sought briefing on remedy, the public interest, and bonding. *Id.*

On September 22, 2025, Complainant and OUII filed written submissions on remedy, the public interest, and bonding. On September 29, 2025, Complainant and OUII each filed a reply. No other submissions were filed.

On April 16, 2026, the Commission requested the parties to submit additional briefing directed to the expiration dates of the Asserted Patents. Comm'n Notice (Apr. 16, 2026). Complainant filed a reply on April 23, 2026.

Having reviewed the record of the investigation, including the RD and the parties' submissions, and as more fully explained in the Opinion, the Commission has determined that Complainant has met the economic prong of the domestic industry requirement as to the D'928, D'951, D'927, D'812, and D'853 patents, and therefore a violation under section 337 has occurred. Specifically, the Commission finds that the Complainant has established that the economic prong of domestic industry section 337(a)(3)(B) and takes no position as to whether the economic prong has been established under subsection (A).

The Commission has determined to issue (1) a GEO prohibiting the importation of products that infringe the claims of the D'928, D'951, D'927, D'812, or D'853 patents; and (2) an LEO prohibiting entry of products that infringe (i) the claims of the D'950 or D'035 patents as to defaulting respondents OneDrop, Craze, Piergitar, Guangzhou Shun Cheng, Shengze Trading Company, Huihui, Bingxin Qingfeng, Baiqiuju1983, tb249835650, Yuyoufang, Xu Wengping, and Ynwll, (ii) the claim of the D'032 patent as to defaulting respondents OneDrop, Piergitar, Bingxin Qingfeng, tb249835650, and Yuyongfang, and (iii) the Asserted Trade Dress as to defaulting respondents OneDrop, Craze, Piergitar, Guangzhou Shun Cheng, Shengze Trading Company, Huihui, Bingxin Qingfeng, Baiqiuju1983, tb249835650, Yuyoufang, Xu Wengping, and Ynwll.

The Commission has further determined that the public interest factors enumerated in subsections (d)(l) and (g)(1) (19 U.S.C. 1337(d)(l), (g)(1)) do not preclude issuance of the above referenced remedial orders. Additionally, the Commission has determined to impose a bond of one hundred percent (100%) of entered value of the covered products during the period of Presidential review. 19 U.S.C. 1337(j). The investigation is terminated.

The Commission vote for this determination took place on June 3, 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: June 3, 2026.

Lisa Barton,

Secretary to the Commission.

[FR Doc. 2026–11394 Filed 6–5–26; 8:45 am]

BILLING CODE 7020–02–P

INTERNATIONAL TRADE COMMISSION

[Investigation No. 337–TA–1471]

Certain Clear Aligners and Components Thereof; Notice of a Commission Determination Not To Review an Initial Determination Granting In Part a Motion To Amend the Complaint and Notice of Investigation

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 chief administrative law judge's (''CALJ'') initial determination (''ID'') (Order No. 11) granting a motion to amend the complaint and notice of investigation (''NOI'') to (1) add allegations of

infringement of claim 24 for U.S. Patent No. 11,766,313 (''the '313 patent''); (2) add allegations of infringement of claim 28 for U.S. Patent No. 11,766,314 (''the '314 patent''); (3) add allegations of infringement of claims 2 and 14 for U.S. Patent No. 8,866,977 (''the '977 patent''); and (4) add allegations of infringement of claim 9 for U.S. Patent No. 10,980,616 (''the '616 patent'').

FOR FURTHER INFORMATION CONTACT: Panyin A. Hughes, Office of the General Counsel, U.S. International Trade Commission, 500 E Street SW, Washington, DC 20436, telephone (202) 205–3042. 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, telephone (202) 205–1810.

SUPPLEMENTARY INFORMATION: On December 29, 2025, the Commission instituted this investigation based on a complaint filed by Align Technology, Inc. of Tempe, Arizona (''Align''). 90 FR 245 (Dec. 29, 2025). The complaint alleged violations of section 337 of the Tariff Act of 1930, as amended, based on the importation into the United States, the sale for importation, or the sale within the United States after importation of certain clear aligners and components thereof by reason of infringement of one or more of claims 1 and 16 of the '313 patent; claims 1, 11, and 21 of the '314 patent; claims 1 and 9 of the '977 patent; claim 1 of U.S. Patent No. 12,059,321; claims 1, 12, and 20 of the '616 patent; and claims 1, 17, and 21 of U.S. Patent No. 11,490,996 (''the '996 patent''). *Id.* The Commission's notice of investigation named the following respondents: Angelalign Technology Inc. of Shanghai, China; Wuxi EA Medical Instruments of Jiangsu, China; Wuxi EA Bio-Tech Co., Ltd. of Jiangsu, China; Shanghai EA Medical Instruments Co. of Shanghai, China; and USA Angelalign Technology Corp. of Newark, Delaware (collectively, ''Respondents''). The Office of Unfair Import Investigations is not participating in this investigation. *Id.*

On April 14, 2026, Align moved under 19 CFR 210.14 to amend the complaint and NOI to (1) withdraw allegations of infringement of claim 16 and add allegations of infringement of claim 24 for the '313 patent; (2) withdraw allegations of infringement of claim 21 and add allegations of infringement of claim 28 for the '314 patent; (3) withdraw allegations of infringement of claims 1 and 9 and add allegations of infringement of claims 2 and 14 for the '977 patent; (4) withdraw allegations of infringement of claim 1 and add allegations of infringement of claim 9 for the '616 patent; and (5) withdraw allegations of infringement of all asserted claims, claims 1, 17, and 21, of the '996 patent. *Id.* at 1–2. Align argued that good cause exists for this amendment because it promptly moved to add the new claims after it received Respondents technical information and inspected Respondents' treatment plans and determined it had sufficient information to assert the new claims in good faith. Align further argued that terminating claims would narrow the case and streamline the investigation. *Id.* at 3. Respondents opposed the motion, arguing that '' Align had all the information it needed to assert the New Claims when it filed the Complaint in September 2025, and chose not to do so.'' *Id.* at 4. Respondents further argued that '' 'Align's purported narrowing of its own case is illusory' in that the new claims 'depend directly or indirectly from the independent claims Align purports to remove' and thus 'the limitations of the independent claims purportedly being removed are still part of this Investigation.' '' *Id.* at 3.

On March 7, 2022, the CALJ issued the subject ID, granting the motion but only as to adding the new claims. The ID observed that Commission Rule 210.14(b) proves in part that

> [a]fter an investigation has been instituted, the complaint and notice of investigation may be amended only by leave of the Commission for good cause shown and upon such conditions as are necessary to avoid prejudicing the public interest and the rights of the parties to the investigation.

Id. at 2 (citing 19 CFR 210.14(b)). The ID found that good cause exists to amend the complaint and NOI to add the new claims because ''adjudicating the proposed claims here—rather than postponing them to subsequent litigation—will be a more efficient use of judicial and party resources.'' *Id.* at 4. The ID also found that Respondents were ''on notice that Align intended to assert the new claims at least as early as February 27, 2026, when it received Align's initial responses to contention interrogatories'' and ''will have had time to explore defenses before the close of fact discovery on May 7, 2026, and the close of expert discovery on June 15, 2026.'' *Id.* The ID denied Align's motion to withdraw claims because Align did not comply with Commission Rules for terminating claims. *Id.* (citing 19 CFR 210.21(a)(1)).

On May 11, 2026, Respondents filed a petition for review challenging the ID's finding that Align showed good cause to amend the complaint and NOI. On May 18, 2026, Align filed a response to Respondents' petition.

Having reviewed the current record of the investigation, including the ID, the parties' submissions to the CALJ, the petitions for review, and the responses thereto, the Commission has determined not to review the subject ID. The Commission notes that Align is adding allegations of infringement with respect to dependent claims found in patents that are already asserted in the investigation. Moreover, Align timely moved to add these claims after it received technical information necessary to evaluate infringement of the new claims. *See* ID at 4. In addition, Align has stated that it is amenable to Respondents supplementing their contention interrogatory responses and other adjustments ''to address the Dependent Claims'' added by the amendment. *Id.* The Commission further notes that nothing prevents the Respondents from petitioning the CALJ to extend the time to accommodate the newly asserted dependent claims if necessary. The following claims have been added to the investigation: (1) claim 24 of the '313 patent; (2) claim 28 of the '314 patent; (3) claims 2 and 14 of the '977 patent; and (4) claim 9 of the '616 patent.

The Commission vote for this determination took place on June 3, 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: June 3, 2026.

Lisa Barton,

Secretary to the Commission.

[FR Doc. 2026–11370 Filed 6–5–26; 8:45 am]

BILLING CODE 7020–02–P

INTERNATIONAL TRADE COMMISSION

[Investigation Nos. 701–TA–779 and 731–TA–1765–1766 (Final)]

Chromium Trioxide From India and Turkey; Scheduling of the Final Phase of Countervailing Duty and Antidumping Duty Investigations

AGENCY: United States International Trade Commission.

ACTION: Notice.

SUMMARY: The Commission hereby gives notice of the scheduling of the final phase of antidumping and countervailing duty investigation Nos. 701–TA–779 and 731–TA–1765–1766 (Final) pursuant to the Tariff Act of 1930 to determine whether an industry in the United States is materially injured or threatened with material injury, or the establishment of an industry in the United States is materially retarded, by reason of imports of chromium trioxide from India and Turkey, provided for in subheading 2819.10.00 of the Harmonized Tariff Schedule of the United States, preliminarily determined by the Department of Commerce (''Commerce'') to be sold at less-than-fair-value and by reason of imports of chromium trioxide from India preliminarily determined by Commerce to be subsidized by the government of India.

DATES: May 22, 2026.

FOR FURTHER INFORMATION CONTACT: Laurel Schwartz ((202) 205–2398), Office of Investigations, U.S. International Trade Commission, 500 E Street SW, Washington, DC 20436. Hearing-impaired persons can obtain information on this matter by contacting the Commission's TDD terminal on 202–205–1810. Persons with mobility impairments who will need special assistance in gaining access to the Commission should contact the Office of the Secretary at 202–205–2000. General information concerning the Commission may also be obtained by accessing its internet server (*https://www.usitc.gov*). The public record for these investigations may be viewed on the Commission's electronic docket (EDIS) at *https://edis.usitc.gov.*

SUPPLEMENTARY INFORMATION:

Scope.—For purposes of these investigations, Commerce has defined the subject merchandise as chromium trioxide (Chemical Abstracts Services (CAS) registry number 1333–82–0), regardless of form (dry or solution). Chromium trioxide is an inorganic compound with the molecular formula CrO_3 in dry form and H_2CrO_4 in solution form. All relevant formulas refer to same product with one unit of Chromium (as Cr+6) and three units of Oxygen, such as Cr_4O_{12}; and $Cr_{0.25}O_{0.75}$.

The product in dry form is generally referred to as chromium trioxide, which is the acidic anhydride of chromic acid. Chromium trioxide in solution form may be referred to as chromic acid. However, the dry form may also be marketed under the name chromic acid.

A non-exhaustive list of other names used for the subject merchandise includes: chromic anhydride, chromic trioxide, chromium (VI) oxide, monochromium trioxide, chromia, chromium (VI) trioxide, trioxochromium, and chromtrioxid. A non-exhaustive list of trade names for the subject merchandise includes: 11910080KROMSAV–ANHIDRID IP, Aktivkohle, imprägniert, Typ PLWK, Chromsaure, and Chroomzuur.

All chromium trioxide is covered by the scope of these investigations irrespective of purity, particle size, or physical form. Chromium trioxide is generally imported in dry form, including in the form of pellets, flakes, powders, or beads, but the scope includes chromium trioxide in solution form.

Chromium trioxide that has been blended with another product or products other than water is included in the scope if the resulting mix contains 90 percent or more of chromium trioxide by total formula weight, such as chromium trioxide mixed with a catalyst to make the product ready for use in metal finishing applications. If chromium trioxide is imported blended with another product, only the chromium trioxide content of the blend is included within the scope.

Subject merchandise also includes chromium trioxide that has been processed in a third country into a product that otherwise would be within the scope of these investigations, *i.e.,* if any such further processing would not otherwise remove the merchandise from the scope of the investigation it is included in the scope of the investigation, including blending, flaking, mixing with water, or packaging. For example, the dry form of the subject merchandise may be imported into a third country and then processed into solution before shipment to the United States. Such a solution would be subject to the scope.

The subject merchandise is provided for in subheading 2819.10.0000 of the Harmonized Tariff Schedule of the United States (HTSUS). In addition to 1333–82–0, import documentation may also reflect CAS registry numbers 12324–05–9, 12324–08–2, and 1362947–20–3. Although the HTSUS subheading and CAS registry numbers are provided for convenience and customs purposes, the written description of the scope is dispositive.

Background.—The final phase of these investigations is being scheduled pursuant to sections 705(b) and 731(b) of the Tariff Act of 1930 (19 U.S.C. 1671d(b) and 1673d(b)), as a result of affirmative preliminary determinations by Commerce that certain benefits which constitute subsidies within the meaning of § 703 of the Act (19 U.S.C. 1671b) are being provided to manufacturers, producers, or exporters in India of chromium trioxide, and that such products imported from India and Turkey are being sold in the United States at less than fair value within the meaning of § 733 of the Act (19 U.S.C. 1673b). The investigations were requested in petitions filed on September 29, 2025, by American Chrome & Chemicals, Inc., Canonsburg, Pennsylvania.

For further information concerning the conduct of this phase of the investigations, hearing procedures, and rules of general application, consult the Commission's Rules of Practice and Procedure, part 201, subparts A and B (19 CFR part 201), and part 207, subparts A and C (19 CFR part 207).

Participation in the investigations and public service list.—Persons, including industrial users of the subject merchandise and, if the merchandise is sold at the retail level, representative consumer organizations, wishing to participate in the final phase of these investigations as parties must file an entry of appearance with the Secretary to the Commission, as provided in § 201.11 of the Commission's rules, no later than 21 days prior to the hearing date specified in this notice. A party that filed a notice of appearance during the preliminary phase of the investigations need not file an additional notice of appearance during this final phase. The Secretary will maintain a public service list containing the names and addresses of all persons, or their representatives, who are parties to the investigations.

Please note the Secretary's Office will accept only electronic filings during this time. Filings must be made through the Commission's Electronic Document Information System (EDIS, *https://edis.usitc.gov*). No in-person paper-based filings or paper copies of any electronic filings will be accepted until further notice.

Limited disclosure of business proprietary information (BPI) under an administrative protective order (APO)

and BPI service list.—Pursuant to § 207.7(a) of the Commission's rules, the Secretary will make BPI gathered in the final phase of these investigations available to authorized applicants under the APO issued in the investigations, provided that the application is made no later than 21 days prior to the hearing date specified in this notice. Authorized applicants must represent interested parties, as defined by 19 U.S.C. 1677(9), who are parties to the investigations. A party granted access to BPI in the preliminary phase of the investigations need not reapply for such access. A separate service list will be maintained by the Secretary for those parties authorized to receive BPI under the APO.

Staff report.—The prehearing staff report in the final phase of these investigations will be placed in the nonpublic record on July 24, 2026, and a public version will be issued thereafter, pursuant to § 207.22 of the Commission's rules.

Hearing.—The Commission will hold a hearing in connection with the final phase of these investigations beginning at 9:30 a.m. on August 6, 2026. Requests to appear at the hearing should be filed in writing with the Secretary to the Commission on or before July 31, 2026. Any requests to appear as a witness via videoconference must be included with your request to appear. Requests to appear via videoconference must include a statement explaining why the witness cannot appear in person; the Chairman, or other person designated to conduct the investigation, may in their discretion for good cause shown, grant such a request. Requests to appear as remote witness due to illness or a positive COVID–19 test result may be submitted by 3:00 p.m. the business day prior to the hearing. Further information about participation in the hearing will be posted on the Commission's website at *https://www.usitc.gov/calendarpad/calendar.html.*

A nonparty who has testimony that may aid the Commission's deliberations may request permission to present a short statement at the hearing. All parties and nonparties desiring to appear at the hearing and make oral presentations should attend a prehearing conference, if deemed necessary, to be held at 9:30 a.m. on August 4, 2026. Parties shall file and serve written testimony and presentation slides in connection with their presentation at the hearing by no later than noon on August 5, 2026. Oral testimony and written materials to be submitted at the public hearing are governed by sections 201.6(b)(2), 201.13(f), and 207.24 of the Commission's rules. Parties must submit any request to present a portion of their hearing testimony *in camera* no later than 7 business days prior to the date of the hearing.

Written submissions.—Each party who is an interested party shall submit a prehearing brief to the Commission. Prehearing briefs must conform with the provisions of § 207.23 of the Commission's rules; the deadline for filing is July 31, 2026. Parties shall also file written testimony in connection with their presentation at the hearing, and posthearing briefs, which must conform with the provisions of § 207.25 of the Commission's rules. The deadline for filing posthearing briefs is August 13, 2026. In addition, any person who has not entered an appearance as a party to the investigations may submit a written statement of information pertinent to the subject of the investigations, including statements of support or opposition to the petition, on or before August 13, 2026. On August 26, 2026, the Commission will make available to parties all information on which they have not had an opportunity to comment. Parties may submit final comments on this information on or before August 28, 2026, but such final comments must not contain new factual information and must otherwise comply with § 207.30 of the Commission's rules. All written submissions must conform with the provisions of § 201.8 of the Commission's rules; any submissions that contain BPI must also conform with the requirements of §§ 201.6, 207.3, and 207.7 of the Commission's rules. The Commission's *Handbook on Filing Procedures,* available on the Commission's website at *https://www.usitc.gov/documents/handbook_on_filing_procedures.pdf,* elaborates upon the Commission's procedures with respect to filings.

Additional written submissions to the Commission, including requests pursuant to § 201.12 of the Commission's rules, shall not be accepted unless good cause is shown for accepting such submissions, or unless the submission is pursuant to a specific request by a Commissioner or Commission staff.

In accordance with §§ 201.16(c) and 207.3 of the Commission's rules, each document filed by a party to the investigations must be served on all other parties to the investigations (as identified by either the public or BPI service list), and a certificate of service must be timely filed. The Secretary will not accept a document for filing without a certificate of service.

Authority: These investigations are being conducted under authority of title VII of the Tariff Act of 1930; this notice is published pursuant to § 207.21 of the Commission's rules.

By order of the Commission.

Issued: June 3, 2026.

Lisa Barton,

Secretary to the Commission.

[FR Doc. 2026–11368 Filed 6–5–26; 8:45 am]

BILLING CODE 7020–02–P

DEPARTMENT OF JUSTICE

Drug Enforcement Administration

[Docket No. DEA–1726]

Importer of Controlled Substances Application: CalCog Inc.

AGENCY: Drug Enforcement Administration, Justice.

ACTION: Notice of application.

SUMMARY: CalCog Inc. has applied to be registered as an importer of basic class(es) of controlled substance(s). Refer to Supplementary Information listed below for further drug information.

DATES: Registered bulk manufacturers of the affected basic class(es), and applicants, therefore, may submit electronic comments on or objections to the issuance of the proposed registration on or before July 8, 2026. Such persons may also file a written request for a hearing on the application on or before July 8, 2026.

ADDRESSES: The Drug Enforcement Administration requires that all comments be submitted electronically through the Federal eRulemaking Portal, which provides the ability to type short comments directly into the comment field on the web page or attach a file for lengthier comments. Please go to *https://www.regulations.gov* and follow the online instructions at that site for submitting comments. Upon submission of your comment, you will receive a Comment Tracking Number. Please be aware that submitted comments are not instantaneously available for public view on *https://www.regulations.gov.* If you have received a Comment Tracking Number, your comment has been successfully submitted and there is no need to resubmit the same comment. All requests for a hearing must be sent to: (1) Drug Enforcement Administration, Attn: Hearing Clerk/OALJ, 8701 Morrissette Drive, Springfield, Virginia 22152; and (2) Drug Enforcement Administration, Attn: DEA Federal Register Representative/DPW, 8701 Morrissette Drive, Springfield, Virginia 22152. All requests for a hearing should also be sent to: Drug Enforcement

Administration, Attn: Administrator, 8701 Morrissette Drive, Springfield, Virginia 22152.

SUPPLEMENTARY INFORMATION: In accordance with 21 CFR 1301.34(a), this is notice that on April 30, 2026, CalCog Inc., 1500 Business Park Drive, Unit B, Bastrop, Texas 78602, applied to be registered as an importer of the following basic class(es) of controlled substance(s):

Controlled substance	Drug Code	Schedule
Lysergic acid diethylamide.	7315	I
5-Methoxy-N,N-dimethyltryptamine.	7431	I
Dimethyltryptamine	7435	I
Psilocyn	7438	I

The company plans to import the above listed controlled substance(s) as dosage units for clinical trials only. No other activities for these drug codes are authorized for this registration.

Approval of permit applications will occur only when the registrant's business activity is consistent with what is authorized under 21 U.S.C. 952(a)(2). Authorization will not extend to the import of Food and Drug Administration-approved or non-approved finished dosage forms for commercial sale.

Thomas Prevoznik,

Deputy Assistant Administrator.

[FR Doc. 2026–11416 Filed 6–5–26; 8:45 am]

BILLING CODE 4410–09–P

DEPARTMENT OF JUSTICE

Federal Bureau of Investigation

[Docket No. FBI164]

FBI Criminal Justice Information Services Division; User Fee Schedule

AGENCY: Federal Bureau of Investigation (FBI), Justice.

ACTION: Notice.

SUMMARY: The FBI is authorized to establish and collect fees for providing fingerprint-based and name-based criminal history record information (CHRI) checks submitted by authorized users for noncriminal justice purposes including employment and licensing. A portion of the fee is intended to reimburse the FBI for the cost of providing fingerprint-based and name-based CHRI checks (''cost reimbursement portion'' of the fee). The FBI is also authorized to charge an additional amount to defray expenses for the automation of fingerprint identification and criminal justice information services and associated costs (''automation portion'' of the fee). This notice provides the revised fee schedule.

DATES: This revised fee schedule takes effect October 1, 2026.

FOR FURTHER INFORMATION CONTACT: Mr. Mark Bland, Chief, Financial Management Unit, Resources Management Section, Criminal Justice Information Services (CJIS) Division, FBI, 1000 Custer Hollow Road, Module D–3, Clarksburg, WV 26306. Telephone number 771–228–3066.

SUPPLEMENTARY INFORMATION: Pursuant to the authority in Public Law 101–515, as amended and codified at 34 United States Code (U.S.C.) section 41104, the FBI has established user fees for authorized agencies requesting noncriminal justice fingerprint-based and name-based CHRI checks. These noncriminal justice, fingerprint-based CHRI checks are performed for noncriminal justice, non-law enforcement employment and licensing purposes, and for certain employees of private sector contractors with classified government contracts.

In accordance with the requirements of Title 28, Code of Federal Regulations (CFR), section 20.31(e), the FBI periodically reviews the process of providing fingerprint-based and name-based CHRI checks to determine the proper fee amounts which should be collected, and the FBI publishes any resulting fee adjustments in the **Federal Register**.

A fee study was conducted in keeping with 28 CFR 20.31(e)(2) and employed the methodology detailed in **Federal Register** notices 75 FR 18751 and 83 FR 48335. The fee study results recommended an increase in the fingerprint-based and name-based CHRI checks from the current user fees published in the **Federal Register** on August 29, 2024 (89 FR 70206), which have been in effect since January 1, 2025. The FBI reviewed the results of the independently conducted fee study, compared the recommendations to the current fee schedule, and determined the revised fee recommendation amounts for both the cost reimbursement portion and the automation portion of the fee were reasonable and in consonance with the underlying legal authorities.

Pursuant to the recommendations of the study, the fees for fingerprint-based CHRI checks will be increased and the fee for name-based CHRI checks will also increase for federal agencies specifically authorized by statute, *e.g.,* pursuant to the Security Clearance Information Act, Title 5, U.S.C., section 9101.

The following tables detail the fee amounts for authorized users requesting fingerprint-based and name-based CHRI checks for noncriminal justice purposes, including the difference from the fee schedule currently in effect.

FINGERPRINT-BASED CHRI CHECKS

Service	Fee currently in effect	Fee currently in effect for CBSPs [1]	Change in fee amount	Revised fee	Revised fee for CBSPs
Fingerprint-based Submission	$12.00	$10.00	$3.00	$15.00	[2] $13.00
Fingerprint-based Volunteer Submission [3]	10.00	8.00	3.00	13.00	[4] 11.00

NAME-BASED CHRI CHECKS

Service	Fee currently in effect	Change in fee amount	Revised fee
Name-based Submission	$1.00	$0.75	$1.75

Timothy A. Ferguson,

Assistant Director.

[FR Doc. 2026–11435 Filed 6–5–26; 8:45 am]

BILLING CODE 4410–02–P

DEPARTMENT OF JUSTICE

[OMB Number 1121–0381]

Agency Information Collection Activities; Proposed eCollection eComments Requested; Revision of a Previously Approved Collection; Juvenile Facility Census Program (JFCP)

AGENCY: Office of Justice Programs, Department of Justice.

ACTION: 60-Day notice.

SUMMARY: The National Institute of Justice, Office of Justice Programs, Department of Justice (DOJ), will be submitting the following information collection request to the Office of Management and Budget (OMB) for review and approval in accordance with the Paperwork Reduction Act of 1995.

DATES: Comments are encouraged and will be accepted for 60 days until August 7, 2026.

FOR FURTHER INFORMATION CONTACT: If you have additional comments especially on the estimated public burden or associated response time, suggestions, or need a copy of the proposed information collection instrument with instructions or additional information, please contact Benjamin Adams, Supervisory Social Science Analyst, National Institute of Justice, 999 North Capitol Street NE, Washington DC 20531 (email: *benjamin.adams@usdoj.gov;* telephone: 202–598–6493).

SUPPLEMENTARY INFORMATION: Written comments and suggestions from the public and affected agencies concerning the proposed collection of information are encouraged. Your comments should address one or more of the following four points:

—Evaluate whether the proposed collection of information is necessary for the proper performance of the functions of the Office of Juvenile Justice and Delinquency Prevention, 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;

—Evaluate whether and if so how the quality, utility, and clarity of the information to be collected can be enhanced; and

—Minimize the burden of the collection of information on those who are to respond, including through the use of appropriate automated, electronic, mechanical, or other technological collection techniques or other forms of information technology, *e.g.,* permitting electronic submission of responses.

Abstract: This request for clearance enables the National Institute of Justice, in collaboration with the Office of Juvenile Justice and Delinquency Prevention, to administer the 2027 Juvenile Facility Census Program (JFCP). The JFCP collects information from all secure and nonsecure residential placement facilities that house persons younger than age 21 who are being held as a result of some contact with the juvenile justice system for a law violation. This encompasses both status offenses and delinquency offenses and includes youth who are either temporarily detained by the court or committed after adjudication for an offense. The JFCP collects general information on facility characteristics and the number of youth housed, and includes two rotating content modules that are administered separately during a two-year collection cycle: the Youth Population module and the Facility Operations module. The Youth Population module collects detailed information on individual youth housed in facilities, including demographic details, placement characteristics, and length of stay. The Facility Operations module collects information on resident services, facility features, and operations. The information gathered in this national collection will be used in published reports and statistics. The reports will be made available to the U.S. Congress, Executive Office of the President, practitioners, researchers, students, the media, others interested in juvenile residential facilities, and the general public via the OJP agency websites. The two data collections are being consolidated the attain cost savings and reduce respondent burden.

Overview of This Information Collection

1. *Type of Information Collection:* Revision to a currently approved collection.

2. *The Title of the Form/Collection:* Juvenile Facility Census Program (JFCP).

3. *The agency form number, if any, and the applicable component of the Department sponsoring the collection:* The form numbers are CJ–14 (Youth Characteristics Module) and CJ–15 (Facility Operations Module). The applicable components within the Department of Justice are the National Institute of Justice and the Office of Juvenile Justice and Delinquency Prevention, in the Office of Justice Programs.

4. *Affected public who will be asked or required to respond, as well as the obligation to respond:* State, local and tribal governments, individuals or households, and Private Sector-for or not for profit institutions. The obligation to respond is voluntary.

5. *An estimate of the total number of respondents and the amount of time estimated for an average respondent to respond:* The total estimated respondents is 1,636 or 6,544 for two survey administrations. It takes an average of 6 hours to complete the JFCP. The total burden for two survey administrations is 19,632, including the two rotating content modules that are administered separately during a 2-year collection cycle. The Youth Population module takes an average of 4 hours to complete. The total burden for the Youth Characteristics module is 6,544 hours each survey administration. The Facility Operations module takes an average of 2 hours to complete. The total burden for the Facility Operations module is 3,272 hours each survey administration.

6. *An estimate of the total annual burden (in hours) associated with the collection:* The average annual burden is 4,908 hours.

7. *An estimate of the total annual cost burden associated with the collection, if applicable:* The estimated annual cost for the JFCP is $1,142,155. The estimated cost for two collection cycles is $4,568,460.

TOTAL BURDEN HOURS

Activity	Number of respondents	Frequency	Total annual responses	Time per response (hours)	Total annual burden (hours)
2025 JFCP—Youth Population Module					
Data Collection	1,636	Biennial	1,636	4	6,544
2025 JFCP—Facility Operations Module					
Data Collection	1,636	Biennial	1,636	2	3,272
2027 JFCP—Youth Population Module					
Data Collection	1,636	Biennial	1,636	4	6,544
2027 JFCP—Facility Operations Module					
Data Collection	1,636	Biennial	1,636	2	3,272
Unduplicated Totals	6,544		6,544		19,632

If additional information is required contact: Darwin Arceo, Department Clearance Officer, United States Department of Justice, Justice Management Division, Enterprise Portfolio Management, Two Constitution Square, 145 N Street NE, 4W–218, Washington, DC.

Dated: June 4, 2026.

Darwin Arceo,

Department Clearance Officer for PRA, U.S. Department of Justice.

[FR Doc. 2026–11430 Filed 6–5–26; 8:45 am]

BILLING CODE 4410–18–P

DEPARTMENT OF LABOR

Office of Workers' Compensation Programs

[OMB Control No. 1240–0033]

Proposed Revision of Information Collection; Operator Response to Schedule for the Submission of Additional Evidence and Operator Response to Notice of Claim

AGENCY: Office of Workers' Compensation Programs, Department of Labor.

ACTION: Request for public comments.

SUMMARY: The Department of Labor (DOL) is soliciting comments concerning a proposed revision for the authority to conduct the information collection request (ICR) titled, ''Operator Response to Schedule for the Submission of Additional Evidence and Operator Response to Notice of Claim.'' This comment request is part of continuing Departmental efforts to reduce paperwork and respondent burden in accordance with the Paperwork Reduction Act of 1995 (PRA).

DATES: All comments must be received on or before August 7, 2026.

ADDRESSES: You may submit comments as follows. Please note that late, untimely filed comments will not be considered.

Electronic Submissions: Submit electronic comments in the following way:

- *Federal eRulemaking Portal: https://www.regulations.gov.* Follow the instructions for submitting comments for OWCP–2026–0265. Comments submitted electronically, including attachments, to *https://www.regulations.gov* will be posted to the docket, with no changes. Because your comment will be made public, you are responsible for ensuring that your comment does not include any confidential information that you or a third party may not wish to be posted, such as your or anyone else's Social Security number or confidential business information.
- If your comment includes confidential information that you do not wish to be made available to the public, submit the comment as a written/paper submission.

Written/Paper Submissions: Submit written/paper submissions in the following way:

- *Mail/Hand Delivery:* Mail or visit DOL–OWCP, Division of Coal Mine Workers' Compensation, 200 Constitution Avenue NW, Suite C3520–DCMWC, Washington, DC 20210.
- OWCP will post your comment as well as any attachments, except for information submitted and marked as confidential, in the docket at *https://www.regulations.gov.*

FOR FURTHER INFORMATION CONTACT: Anjanette Suggs, Office of Workers' Compensation Programs, at *suggs.anjanette@dol.gov* (email).

SUPPLEMENTARY INFORMATION:

I. Background

The DOL, as part of continuing efforts to reduce paperwork and respondent burden, conducts a pre-clearance consultation program to provide the general public and Federal agencies an opportunity to comment on proposed and/or continuing collections of information before submitting them to the OMB for final approval. This program helps to ensure 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 can be properly assessed.

This ICR seeks to extend PRA authority for the Coal Mine Operator Response to Schedule for Submission of Additional Evidence (Form CM–2970) and Operator Response to Notice of Claim (Form CM–2970a) information collection. The OWCP, Division of Coal Mine Workers' Compensation (DCMWC) administers the Black Lung Benefits Act (30 U.S.C. 901 *et seq.*), which provides benefits to coal miners totally disabled due to pneumoconiosis and their surviving dependents. When the DCMWC makes a preliminary analysis of a claimant's eligibility for benefits, and if a coal mine operator has been identified as potentially liable for payment of those benefits, the responsible operator is notified of the preliminary analysis. Regulations codified at 20 CFR 725.408 and 20 CFR 725.412, require that a coal mine operator be identified and notified of

potential liability as early in the adjudication process as possible. Forms CM–2790 and CM–2970a are used for claims filed after January 19, 2001, and indicate that the coal mine operator will submit additional evidence or respond to the notice of claim. Black Lung Benefits Act section 426 authorizes this information collection. See 30 U.S.C. 936.

This information collection is currently approved for use through October 31st, 2026.

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 under the PRA 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 Control Number. See 5 CFR 1320.5(a) and 1320.6.

Interested parties are encouraged to provide comments to the contact shown in the **ADDRESSES** section. Written comments will receive consideration and be summarized and included in the request for OMB approval of the final ICR. In order to help ensure appropriate consideration, comments should mention 1240–0033.

Submitted comments will also be a matter of public record for this ICR and posted on the internet, without redaction. The DOL encourages commenters not to include personally identifiable information, confidential business data, or other sensitive statements/information in any comments.

II. Desired Focus of Comments

OWCP is soliciting comments concerning the proposed information collection related to the Operator Response to Schedule for the Submission of Additional Evidence and Operator Response to Notice of Claim. OWCP is particularly interested in comments that:

- Evaluate whether the collection of information is necessary for the proper performance of the functions of the Agency, including whether the information has practical utility;
- Evaluate the accuracy of OWCP's estimate of the burden related to the information collection, including the validity of the methodology and assumptions used in the estimate;
- Suggest methods to enhance the quality, utility, and clarity of the information to be collected; and
- Minimize the burden of the information collection on those who are to respond, including through the use of appropriate automated, electronic, mechanical, or other technological collection techniques or other forms of information technology, *e.g.,* permitting electronic submission of responses.

Documents related to this information collection request are available at *https://regulations.gov* and at DOL–OWCP located at 200 Constitution Avenue NW, Room C–3520, Washington, DC 20210. Questions about the information collection requirements may be directed to the person listed in the **FOR FURTHER INFORMATION** section of this notice.

III. Current Actions

This information collection request concerns Operator Response to Schedule for the Submission of Additional Evidence and Operator Response to Notice of Claim. OWCP has updated the data with respect to the number of respondents, responses, burden hours, and burden costs supporting this information collection request from the previous information collection request.

Type of Review: Revision of a currently approved collection.

Agency: Office of Workers' Compensation Programs.

OMB Number: 1240–0033.

Affected Public: Private Sector-businesses or other for profits.

Number of Respondents: 8,230.

Number of Responses: 11,470.

Annual Burden Hours: 2,644 hours.

Annual Respondent or Recordkeeper Cost: $2,923.

OWCP Forms: Operator Response to Schedule for the Submission of Additional Evidence (CM–2970) and Operator Response to Notice of Claim (CM–2970a).

Comments submitted in response to this notice will be summarized in the request for Office of Management and Budget approval of the proposed information collection request; they will become a matter of public record and will be available at *https://www.reginfo.gov.*

Anjanette Suggs,

Agency Clearance Officer.

[FR Doc. 2026–11427 Filed 6–5–26; 8:45 am]

BILLING CODE 4510–CR–P

NATIONAL AERONAUTICS AND SPACE ADMINISTRATION

[NASA Document Number: 26–033; NASA Docket Number: NASA–2026–0265]

Name of Information Collection: JSC Form 1830 Report of Medical Examination

AGENCY: National Aeronautics and Space Administration (NASA).

ACTION: Notice of Renewal of Information Collection, correction.

SUMMARY: NASA, as part of its continuing effort to reduce paperwork and respondent burden, invites the general public and other Federal agencies to take this opportunity to comment on proposed and/or continuing information collections, as required by the Paperwork Reduction Act (PRA) of 1995.

FOR FURTHER INFORMATION CONTACT: Requests for additional information or copies of the information collection instrument(s) and instructions should be directed to NASA PRA Clearance Officer, Stayce Hoult, NASA Headquarters, 300 E Street SW, JC0000, Washington, DC 20546, or email *hq-ocio-pra-program@mail.nasa.gov.*

SUPPLEMENTARY INFORMATION: In the **Federal Register** of June 3, 2026, in FR Doc. 2026–11109, on page 33235, in the second column on page 33236, add the OMB Number: in the III Data section to read: ''2700–0170''.

Nanette Smith,

Team Lead, NASA Directives and Regulations.

[FR Doc. 2026–11420 Filed 6–5–26; 8:45 am]

BILLING CODE 7510–13–P

NUCLEAR REGUALTORY COMMISSION

[Docket No. 50–289; EAXX–429–00–000–1773009788; NRC–2026–0397]

Constellation Energy Generation, LLC; Christopher M. Crane Clean Energy Center; Draft Environmental Assessment and Draft Finding of No Significant Impact

AGENCY: Nuclear Regulatory Commission.

ACTION: Notice; request for comment.

SUMMARY: The U.S. Nuclear Regulatory Commission (NRC) is issuing for public comment a draft environmental assessment (EA) and draft finding of no significant impact (FONSI) regarding the evaluation of the reasonably foreseeable environmental effects from proposed Federal actions related to reauthorizing

power operations at the Christopher M. Crane Clean Energy Center (CCEC). Specifically, the NRC is considering issuance of an exemption and three license amendments, which were requested by Constellation Energy Generation, LLC (CEG) to support the potential reauthorization of power operations at the CCEC. The U.S. Department of Energy (DOE) Office of Energy Dominance Financing (EDF) is a cooperating agency on the draft EA. The DOE EDF's proposed action is a decision on providing Federal financial assistance (a loan guarantee) for refueling and resumption of power operations at the CCEC.

DATES: Submit comments by July 8, 2026. Comments received after this date will be considered if it is practical to do so, but the NRC is able to ensure consideration only for comments received on or before this date.

ADDRESSES: You may submit comments by any of the following methods; however, the NRC encourages electronic comment submission through the Federal rulemaking website.

- *Federal Rulemaking Website:* Go to *https://www.regulations.gov* and search for Docket ID NRC–2026–0397. Address questions about Docket IDs in *Regulations.gov* to Bridget Curran; telephone: 301–415–1003; email: *Bridget.Curran@nrc.gov.* For technical questions, contact the individual(s) listed in the **FOR FURTHER INFORMATION CONTACT** section of this document.
- *Email:* Comments may be submitted to the NRC electronically using the email address *CCECRestartEnvironmental@nrc.gov.*
- *Mail comments to:* Office of Administration, Mail Stop: TWFN–5–A85, U.S. Nuclear Regulatory Commission, Washington, DC 20555–0001, ATTN: Program Management, Announcements and Editing Staff.

For additional direction on obtaining information and submitting comments, see ''Obtaining Information and Submitting Comments'' in the **SUPPLEMENTARY INFORMATION** section of this document.

FOR FURTHER INFORMATION CONTACT: Kevin Folk, telephone: 301–415–6944; email: *Kevin.Folk@nrc.gov,* or Ashley Waldron, telephone: 301–415–7317; email: *Ashley.Waldron@nrc.gov.* Both are staff of the Office of Nuclear Material Safety and Safeguards, U.S. Nuclear Regulatory Commission, Washington, DC 20555–0001.

SUPPLEMENTARY INFORMATION:

I. Obtaining Information and Submitting Comments

A. Obtaining Information

Please refer to Docket ID NRC–2026–0397 when contacting the NRC about the availability of information for this action. You may obtain publicly available information related to this action by any of the following methods:

- *Federal Rulemaking Website:* Go to *https://www.regulations.gov* and search for Docket ID NRC–2026–0397.
- *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 the 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, Monday through Friday, except Federal holidays.
- *Public Library:* A copy of the draft EA and draft FONSI is available for public review at the following public library location: Middletown Public Library, 20 North Catherine Street, Middletown, PA 17057.
- *NRC Public Project Website:* The draft EA and draft FONSI along with information regarding the CCEC, including licensing, operation, decommissioning, and potential restart, is available at *https://www.nrc.gov/info-finder/reactors/ccec.*

B. Submitting Comments

The NRC encourages electronic comment submission through the Federal rulemaking website (*https://www.regulations.gov*). Please include Docket ID NRC–2026–0397 in your comment submission.

The NRC cautions you not to include identifying or contact information that you do not want to be publicly disclosed in your comment submission. The NRC will post all comment submissions at *https://www.regulations.gov* as well as enter the comment submissions into ADAMS. The NRC does not routinely edit comment submissions to remove identifying or contact information.

If you are requesting or aggregating comments from other persons for submission to the NRC, then you should inform those persons not to include identifying or contact information that they do not want to be publicly disclosed in their comment submission. Your request should state that the NRC does not routinely edit comment submissions to remove such information before making the comment submissions available to the public or entering the comment into ADAMS.

II. Introduction

The CCEC, formerly Three Mile Island Nuclear Station, Unit 1 (TMI–1), consists of a single pressurized-water nuclear reactor located in Dauphin County, Pennsylvania, on Three Mile Island in the Susquehanna River. Originally licensed for operation on April 19, 1974, the NRC issued a renewed facility operating license (RFOL) for TMI–1 on October 22, 2009, with the license term expiring on April 19, 2034.

On June 20, 2017, and September 26, 2019, Exelon Generation Company, LLC, the licensee who then operated the facility, submitted certifications that it would permanently cease operations of TMI–1 and had permanently removed fuel from the reactor vessel, respectively, in accordance with paragraph 50.82(a)(1) of title 10 of the *Code of Federal Regulations* (10 CFR). Upon the NRC's docketing of these certifications, the RFOL license no longer authorized operation of the reactor or emplacement or retention of fuel into the reactor vessel, as provided by 10 CFR 50.82(a)(2).

CEG is seeking to return the CCEC to power operations and has submitted for NRC approval an exemption request and three license amendment requests (LARs) in support of allowing the resumption of power operations through April 19, 2034, the previous expiration date of the facility's RFOL.

A notice of opportunity to request a hearing and petition for leave to intervene was published in the **Federal Register** on February 24, 2026, regarding the three LARs. Consistent with the Atomic Energy Act of 1954, as amended (the Act), and the NRC's regulations, the NRC did not publish a notice of opportunity for hearing on the exemption request.

The NRC staff has prepared a draft EA and draft FONSI documenting its environmental review of the proposed actions related to reauthorizing power operations at the CCEC. Based on its

environmental review, the NRC staff has made the preliminary determination that the proposed actions will not have a significant effect on the quality of the human environment. Therefore, the NRC staff has made the preliminary determination that it will not prepare an environmental impact statement (EIS) for the proposed actions and that a FONSI is warranted.

The NRC staff will consider comments on the draft EA and draft FONSI received over a 30-day public comment period from Federal, State, local, and Tribal officials and members of the public. After consideration of these comments, the NRC staff will make a final determination regarding whether it will prepare an EIS for the proposed actions or whether a FONSI is warranted.

The environmental review included fulfillment of the NRC's obligations related to Section 106 of the National Historic Preservation Act of 1966, as amended (54 U.S.C. 300101, *et seq.*) (NHPA). The regulation in section 800.8 of title 36 of the *Code of Federal Regulations* (36 CFR), ''Coordination with the National Environmental Policy Act,'' allows agencies to use their National Environmental Policy Act of 1969 (42 U.S.C. 4321, *et seq.*) process to fulfill the requirements of Section 106 of the NHPA. Therefore, pursuant to 36 CFR 800.8(c), the NRC used its process for the preparation of the EA on the proposed actions to comply with Section 106 of the NHPA in lieu of the procedures set forth at 36 CFR 800.3 through 800.6.

III. Summary of Draft Environmental Assessment

Description of the Proposed Federal Actions and Need

The NRC's proposed actions are decisions on whether to grant or deny CEG's interdependent, connected licensing and regulatory requests, including any revisions or supplements thereto or other regulatory or licensing requests submitted to the NRC, that are necessary to support reauthorizing power operations and refueling of the CCEC reactor. The DOE EDF's proposed action is a decision on providing Federal financial assistance for refueling and resumption of power operations at the CCEC pursuant to CEG's loan guarantee agreement with the DOE that was issued pursuant to the Energy Policy Act (EPA) of 2005.

The need for the NRC proposed actions, which would collectively support the reauthorization of power operations and refueling of the CCEC under the existing RFOL, is to provide 835 megawatts-electric of baseload power generation capability to the Pennsylvania, New Jersey, and Maryland electric grid. In support of its decision to pursue the resumption of power operations at the CCEC, CEG cites a 20-year power purchase agreement signed in 2024 with Microsoft to supply carbon-free energy from the CCEC to Microsoft's data centers located within the PJM Interconnection LLC's electric grid.

The need for the DOE proposed action (Federal financial assistance in the form of a loan guarantee) is to implement DOE's authority under Title XVII of the EPA of 2005, which was reauthorized, amended, and revised by the Inflation Reduction Act of 2022 (42 U.S.C. 16517) and the One Big Beautiful Bill Act (Pub. L. 119–21 (July 4, 2025)) to create the EDF Program. The purpose of the EDF Program is to finance projects and facilities in the United States that retool, repower, repurpose, or replace energy infrastructure that has ceased operations or enable operating energy infrastructure to increase capacity or output.

Environmental Impacts of the Proposed Federal Actions

In the draft EA, the NRC staff assessed the potential reasonably foreseeable environmental effects (impacts) from the proposed actions associated with the following relevant resource areas: land use and visual resources; meteorology, air quality, and noise; surface water resources; groundwater resources, ecological resources (terrestrial and aquatic); Federally protected ecological resources, historic and cultural resources; socioeconomic conditions; radiological and nonradiological human health; waste management; uranium fuel cycle and transportation; and postulated accidents. The NRC staff also considered decommissioning impacts as well as greenhouse gas emissions and climate change effects. The NRC staff determined that the environmental impacts of the proposed actions would be NOT SIGNIFICANT for each potentially affected environmental resource area. In addition, the NRC staff determined that the projected effects of climate change would not alter any of the impact determinations described in the EA.

Environmental Impacts of Alternatives to the Proposed Federal Actions

The NRC staff considered a reasonable range of alternatives to the proposed actions, including an analysis of any environmental impacts of not implementing the proposed actions (*i.e.,* the no-action alternative). The NRC staff determined that there are no alternatives that meet the need for the proposed actions. For the no-action alternative, the NRC staff determined that the environmental impacts could potentially be SIGNIFICANT. In contrast, the potential environmental impacts from the proposed actions of reauthorizing power operations at the existing CCEC would be NOT SIGNIFICANT for each potentially affected environmental resource area. Therefore, the NRC staff concluded that there are no environmentally preferrable alternatives to the proposed actions.

IV. Draft Finding of No Significant Impact

The proposed Federal actions before the NRC are whether to grant requests for an exemption and license amendments to support reauthorizing power operations at the CCEC through the remainder of its RFOL term (to April 19, 2034). The NRC staff has conducted an environmental review of these actions and prepared a draft EA. This draft FONSI incorporates by reference the draft EA summarized in Section III of this notice and referenced in Section V of this notice. Based on its preliminary determination in the draft EA that the environmental impacts of the proposed actions would be NOT SIGNIFICANT for each potentially affected resource area, the NRC staff is issuing a draft determination that the proposed Federal actions will not have a significant effect on the quality of the human environment. Accordingly, the NRC staff has made a draft determination not to prepare an EIS for the proposed Federal actions and that a FONSI is warranted.

This draft FONSI and the related environmental documents are available for public inspection as discussed in the draft EA and Section I of this notice. Before making its final determination, the NRC staff will consider comments on the draft EA and draft FONSI received over a 30-day public comment period from Federal, State, Tribal, and local officials and members of the public. Once the NRC staff makes its final determination, the NRC will publish the final EA and final FONSI or proceed to prepare an EIS. At the conclusion of the NRC environmental review, the DOE EDF would publish a separate notice or decision document, as appropriate.

V. Availability of Documents

The documents identified in the following table are available to interested parties through ADAMS, as indicated.

Document description	ADAMS accession No./ **Federal Register** Notice
Draft Environmental Assessment and Draft Finding of No Significant Impact for the Christopher M. Crane Clean Energy Center Reauthorization of Power Operations Project, dated June 5, 2026.	ML26120A058.
Constellation Energy Generation, LLC; Christopher M. Crane Clean Energy Center; Applications for Amendments to Renewed Facility License Involving Proposed No Significant Hazards Consideration Determination and Containing Safeguards Information and Order Imposing Procedures for Access to Safeguards Information; License amendment request (LAR); notice of opportunity to comment, request a hearing, and petition for leave to intervene; order imposing procedures, dated February 24, 2026.	ML26013A106; 91 FR 8910.

(Authority: 42 U.S.C. 2011 *et seq.*)

Dated: June 3, 2026.

For the Nuclear Regulatory Commission.

Kimyata Savoy,

Acting Deputy Director, Division of Rulemaking, Environmental, and Financial Support, Office of Nuclear Material Safety and Safeguards.

[FR Doc. 2026–11377 Filed 6–5–26; 8:45 am]

BILLING CODE 7590–01–P

NUCLEAR REGULATORY COMMISSION

[NRC–2026–2905]

Policy Statement on Mandatory Hearings for Reactor Licensing

AGENCY: Nuclear Regulatory Commission.

ACTION: Policy statement; issuance.

SUMMARY: The U.S. Nuclear Regulatory Commission (NRC) is issuing a policy statement entitled ''Policy Statement on Mandatory Hearings for Reactor Licensing.'' This policy statement sets forth the NRC's plan for conducting future mandatory hearings on reactor license and permit applications. The statement explains the rationale for adopting the process to be used going forward and describes the new process.

DATES: The policy statement is effective on June 8, 2026.

ADDRESSES: Please refer to Docket ID NRC–2026–2905 when contacting the NRC about the availability of information for this action. You may obtain publicly available information related to this action by any of the following methods:

- *Federal Rulemaking Website:* Electronically at *https://www.regulations.gov.* Search for Docket ID NRC–2026–2905. Address questions about NRC dockets to Helen Chang; telephone: 301–415–3228; email: *Helen.Chang@nrc.gov.* For technical questions contact the individuals listed in the **FOR FURTHER INFORMATION CONTACT** section of this document.
- *NRC's Agencywide Documents Access and Management System (ADAMS):* You may obtain publicly available documents online in the ADAMS Public Documents collection at *https://www.nrc.gov/reading-rm/adams.html.* To begin the search, select ''Begin ADAMS Public Search.'' For problems with ADAMS, please contact the NRC's Public Document Room (PDR) reference staff at 1–800–397–4209, at 301–415–4737, or by email to *PDR.Resource@nrc.gov.* The ''Policy Statement on Mandatory Hearings for Reactor Licensing'' is available as an attachment to 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, Monday through Friday, except Federal holidays. The ADAMS accession number for each document referenced (if it is available in ADAMS) is provided the first time that it is mentioned in the **SUPPLEMENTARY INFORMATION** section.

FOR FURTHER INFORMATION CONTACT: Sara Kirkwood, Office of the General Counsel, telephone: 301–287–9187, email: *Sara.Kirkwood@nrc.gov;* or Marcia Simon, Office of the General Counsel, telephone: 301–287–9176, email: *Marcia.Simon@nrc.gov;* U.S. Nuclear Regulatory Commission, Washington, DC 20555–0001.

SUPPLEMENTARY INFORMATION:

I. Background

Pursuant to section 189a. of the Atomic Energy Act of 1954 (AEA), the NRC is required to ''hold a hearing'' after 30 days' notice on certain reactor license applications (for construction permits, early site permits, and combined licenses). The NRC has reassessed and altered its approach to conducting these mandatory (or ''uncontested'') hearings several times over the last two decades. For example, during this time span, the Commission itself (the five-member collegial body of principal officers that oversees the agency) has delegated and then reassumed the role of presiding officer at certain mandatory hearings and has streamlined the process to create a hearing based entirely on written submittals from the applicant and the NRC staff (*see, e.g.,* SRM–SECY–21–0107, ''Selection of Presiding Officer for Mandatory Hearings Associated with Construction Permit Applications'' (ADAMS Accession No. ML22083A045), and SRM–SECY–24–0032, ''Revisiting the Mandatory Hearing Process at the U.S. Nuclear Regulatory Commission'' (ADAMS Accession No. ML24200A044)).

Because the AEA does not define ''hearing'' and does not specify the content of mandatory hearings or particular procedures to be used, the NRC has considerable discretion to establish the content and procedures for mandatory hearings. Historically, the NRC has chosen to structure the mandatory hearing as a confirmation of the sufficiency of the NRC staff's technical review of the application, held after the NRC staff review is complete. However, the AEA does not specify when the mandatory hearing must take place or that it must include a sufficiency review.

The Accelerating Deployment of Versatile, Advanced Nuclear for Clean Energy Act of 2024 (ADVANCE Act), which was signed into law in July 2024, establishes requirements to enhance the NRC's timeliness and efficiency in conducting nuclear power reactor licensing reviews. Section 207 of the ADVANCE Act specifically addresses the hearing process, requiring the NRC (for certain combined license applications) to, among other things, complete ''any necessary public licensing hearings and related processes'' not later than two years after docketing the application. Subsequently, in May of 2025, the President directed a series of reforms to improve the NRC's efficiency and effectiveness in Executive Order (E.O.) 14300, ''Ordering the Reform of the Nuclear Regulatory Commission.'' As relevant to this policy statement, section 5(j) of E.O. 14300 directs the NRC to streamline its public hearing process.

In light of these significant developments, the NRC is revising the mandatory hearing process for reactor licensing in a manner that satisfies the

statutory requirement in the AEA while addressing the directives in the ADVANCE Act and E.O. 14300. The NRC believes the revised process will benefit all stakeholders by allowing public participation in the mandatory hearing and reducing the resource burden of the hearing on the NRC staff and the applicant.

II. Discussion

The requirement to hold a mandatory (or ''uncontested'') hearing was added to section 189a. of the AEA in 1957 in response to Congressional concerns about a perceived lack of transparency in the reactor licensing process at the time. These concerns were based primarily on the dual roles of the NRC's predecessor, the Atomic Energy Commission (AEC), in regulating the safe use of nuclear materials and technology while also encouraging their development and use. At the time, commercial nuclear power was a new, unproven industry with many areas requiring research and demonstration of concept, and the AEC's mission had recently (in 1954) undergone a fundamental shift from focusing on government and military uses of nuclear materials to private commercial uses such as electric power generation.

The nuclear power industry and the way the NRC implements its regulatory oversight have changed significantly since the mandatory hearing provision was first enacted almost 70 years ago. Given these changes and the NRC's accumulated experience with mandatory hearings, a fresh look at what the provision requires, and how best to implement it, is appropriate.

As previously stated, the NRC's long-standing practice of conducting these hearings as a sufficiency review—to confirm the adequacy of the staff's review—was not compelled by the AEA. Rather, it was a policy decision by the Commission (see *Exelon Generation Co., LLC* (Early Site Permit for Clinton ESP Site), CLI-05–17, 62 NRC 5, 38–42 (2005)). We now believe the NRC's mission and the public interest will be best served by holding the mandatory hearing early in the review process and allowing public participation in the hearing. The early public hearing will be a forum for information exchange and public input, in contrast to the current focus on an independent review of the staff's review. This change expands the opportunities for members of the public to participate in NRC licensing processes. The NRC's revised approach for mandatory hearings does not affect the opportunity for members of the public to request a hearing to contest specific safety, security or environmental issues.

Over the past several decades, we have changed the specific procedures for conducting mandatory hearings several times without seeking public comment. Issuing this policy statement ensures transparency about how mandatory hearings will be conducted going forward, and the changes to the mandatory hearing process will allow for public participation in each individual hearing. Therefore, we have determined, on balance, that seeking formal comment on this policy statement is not in the public interest because of the overall flexibility that is already built into the new mandatory hearing process to facilitate public involvement.

III. Plain Writing

The Plain Writing Act of 2010 (Pub. L. 111–274) requires Federal agencies to write documents in a clear, concise, and well-organized manner. The NRC has written this document to be consistent with the Plain Writing Act as well as the Presidential Memorandum, ''Plain Language in Government Writing,'' published June 10, 1998 (63 FR 31885).

IV. Paperwork Reduction Act

This Policy Statement does not contain new or amended information collection requirements and, therefore, is not subject to the Paperwork Reduction Act of 1995 (44 U.S.C. 3501 *et seq.*).

V. Regulatory Planning and Review

The Office of Information and Regulatory Affairs has determined that this policy statement is not a significant regulatory action under E.O. 12866.

VI. Congressional Review Act

This Policy Statement is a rule as defined in the Congressional Review Act (5 U.S.C. 801–808). However, the Office of Management and Budget has not found it to be a major rule as defined in the Congressional Review Act.

The text of the Policy Statement on Mandatory Hearings for Reactor Licensing is attached.

Dated: June 04, 2026.

For the Nuclear Regulatory Commission.

Carrie Safford,

Secretary of the Commission.

Attachment—Policy Statement on Mandatory Hearings for Reactor Licensing

The requirement to hold a mandatory (or ''uncontested'') hearing at the construction permit stage of new nuclear power reactor licensing was established in 1957 in Section 189a. of the Atomic Energy Act of 1954, as amended (AEA). Under this provision, the NRC must ''hold a hearing'' after 30 days' notice on applications for construction permits, early site permits (ESPs), and combined licenses (COLs). The mandatory hearing requirement was added to the AEA in response to Congressional concerns about the lack of transparency in the reactor licensing process at the time—concerns that were informed in large part by the dual roles of the NRC's predecessor, the Atomic Energy Commission (AEC), in regulating the safe use of nuclear materials and technology while also encouraging their development and utilization.

Now, nearly 70 years after the mandatory hearing requirement was enacted, the regulatory and technical landscape has changed dramatically. First, the concerns about the AEC's dual roles were eliminated over half a century ago with the passage of the Energy Reorganization Act of 1974 (ERA). The ERA abolished the AEC and separated its dual functions, creating the NRC to perform the regulatory functions previously performed by the AEC and moving the AEC's other functions to a separate Federal agency. Today, the Department of Energy is responsible for supporting development and use of nuclear energy, while the NRC recently celebrated its 50th anniversary as the independent agency that regulates civilian uses of nuclear energy.

Second, in the late 1950s, commercial nuclear power was a new and unproven industry. The AEC was also a new agency, early in the process of developing its regulatory infrastructure and transitioning from its original focus on military applications to peaceful uses of nuclear energy. Now, commercial nuclear power is a mature industry, with a current fleet of 94 operating commercial power reactors in the U.S. supplying approximately 20 percent of the country's energy. In parallel with the growth and evolution of the industry, the NRC (starting with its predecessor, the AEC) has established a staff with technical expertise in a wide array of relevant disciplines and has amassed nearly 70 years of institutional and operating experience to guide the agency's regulatory process and decisions. Research, operating experience, and technological developments in the nuclear field have resulted in numerous safety improvements, and advances in modeling and simulation technology have made it possible to evaluate and analyze reactor safety in ways that were unimaginable in the 1950s.

Finally, the NRC now regularly engages with its stakeholders, and particularly with the public, in ways far beyond what could have been envisioned 70 years ago. The NRC proactively seeks public input through public meetings, open comment periods, webinars, and outreach events designed to inform and involve the public in its regulatory processes. With the advent and widespread availability of personal computers and the internet, license applications, staff safety evaluations, environmental review documents, and a vast array of other documents and information about the NRC's regulatory process and decision-making are now readily accessible on the NRC public website and in the agency's electronic database, the Agencywide Documents Access and Management System (ADAMS). And, in addition to the NRC's own efforts to engage with stakeholders, Congress has also enacted several statutes since 1957 that focus on increased openness and accountability in government, such as the Freedom of Information Act, the Government in the Sunshine Act, and the Federal Advisory Committee Act.

In sum, 50 years after the NRC was created, and almost 70 years after the mandatory hearing requirement was established, there have been immense transformations in the nuclear industry and at the NRC. In light of these changes, the NRC is revising its approach to the mandatory hearing in a manner that will fulfill the statutory requirement while supporting an efficient, timely and predictable regulatory review and enhancing public participation.

The mandatory hearing requirement in Section 189a. of the AEA states that the NRC ''shall hold a hearing after thirty days' notice and publication once in the **Federal Register**'' on construction permit applications. Because an ESP is a partial construction permit and COLs contain a construction permit, the NRC interprets the Section 189a. requirement to apply to these licenses as well. The statute contains no other direction regarding the process, scope, or timing of mandatory hearings. Thus, we have broad discretion under the AEA to adapt the mandatory hearing process to the modern regulatory and technological landscape.

Our longstanding practice has been to conduct mandatory hearings as a sufficiency review to confirm that the NRC staff's review has been adequate. This practice was not compelled by the AEA or any other statutory requirement but was informed by how we had structured our regulations. In particular, former 10 CFR 2.104(b), which we removed from our regulations in 2007, specified certain issues to be considered even in uncontested hearings. As we have previously explained, the NRC staff has ''prime responsibility for technical fact-finding on uncontested matters.'' [1] Moreover, during the review process the NRC staff interacts with the Commission and the Advisory Committee on Reactor Safeguards as needed, particularly when significant new designs, technologies, or policy issues are presented in the review of an application. Thus, an additional formal sufficiency check on the NRC staff's review is simply unnecessary.

Since 2007, we have made several revisions to the mandatory hearing process in an effort to achieve greater efficiency while meeting the requirement. The recent passage of the ADVANCE Act and the Administration's issuance of related Executive Orders have placed intense focus on the nation's nuclear energy capacity and NRC's role in enabling the safe and secure use and deployment of civilian nuclear energy technologies, and, in particular, on the efficiency and timeliness of NRC reactor licensing decisions. Because of these Congressional and Administration actions and corresponding developments within the nuclear industry, the NRC expects an influx of new reactor applications that will require mandatory hearings. And the strict timelines for completing reviews of those applications have compelled the NRC to once again reconsider the format and function of the mandatory hearing. At this time, we believe the NRC's mission and the public interest will best be served by changing the timing and process of the mandatory hearing as described below. These changes will make the mandatory hearing more effective and meaningful to the agency and the public by restructuring it as a vehicle to share information and obtain early public input and by maximizing the NRC staff's focus on reviews to facilitate their completion on schedule without compromising public health and safety or the common defense and security. The changes in the mandatory hearing process described in this policy statement do not alter the NRC staff's responsibility to keep the Commission informed and to timely seek and obtain Commission direction about any significant issues that arise during the review process.

We believe the NRC's mission and the public interest will be best served by conducting the mandatory hearing as a public hearing held early in the review process, approximately 30 days after a complete application is docketed. The early public hearing will provide a forum for information exchange and public input, in contrast to the current focus on checking the NRC staff's completed review. This approach will better realize an aim identified in the 1957 Joint Committee on Atomic Energy study of AEC procedures: to allow members of the public to provide views early in the process without the encumbrances of seeking a contested hearing.[2] This approach will also reallocate the significant NRC staff and Commission resources currently dedicated to mandatory hearings held at the conclusion of the NRC staff's review to focus those resources instead on the timely completion of comprehensive safety, security, and environmental reviews.

Our current mandatory hearing process has provided appropriate transparency that is fully consistent with the AEA, giving the public the ability to view publicly available hearing documents near the end of the staff's review of a license application. The current mandatory hearing format does not provide an opportunity for public participation or feedback. Accordingly, an additional benefit of our revised approach to the mandatory hearing is that members of the public will have an opportunity to provide information in areas of inquiry for the staff's safety, security, and environmental reviews at the beginning of the review process. Our revised approach does not affect the opportunity for members of the public to request a hearing to contest specific safety, security, or environmental issues.

Procedures for Conducting Mandatory Hearings for Reactor Licensing

The Commission hereby delegates its authority to conduct mandatory hearings for new reactor construction permits, early site permits, and combined licenses to the Executive Director of Operations (EDO). The EDO may further delegate this authority to the appropriate office director. Each mandatory hearing will be conducted by a facilitator from the NRC In-House Meeting Facilitator and Advisor Program, with at least one agency

[1] *Exelon Generation Company, LLC* (Early Site Permit for Clinton ESP Site), CLI–05–17, 62 NRC 5, 35 (2005).

[2] Staff of the Joint Committee on Atomic Energy, ''A Study of AEC Procedures and Organization in the Licensing of Reactor Facilities,'' at 23 (Joint Committee Print 1957).

employee who is a member of the Senior Executive Service in attendance.

The mandatory hearing will be held in a public hearing style format frequently used by local government bodies to receive input from the public. Within the parameters laid out in this policy statement, the NRC staff has the discretion to conduct mandatory hearings in a manner that the NRC staff finds appropriate to the particular circumstances of each application and that will best adhere to the NRC's Principles of Good Regulation (*https://www.nrc.gov/about-nrc/values#principles*). The hearing should be conducted in a location as close to the proposed site as practicable, but should generally not be held at a licensee's, applicant's, or licensee/applicant contractor's facility. In deciding on a location, the NRC staff should consider factors such as weather, anticipated crowd size, availability of parking, proximity to public transportation, appropriateness of the venue, infrastructure and internet accessibility, and security needs, including availability of local law enforcement, as well as any other considerations as appropriate.

Our general expectation is that the NRC staff will hold the mandatory hearing as early as possible in the review process after an application is docketed. Section 189a. of the AEA requires the NRC to provide at least 30 days' notice of the mandatory hearing. Accordingly, after docketing an application for review, the NRC staff will identify an appropriate location and venue for the mandatory hearing and publish notice of the hearing in the **Federal Register**. As appropriate, the NRC staff may issue a combined notice of docketing of the application, notice of mandatory hearing, and notice of opportunity to request a (contested) hearing. The distinction between the mandatory hearing and the opportunity to request a contested hearing will be explained in the hearing notice and during the mandatory hearing. In accordance with NRC policy, the NRC staff will also publish notice of the mandatory hearing on the NRC public website, and the NRC staff may supplement the **Federal Register** and website notices with notices on social media and in local media as appropriate.

While we intend that the NRC staff has some flexibility in conducting these hearings, we expect the NRC staff to select a hearing format that is most suitable for each individual application and that will best serve the interests of all stakeholders. Initially, we expect all mandatory hearings to be conducted either in person or using a hybrid (both in-person and virtual) format. In addition, we expect all mandatory hearings to include, at a minimum, the following elements:

1. The formal portion of the hearing (see items 2 to 4 below) will be transcribed.

2. The NRC staff will provide a presentation explaining the review process, providing a brief overview of the application, explaining where the public can obtain further information, and explaining the opportunities for public engagement in the review process. The overview of the application will include basic information about the project (*e.g.,* location, important geographical features, type of reactor technology, whether the project uses a new or already approved design), key aspects of the application's analysis of potential hazards, and, as applicable, any novel or unusual aspects of the project of which the NRC staff is aware.

3. The total time for presentations (including the staff's overview of the application and review logistics, and the applicant's presentation, if applicable) would typically be no more than 60 minutes. The applicant will have an opportunity to provide a presentation of no more than 30 minutes about the project and the license application.

4. The NRC staff will provide a comment period of up to three hours, where questions and comments from the public will be heard on the record. Each member of the public will be allowed to speak for no more than five minutes at a time in an effort to ensure that all stakeholders who wish to provide oral comments or ask questions will have the opportunity to do so. During the comment period, the NRC staff should respond in real-time to questions about the application and the review process to the extent practicable. The staff may hold an open house before or after the comment period to facilitate further discussion and information sharing.

5. The NRC staff will prepare a meeting summary for the hearing and place it in ADAMS and on the NRC website. The meeting summary will include an addendum that provides responses to any questions that could not be answered at the hearing, based on information known to the NRC staff at the time of the hearing.

6. The NRC staff will provide a two-week period after the hearing for the submission of further written comments and questions. Any written comments or questions received during the two-week period after the hearing will be placed in a folder in ADAMS and instructions on how to access them will be posted on the NRC's public website. The Commission expects that the NRC staff will consider and incorporate comments and questions received during the hearing into its review as appropriate.

Conclusion

In sum, the NRC has carefully considered the significant developments that have occurred in the decades since the mandatory hearing requirement was established. These changes in the regulatory landscape and national priorities, across the nuclear industry, and at the agency, together necessitate further refinement of our hearing process. By applying these revised hearing procedures, the NRC will fulfill the statutory requirement while supporting an efficient, timely and predictable regulatory review and enhancing public participation.

[FR Doc. 2026–11451 Filed 6–5–26; 8:45 am]

BILLING CODE 7590–01–P

OFFICE OF PERSONNEL MANAGEMENT

Meeting of the Board of Actuaries of the Civil Service Retirement System

AGENCY: Office of Personnel Management.

ACTION: Notice of meeting.

SUMMARY: Pursuant to 5 U.S.C. 8347(f) and also in accordance with the provisions of the Federal Advisory Committee Act (FACA), as amended, 5 U.S.C. App. 2, the Board of Actuaries of the Civil Service Retirement System plans to meet on Monday, June 29, 2026. The meeting will start at 10:00 a.m. EDT and will be held at the U.S. Office of Personnel Management (OPM), 1900 E Street NW, Washington, DC 20415. The purpose of the meeting is for the Board to review the actuarial methods and assumptions used in the valuations of the Civil Service Retirement and Disability Fund.

FOR FURTHER INFORMATION CONTACT: Gregory Kissel, Senior Actuary for Pension Programs, U.S. Office of Personnel Management, 1900 E Street NW, Room 5450, Washington, DC 20415, or by email to *actuary@opm.gov.*

SUPPLEMENTARY INFORMATION:

Agenda

Review of assumptions for actuarial valuations as of September 30, 2025:

a. Demographic Assumptions

b. Economic Assumptions

Participation

Persons desiring to attend this meeting, or to make a statement for

consideration at the meeting, should contact the individual listed in the **FOR FURTHER INFORMATION CONTACT** section of this notice at least 5 business days in advance of the meeting date. Any detailed information or analysis requested for the Board to consider should be submitted at least 15 business days in advance of the meeting date. The manner and time for any material presented to or considered by the Board may be limited.

Gregory Kissel,

Designated Federal Officer for the Board of Actuaries.

Alexys Stanley,

Federal Register Liaison.

[FR Doc. 2026–11453 Filed 6–5–26; 8:45 am]

BILLING CODE 6325–63–P

OFFICE OF PERSONNEL MANAGEMENT

President's Commission on White House Fellowships Advisory Committee: Closed Meeting

AGENCY: President's Commission on White House Fellowships, Office of Personnel Management.

ACTION: Notice of meeting.

SUMMARY: The President's Commission on White House Fellowships (PCWHF) was established by an executive order in 1964. The PCWHF is an advisory committee composed of Special Government Employees appointed by the President. The Advisory Committee meets in June to interview potential candidates for recommendation to become a White House Fellow. The meeting is closed to the public.

FOR FURTHER INFORMATION CONTACT: Mary Sprowls, Email: *WhiteHouseFellows@who.eop.gov.*

SUPPLEMENTARY INFORMATION:

Name of Committee: President's Commission on White House Fellowships Selection Weekend.

Date: June 25–28, 2026.

Time: 8:00 a.m.–5:30 p.m.

Place: U.S. Department of Housing & Urban Development, 2415 Eisenhower Avenue, Alexandria, Virginia.

Agenda: The Commission will interview 30 National Finalists for the selection of the new class of White House Fellows.

Authority: Executive Orders 11183 and 14354.

Signing Statement

The Director of OPM, Scott Kupor, reviewed and approved this document and has authorized the undersigned to electronically sign and submit this document to the Office of the Federal Register for publication.

Office of Personnel Management.

Jerson Matias,

Federal Register Liaison.

[FR Doc. 2026–11454 Filed 6–5–26; 8:45 am]

BILLING CODE 6325–69–P

POSTAL REGULATORY COMMISSION

[Docket Nos. CP2024–354; K2025–1622]

New Postal Products

AGENCY: Postal Regulatory Commission.

ACTION: Notice.

SUMMARY: The Commission is noticing a recent Postal Service filing for the Commission's consideration concerning a negotiated service agreement. This notice informs the public of the filing, invites public comment, and takes other administrative steps.

DATES: *Comments are due:* June 11, 2026.

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

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

SUPPLEMENTARY INFORMATION:

Table of Contents

I. Introduction
II. Public Proceeding(s)
III. Summary Proceeding(s)

I. Introduction

Pursuant to 39 CFR 3041.405, the Commission gives notice that the Postal Service filed request(s) for the Commission to consider matters related to Competitive negotiated service agreement(s). The request(s) may propose the addition of a negotiated service agreement from the Competitive product list or the modification of an existing product currently appearing on the Competitive product list.

The public portions of the Postal Service's request(s) can be accessed via the Commission's website (*http://www.prc.gov*). Non-public portions of the Postal Service's request(s), if any, can be accessed through compliance with the requirements of 39 CFR 3011.301.[1]

Section II identifies the docket number(s) associated with each Postal Service request, if any, that will be reviewed in a public proceeding as defined by 39 CFR 3010.101(p), the title of each such request, the request's acceptance date, and the authority cited by the Postal Service for each request. For each such request, the Commission appoints an officer of the Commission to represent the interests of the general public in the proceeding, pursuant to 39 U.S.C. 505 and 39 CFR 3000.114 (Public Representative). The Public Representative does not represent any individual person, entity or particular point of view, and, when Commission attorneys are appointed, no attorney-client relationship is established. Section II also establishes comment deadline(s) pertaining to each such request.

The Commission invites comments on whether the Postal Service's request(s) identified in Section II, if any, are consistent with the policies of title 39. Applicable statutory and regulatory requirements include 39 U.S.C. 3632, 39 U.S.C. 3633, 39 U.S.C. 3642, 39 CFR part 3035, and 39 CFR part 3041. Comment deadline(s) for each such request, if any, appear in Section II.

Section III identifies the docket number(s) associated with each Postal Service request, if any, to add a standardized distinct product to the Competitive product list or to amend a standardized distinct product, the title of each such request, the request's acceptance date, and the authority cited by the Postal Service for each request. Standardized distinct products are negotiated service agreements that are variations of one or more Competitive products, and for which financial models, minimum rates, and classification criteria have undergone advance Commission review. *See* 39 CFR 3041.110(n); 39 CFR 3041.205(a). Such requests are reviewed in summary proceedings pursuant to 39 CFR 3041.325(c)(2) and 39 CFR 3041.505(f)(1). Pursuant to 39 CFR 3041.405(c)–(d), the Commission does not appoint a Public Representative or request public comment in proceedings to review such requests.

II. Public Proceeding(s)

1. *Docket No(s).:* CP2024–354; *Filing Title:* Request of the United States Postal Service Concerning Modification Two to Priority Mail Express International, Priority Mail International & Commercial ePacket Contract 5 Negotiated Service Agreement, Which

[1] *See* Docket No. RM2018–3, Order Adopting Final Rules Relating to Non-Public Information, June 27, 2018, Attachment A at 19–22 (Order No. 4679).

Includes an Extension of That Agreement; *Filing Acceptance Date:* April 3, 2026; *Filing Authority:* 39 CFR 3041.505 and 3041.515; *Public Representative:* Katalin Clendenin; *Comments Due:* June 11, 2026.

2. *Docket No(s).:* K2025–1622; *Filing Title:* USPS Request Concerning Amendment One to Priority Mail & USPS Ground Advantage Contract 822, with Material Filed Under Seal; *Filing Acceptance Date:* June 3, 2026; *Filing Authority:* 39 CFR 3035.105 and 39 CFR 3041.505; *Public Representative:* Kenneth Moeller; *Comments Due:* June 11, 2026.

III. Summary Proceeding(s)

None. See Section II for public proceedings.

This Notice will be published in the **Federal Register**.

Danielle LeFlore,

Legal Assistant.

[FR Doc. 2026–11455 Filed 6–5–26; 8:45 am]

BILLING CODE 7710–FW–P

POSTAL SERVICE

Privacy Act of 1974; System of Records

AGENCY: Postal Service.

ACTION: Notice of a modified system of records; response to comments.

SUMMARY: The United States Postal Service (USPS) is responding to public comments regarding modifications to a General Privacy Act System of Records (SOR) that supports two continuous improvement initiatives. The first initiative is the Highway Contract Route (HCR) Driver's License scanning initiative to transition from a decentralized paper-based system to a centralized platform. The second initiative is the implementation of the USPS HCR scanning mobile application which is designed to enhance the visibility and operational efficiency of USPS contractor-transported mail by leveraging advanced tracking and scanning technologies. There will be no changes to the SOR or its effective date of April 10, 2026, in light of public comments received.

DATES: The revisions to USPS SOR 500.100 Carrier and Operator Records, Document Citation 91 FR 12014, were originally scheduled to be effective on April 10, 2026, without further notice. After review and evaluation of comments received, the Postal Service has found that no substantive changes to the SOR are required, and that the effective date for the implementation of the proposed modifications should proceed as scheduled.

FOR FURTHER INFORMATION CONTACT: Janine Castorina, Chief Privacy and Records Management Officer, Privacy and Records Management Office, 202–268–2000, or via *uspsprivacyfedregnotice@usps.gov.*

SUPPLEMENTARY INFORMATION: On March 11, 2026, the Postal Service published notice of its intent to modify an existing system of records, USPS SOR 500.100 Carrier and Operator Records, to support two continuous improvement initiatives. The first initiative is the Highway Contract Route (HCR) Driver's License scanning initiative to transition from a decentralized paper-based system to a centralized platform. The second initiative is the implementation of the USPS HCR scanning mobile application which is designed to enhance the visibility and operational efficiency of USPS contractor-transported mail by leveraging advanced tracking and scanning technologies.

The HCR Driver's License scanning initiative is intended to increase the security of Logistics operations at mail processing plants and reduce the risk of privacy and security violations, by streamlining and digitizing the PS Form 2081 process for non-cleared HCR drivers requesting temporary access under special circumstances.

Additionally, the USPS HCR scanning mobile application initiative is designed to enhance the visibility and operational efficiency of USPS contractor-transported mail by leveraging advanced tracking and scanning technologies.

The Postal Service provides the following responses to the comments received pursuant to its **Federal Register** notice 91 FR 12014, regarding proposed modifications to USPS SOR 500.100 Carrier and Operator Records.

Question 1: Will USPS use these scans to start the HCR Driver Screening Process?

Answer: No.

Question 2: Will the drivers that are scanned be run though any state or federal databases to determine if they meet requirements for access to mail or to drive commercial vehicles?

Answer: No.

Question 3: Are postal inspectors going to receive the scans so they can run background checks?

Answer: No.

Question 4: Will the license be sent to the state issued from to confirm the validity of license?

Answer: No.

Question 5: Maybe these drivers run mail loads for a while, but if they do not meet requirements, will the USPS deny access at some point?

Answer: Yes, Highway Contract Route drivers will either go through the badging process or the Postal Service 2081 process. Both processes will allow USPS to deny a driver access to USPS mail, mail processing facilities, and assets, or to take USPS loads.

Jeffrey Boblick,

Attorney, Ethics and Legal Compliance.

[FR Doc. 2026–11467 Filed 6–5–26; 8:45 am]

BILLING CODE 7710–12–P

SECURITIES AND EXCHANGE COMMISSION

[Release No. 34–105605; File No. SR–CMESC–2026–004]

Self-Regulatory Organizations; CME Securities Clearing Inc.; Notice of Filing of Proposed Rule Change To Support Members' Risk Management of and Enhance Their Ability To Authorize Persons as Users

June 3, 2026.

Pursuant to Section 19(b)(1) of the Securities Exchange Act of 1934 (the ''Act'')[1] and Rule 19b–4 thereunder,[2] notice is hereby given that on May 21, 2026, CME Securities Clearing Inc. (''CMESC'') filed with the Securities and Exchange Commission (''SEC'' or ''Commission'') the proposed rule change described in Items I, II, and III below, which Items have been primarily prepared by CMESC. CMESC filed the proposed rule change pursuant to Section 19(b)(2) of the Act.[3] The Commission is publishing this notice to solicit comments on the proposed rule change from interested persons.

I. CMESC's Statement of the Terms and Substance of the Proposed Rule Change

The proposed rule change of CME Securities Clearing Inc. (''CMESC'') is in an Exhibit 5 and consists of modifications to the CMESC Rulebook (the ''Rules'')[4] to (i) support Members' risk management of and enhance their ability to authorize persons as Users, by providing Members the means to enforce contractual termination rights against their authorized Users under their contractual arrangements with their authorized Users; (ii) create legal structures to provide security entitlement to an authorizing Member in each Supported User Account

[1] 15 U.S.C. 78s(b)(1).

[2] 17 CFR 240.19b–4.

[3] 15 U.S.C. 78s(b)(2).

[4] Capitalized terms used herein and not defined have the meanings assigned to such terms in the Rules, as applicable, available at *https://www.cmegroup.com/rulebook/CMESC/CMESC%20Rulebook.pdf.*

associated with such Member's authorization and to grant secondary security interests in and liens against Independent User funds held by CMESC while affirming CMESC's first priority and unencumbered lien and security interest in such User funds; and (iii) strengthen and clarify Members' ability to participate in the close-out (liquidation) of positions of Users they authorize in the event of the User's Default. The proposed rule change includes proposed new Rule 316 (Member Exercise of Contractual Rights Against an Authorized User) and new Rule 317 (Member Second Priority Lien Against Independent User Margin) and modifications to Rule 101 (Definitions), Rule 405 (Default Management Process), Rule 513 (Margin Deposited for Supported Users Using the Repo or Cash Treasury Clearing Services), Rule 602 (Submission of Transaction Data), and Rule 1507 (Default Management). Each modification is described in more detail below. These modifications will support Members' risk management of their authorized Users and are designed to support Members' ability and capacity to authorize Users. This, in turn, will support CMESC's efforts to attract and to on-board Members and Users prior to CMESC's launch of its Clearing Services and on an ongoing basis thereafter by enhancing the attractiveness of CMESC's Clearing Services offering for prospective Members, thereby promoting the prompt and accurate clearance and settlement of transactions in or involving U.S. Treasury securities. The proposed revisions to the CMESC Rules are in an Exhibit 5.

II. CMESC's Statement of the Purpose of, and Statutory Basis for the Proposed Rule Change

In its filing with the Commission, CMESC 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. CMESC has prepared summaries, set forth in Sections A, B, and C below, of the most significant aspects of such statements.

A. CMESC's Statement of the Purpose of, and Statutory Basis for the Proposed Rule Change

2. Purpose

Background

On December 1, 2025, the Securities and Exchange Commission (''Commission'' or ''SEC'') issued an order approving CMESC's Form CA–1 (''Application'') for registration as a clearing agency to provide central counterparty services for transactions involving U.S. Treasury securities, finding the Application satisfies the requirements of the Securities Exchange Act of 1934, as amended (''Act'') and rules and regulations thereunder.[5] Based on engagement with market participants and trade associations during the Commission's review of the Application, CMESC has identified enhancements to its Rules designed to enhance Members' risk management flexibility and mitigate potential constraints on their ability to authorize Users due to potential capital constraints. More specifically, the proposed rule change is designed to further support prompt close-out of a User's positions, whether the User is subject to a termination event under binding contractual terms between it and its authorizing Member or the User is in Default to CMESC under the Rules.

1. Member Risk Management Considerations

As provided in the Rules, a person may become a Participant to utilize CMESC's Clearing Services as a Member or a User.[6] Members may clear proprietary Eligible Securities Transactions through CMESC[7] and may authorize Users to clear their own proprietary Eligible Securities Transactions through CMESC.[8] A person may become a User only with the authorization of a Member but is contractually bound to settle its Eligible Securities Transactions directly with CMESC.[9] Users may participate in CMESC's Clearing Services as Independent Users or Supported Users.[10] An Independent User is obligated to post margin and make Outstanding Exposure Settlement payments to CMESC for its Independent User Account.[11] In contrast, for a Supported User, the Member authorizing the Supported User is obligated to post margin and make Outstanding Exposure Settlement payments to CMESC for the Supported User Account associated with the Member's authorization.[12]

A Member has certain obligations under the Rules with respect to persons admitted as Users pursuant to the Member's authorization. An authorizing Member must establish, maintain, and enforce User Due Diligence Policies and Procedures that demonstrate the Member's ability to, among other things, determine the risk profile of each User it authorizes and monitor the risks associated with clearing Eligible Securities Transactions by its authorized Users through CMESC.[13] In the event of a User Default, if any losses remain after CMESC applies the margin posted to the Account of the Defaulting User associated with the Member's authorization as well as certain other assets available to CMESC as provided in the Rules,[14] the authorizing Member will be required to provide funds to discharge such remaining losses pursuant to Rule 406(b)(iii) (User Default). If the Member fails to do so, CMESC may declare the Member in Default pursuant to Rule 406(b)(iii) and then apply the resources in the financial resources waterfall as provided for and in the priority specified in Rule 406(a) (Member Default), including such Defaulting Member's contribution to the Guaranty Fund.

A Member must enter into an Authorization Agreement with each User it authorizes pursuant to which the Member agrees to authorize the User, as provided in Rule 305(c) (Member Authorization Agreement Between a Member and Authorized User). The Authorization Agreement is a commercial matter between the Member and authorized User, though its terms must be consistent with the Member's and User's respective rights and obligations to CMESC and to one another under the Rules. As provided in Rule 306(d) (Notice of Termination of User Authorization), a Member or User must provide CMESC with ten Business Days' advance notice of its termination of the Authorization Agreement for any reason, subject to CMESC's discretion to provide a shorter notification period. CMESC understands that Members want the certainty that its authorization of a given User will terminate immediately

[5] Release No. 34–104281 (Dec. 1, 2025), 90 FR 55926 (Dec. 4, 2025), *available at https://www.federalregister.gov/documents/2025/12/04/2025-21908/cme-securities-clearing-inc-order-granting-an-application-for-registration-as-a-clearing-agency.*

[6] *See e.g.,* Rule 301.

[7] *Id.*

[8] *See e.g.,* 302(a) and 305(c).

[9] *See e.g.,* Rules 305(d) and 1504(b).

[10] *See e.g.,* Rule 301(b).

[11] *See e.g.,* Rules 501 (margin) and 506 (Outstanding Exposure Settlement).

[12] *See e.g.,* Rules 501 and 513 (margin) and 506 (Outstanding Exposure Settlement).

[13] *See* Rule 306(c)(iii).

[14] When the Defaulting User is an Independent User, CMESC may also apply any other assets of the Independent User held by, pledged to, or otherwise available to the Corporation on behalf of that Independent User. *See* Rule 406(b)(ii)(A). When the Defaulting User is a Supported User, CMESC may also apply any collateral in excess of the margin requirement posted to it for the Supported User of the authorizing Member that such Member has not designated to CMESC as Funded Supported User Margin for any other Supported User Account or Supported User Margin for any other Supported User Account. *See* Rule 406(b)(ii)(B).

upon notification to CMESC in certain circumstances, in order to further support such Members' ability to manage risk arising from its authorized Users' cleared activity.

2. Bank Regulatory Capital Considerations for Certain Members

CMESC understands that for a bank or firm affiliated with a bank that becomes a Member, it is beneficial for the Member to have explicit means to enforce any contractual rights it may have under its agreement(s) governing its relationship with an authorized User to terminate all the authorized User's Eligible Securities Transactions cleared through CMESC in the User Account associated with the Member's authorization, so that such agreement(s) may be treated as qualified master netting agreements [15] under bank regulatory capital requirements.[16] CMESC further understands there may be regulatory capital benefits for a Member that is a bank or bank affiliate if such Member has a security interest, secondary to CMESC's, in the margin or other funds posted to the Account of an authorized User and to have assurance that in the event of an authorized User Default, the Defaulting User's open positions at CMESC will be closed out (*i.e.,* liquidated or terminated) promptly.

Thus, CMESC is filing the proposed rule change to address each of these considerations for prospective Members. Specifically, the proposed modifications will enhance Members' abilities to enforce contractual termination rights and contractual liens against a User's margin or other funds held by CMESC (subordinate to CMESC's rights thereto) that Members may have under their contractual arrangements with their authorized Users, provided that neither the authorizing Member nor its User is in Default to CMESC. The proposed rule change will also further strengthen and clarify a Member's ability to participate in the liquidation of an authorized User's positions in the event of the User's Default.

The proposed changes are described in detail as follows.

Description of the Proposed Rule Change

1. Proposed Changes Relating to a Member's Contractual Termination Rights Outside an Authorized User's Default to CMESC

CMESC proposes two changes to its Rules to further facilitate a Member's enforcement of its contractual termination rights in relation to a User it authorizes. First, CMESC proposes adopting new Rule 316 (Member Exercise of Contractual Rights Against an Authorized User), which sets out a process whereby a Member may, pursuant to a request to CMESC and subject to certain conditions, immediately assume an authorized User's positions pursuant to the Member's contractual termination rights, provided that neither the User nor the Member is in Default to CMESC. Second, CMESC proposes changes to Rule 602 (Submission of Transaction Data) to recognize explicitly that a Member may submit transactions for an authorized User's Account if the User has given the Member the authority to do so, provided again that neither the User nor the Member is in Default. The proposed changes to Rule 602 will cover trade submission by a Member both as a routine matter and as a potential means for a Member to exercise contractual termination rights in relation to an authorized User by submitting liquidating transactions for the authorized User's Account.

As noted, proposed Rule 316 sets out the process and conditions for a Member to assume an authorized User's positions pursuant to contractual termination rights as between the Member and the User. Proposed Rule 316(a) applies to the circumstance when a User is in default to its authorizing Member, or is otherwise subject to a termination event, under one or more binding agreements between the Member and User and neither party is in Default (as that term is defined in the Rules). Proposed Rule 316(a) introduces the term ''Contractual Terms'' to refer to such binding agreement(s) and the terms ''Affected Member'' and ''Affected User'' to refer to the Member and to the User, respectively, when this circumstance arises. It also introduces the term ''Affected User Account'' for purposes of proposed Rule 316 and defines the term separately in relation to an Affected User that is a Supported User and an Affected User that is an Independent User. When the Affected User is a Supported User, the Affected User Account is the Account that CMESC maintains in the name of the Affected Member for the exclusive benefit of the Affected Supported User. For an Independent User as the Affected User, the term covers the Independent User's Account associated with the Affected Member's authorization of the User.

Proposed Rule 316(b) sets out that an Affected Member may submit a written request to CMESC, in such form as CMESC may prescribe, to promptly transfer all the positions in Eligible Securities Transactions in the Affected User Account to the Account of the Affected Member. The Member's request may also request the transfer of initial margin or other funds in the Affected User Account to the Account of the Affected Member. CMESC will promptly effect the requested transfer, provided the conditions set out in other paragraphs of Rule 316 are met. Proposed Rule 316(b) explicitly sets out that each Eligible Securities Transaction that is transferred is novated to the Affected Member, such that the transaction is terminated in the Affected User's Account and an equivalent position is established as a cleared position booked to the Account of the Affected Member, with the Affected Member substituted as CMESC's counterparty to the Eligible Securities Transaction.

Proposed Rule 316(c) sets out the condition that transfers pursuant to the proposed Rule will only occur if the Affected User is not in Default to CMESC at the time of the request or at the time the transfers are to be effected. If a User is subject to a Default to CMESC under the Rules, CMESC's default management rules will govern and, as acknowledged in this part of the proposed Rule, the authorizing Member(s) will have the opportunity to close-out the Defaulting User's positions as permitted under and in accordance with the proposed changes to Rule 405(c) and Rule 1507(b), as explained below.

Proposed Rule 316(d) sets forth certain conditions that apply when an Affected Member submits a written request to transfer the Affected User's positions pursuant to the Rule. A Member's request to transfer an Affected User's positions pursuant to proposed

[15] *See* 12 CFR 50.3 (definition of ''qualifying master netting agreement'').

[16] Pursuant to the relevant capital rules, we understand that a banking organization is only permitted to recognize the effects of financial collateral or offsetting transactions for capital purposes if the banking organization satisfies certain requirements, including that the banking organization must have the right to terminate the transaction and set off or apply collateral ''promptly upon an event of default'' under the bilateral agreement between the banking organization and its client. We further understand from comment letters submitted on CMESC's application for registration as a clearing agency that if a covered Member is unable to meet these requirements, it must hold capital without regard to such collateral or offsetting transactions, *i.e.,* against its ''gross exposure'' to the customer and further, that the significant costs associated with gross exposure capital calculations could make the costs of offering clearing services to clients prohibitively expensive for relevant Members. *See e.g.* letter from Allison Lurton, General Counsel and Chief Legal Officer, FIA, dated Mar. 10, 2025, on SEC Notice of Filing of an Application for Registration as a Clearing Agency Under Section 17A of the Securities Exchange Act of 1934 [Release No. 34–102200 (Jan. 15, 2025), 90 FR 7713 (Jan. 22, 2025); File No. 600–44].

Rule 316 is deemed by CMESC to constitute an election of the Member to terminate its Authorization Agreement with the User with immediate effectiveness, and thus, the Member is ceasing to authorize the Affected User. Proposed Rule 316(d) also eliminates the need for the Member to separately submit advance notice of termination of the Authorization Agreement pursuant to Rule 311(d) (Notice of Termination of User Authorization).

The predicate for proposed Rule 316 is that the Member requesting the transfer of the Affected User's positions has the contractual right to do so under the Contractual Terms. CMESC is not a party to the Contractual Terms, and the negotiation of such terms is a commercial matter between the Member and its authorized User. Accordingly, Rule 316(d) sets out that when an Affected Member submits a written request to CMESC to effect a transfer pursuant to this Rule, the Affected Member is deemed to represent, warrant and covenant to CMESC that the Affected User is in default to the Affected Member, or subject to a termination event, under the Contractual Terms, and that it has the authority under the Contractual Terms to request CMESC to take such action. The Affected Member also is deemed to represent to CMESC that the Affected Member has reasonably determined that it will be able to meet its initial margin and other obligations on all positions in its Member Account following completion of the transfer of positions to such Account covered by the request, and that its exercise of its rights under the Contractual Terms and Rule 316 is consistent with, and does not and will not cause the Affected Member to be in violation of, its obligations to the Affected User under applicable law.

It is important that CMESC be protected in the event a dispute arises between an Affected Member and Affected User when CMESC acts upon the Affected Member's request given that CMESC is adopting Rule 316 to facilitate a Member's rights under Contractual Terms between the Affected Member and Affected User to which CMESC is not a party. Indeed, the Contractual Terms may well govern aspects of the relationship between a Member and a User beyond the Member's authorization of the User or even extend to relationships with or among their respective affiliates. Thus, proposed Rule 316(e) sets out that CMESC has no liability to the Affected Member or the Affected User for any loss or costs that they may incur in connection with the transfer of any positions from the Affected User Account to the Account of the Affected Member pursuant to the proposed Rule. Proposed Rule 316(e) also provides that the Affected Member will indemnify CMESC and its affiliates and their respective officers, employees and agents against any and all losses, liabilities, damages, claims, costs or expenses they may suffer or incur arising out of or in connection with any dispute between the Affected Member and Affected User regarding any action taken or not taken pursuant to proposed Rule 316.

As noted, as an alternative to the transfer of all the positions in Eligible Securities Transactions in the Affected User Account, CMESC also proposes changes to Rule 602 to facilitate a Member's ability to liquidate an authorized User's transactions pursuant to its contractual termination rights by submitting liquidating transactions for the authorized User's Account associated with the Member's authorization. Specifically, CMESC is proposing to add a new sentence to existing Rule 602 to provide that transaction data may be submitted by a Member for the Account of a User that it authorizes, provided that the User is not in Default. CMESC believes it is beneficial to clarify explicitly in Rule 602 that a Member may submit transaction data for the Account of a User that it authorizes only when the User is not in Default. This is consistent with proposed Rule 316(c), which provides that CMESC will not effect any transfer of positions in the Affected User's Account to the Affected Member's Account if the Affected User is subject to a Default under the Rules. CMESC believes that if an authorized User is in Default, no transaction data should be submitted to the Defaulting User's Account and the Rules regarding default management, *e.g.,* Rule 405(c) and 1507(b), should apply to facilitate the prompt close-out (*e.g.,* liquidation) of the Defaulting User Positions, as described below.

In addition, a Member could submit transactions on behalf of an authorized User either as a routine matter or in connection with contractual termination rights pursuant to the proposed changes to Rule 602. To assure the Member has the authority to submit transactions for the User's Account, proposed changes to Rule 602 set out that, when the Member submits transaction data for an authorized User, the Member is deemed to represent that it has the authority to do so. As the Member's authority to submit transactions for a User it authorizes is a matter between the Member and authorized User, the proposed changes to Rule 602 further provide that the Member indemnifies CMESC and its affiliates and their respective officers, employees and agents against any and all losses, liabilities, damages, claims, costs or expenses they may suffer or incur arising out of or in connection with any dispute between the Member and User regarding such action taken by the Member.

2. Proposed Changes Relating to a Member's Subordinate Security Interest in User Collateral

This section describes CMESC's proposed modifications to its Rules with respect to a Member's rights to margin or other funds posted to the User Account of a User it has authorized. The purpose of the proposed changes is to establish explicit structures whereby the authorizing Member will have a claim to the return of any excess margin of the User associated with the Member's authorization that remain following CMESC's default management process for a Defaulting User or following the termination of a Member's authorization of a User and satisfaction of the User's obligations to CMESC. The legal approach differs for a Supported User and an Independent User, each of which is discussed below.

First, CMESC is proposing modifications to Rule 513, which governs the treatment of margin deposited with CMESC for Supported User Accounts, to add new paragraph (c) to provide explicitly that CMESC will maintain a Supported User Account as a ''securities account'' under Article 8 of the New York Uniform Commercial Code (proposed Rule 513(c) uses the defined term ''NY UCC'') and that CMESC is the securities intermediary in relation to the Member that establishes the Supported User Account in its name for the benefit of the Supported User of the Member.

As explained above, the authorizing Member for a Supported User is responsible for posting initial margin (and Outstanding Exposure Settlement) for the Account of the Supported User. Thus, as set out in existing Rule 513, CMESC will establish within its books and records a Supported User Account for each Supported User of the authorizing Member, in the name of the Member for the benefit of the Supported User.[17] Under existing Rule 504

[17] *See* Rule 513(b)(i). If the authorizing Member is a broker-dealer, CMESC will also maintain a master grouping of the Supported User Accounts designated as a ''Special Account for the Exclusive Benefit of the Supported Users as Customers of [name of broker-dealer Member].'' *See* Rule 513(b)(iv).

(Corporation Lien), each Member and each User grants to CMESC to secure its obligations to CMESC a first priority and unencumbered security interest and lien against any property, cash, securities, or collateral deposited with, held by, pledged to, or otherwise available to, CMESC by such Member or User, and thus, CMESC has a first priority and unencumbered security interest in and lien against the initial margin and other funds deposited in the Supported User Account. By providing that CMESC will maintain a Supported User Account as a ''securities account'' under Article 8 of the NY UCC and that CMESC is the securities intermediary in relation to the Member that establishes the Supported User Account for the benefit of the Supported User, the Member will be the entitlement holder for the Supported User Account and be entitled to the return of any excess margin or other funds remaining following CMESC's default management process and termination of the Member's authorization of the Supported User and satisfaction of CMESC's first priority claim.

Proposed Rule 513(c) also clarifies that all margin, whether in the form of cash or Qualified Margin Securities, or other funds credited to the Supported User Account for the benefit of a Supported User of the Member are treated as ''financial assets'' within the meaning of Article 8 of the NY UCC, that New York is the ''securities intermediary's jurisdiction'' for purposes of the NY UCC, and that New York law will govern all issues specified in Article 2(1) of the Hague Securities Convention (which if not overridden means the Hague Securities Convention would determine the law applicable to such issues).[18] As a related change, CMESC is proposing to add a definition to Rule 101 of the term ''NY UCC,'' which is used in proposed new paragraph (c) of Rule 513. As defined, the term means ''the Uniform Commercial Code enacted by the State of New York as in effect from time to time.''

A different approach is taken with respect to Independent Users, as they will establish Accounts in their own name with CMESC and are responsible for posting initial margin (and Outstanding Exposure Settlement) directly to CMESC. Thus, CMESC is proposing new Rule 317 under which CMESC will recognize and accommodate the grant of a second priority security interest to a Member by an authorized Independent User in initial margin or other funds credited to the User's Independent User Account.

Under proposed Rule 317, a Member and an Independent User authorized by the Member may enter into an Authorization Agreement or other appropriate related agreement (such as a control agreement) that contains a provision whereby the authorized Independent User grants the Member a second priority security interest and lien against any initial margin or other funds credited to the relevant Independent User Account. For purposes of proposed Rule 317, such credited initial margin or other funds are referred to as the ''Independent User Funds.'' As provided in proposed Rule 317(a), the agreement under which the security interest is granted must contain certain minimum terms described below to assure that the agreement does not contain terms that conflict with CMESC's first priority security interest in and lien against such funds or CMESC's application of such funds in connection with the management of any Default of the Independent User.

First, in order for CMESC to recognize the Member's second priority security interest in the Independent User Funds, the agreement between the Member and authorized Independent User must contain the Member's acknowledgment of CMESC's first priority and unencumbered security interest in and lien against property, cash, securities, or collateral deposited with, held by, pledged to, or otherwise available to CMESC to secure the Independent User's obligations to CMESC created under Rule 504 (Corporation Lien). This acknowledgement reinforces CMESC's priority claim to Independent User Funds ahead of the authorizing Member under the Rules and is intended to avoid competing claims to Independent User Funds between CMESC and the authorizing Member.

Second, consistent with the Member's required acknowledgment of CMESC's first priority and unencumbered security interest and lien described above and again in the context of CMESC recognizing a Member's second priority security interest, the agreement between the Member and authorized Independent User must provide that the Member will ''exercise control over the Independent User Funds only following (A) the occurrence of a User Default of the Independent User and subject to the condition that the Member will refrain from taking any action that could interfere with the Corporation's management of such User Default (it being understood that the Member's election to participate in the management of the User Default pursuant to and in accordance with Rule 405(c) and Rule 1507(b) does not constitute interference) or (B) following the effective date of termination of the Authorization Agreement between the Member and the Independent User and satisfaction of all obligations owing to the Corporation relating to the Independent User's Account associated with the Member's authorization of the Independent User and subject to the condition that the Independent User is not in Default.'' (As explained in the following section, CMESC is proposing revisions to Rules 405(c) and 1507(b).) These are important contractual terms that reinforce CMESC's priority claim to apply Independent User Funds under the Rules and are intended to avoid competing claims to Independent User Funds between CMESC and the authorizing Member.

Third, the agreement must provide that ''the Member will assert its security interest and lien only over those Independent User Funds that may remain following, as applicable, (A) completion of the Corporation's management of the Independent User's User Default or (B) closing of the Independent User's Account associated with the Member's authorization of the Independent User and satisfaction of all obligations related thereto, and (C) the Corporation's exercise in either case of its rights pursuant to its security interest and lien created under Rule 504.'' As with the other minimum required terms, these are important contractual terms that reinforce CMESC's priority claim to apply Independent User Funds under the Rules and are intended to avoid competing claims to Independent User Funds between CMESC and the authorizing Member.

For clarity, CMESC is including paragraph (b) in proposed Rule 317 to reaffirm that an Independent User may not grant any party a security interest in or lien against the initial margin or other funds credited to its User Account to

[18] Article 2(1) of the Hague Securities Convention states: This Convention determines the law applicable to the following issues in respect of securities held with an intermediary—(a) the legal nature and effects against the intermediary and third parties of the rights resulting from a credit of securities to a securities account; (b) the legal nature and effects against the intermediary and third parties of a disposition of securities held with an intermediary; (c) the requirements, if any, for perfection of a disposition of securities held with an intermediary; (d) whether a person's interest in securities held with an intermediary extinguishes or has priority over another person's interest; (e) the duties, if any, of an intermediary to a person other than the account holder who asserts in competition with the account holder or another person an interest in securities held with that intermediary; (f) the requirements, if any, for the realisation of an interest in securities held with an intermediary; (g) whether a disposition of securities held with an intermediary extends to entitlements to dividends, income, or other distributions, or to redemption, sale or other proceeds.

any person other than CMESC or its authorizing Member associated with the User Account, and may only grant the lien to the authorizing Member in accordance with Rule 317.

Finally, paragraph (c) of proposed Rule 317 provides that CMESC will ''cooperate with the Member and Independent User to execute such documents as the Member may reasonably request to perfect its security interest and enforce its lien, provided, however, that any such documentation and the terms thereof must be acceptable to the Corporation in its sole discretion.'' This provision recognizes that CMESC may have to execute documentation (such as a control agreement) to enable the Member to perfect its secondary security interest in and have an enforceable lien against the Independent User Funds (subordinate to CMESC's) and confirms that CMESC will cooperate with the Member to give effect to the purpose of proposed Rule 317, provided the terms of the documentation are acceptable to CMESC, *e.g.,* that they are consistent with (or as appropriate contain) the minimum required terms described above.

3. Proposed Changes Relating to a Member's Rights To Participate in the Liquidation of an Authorized User's Positions in the Event of the User's Default

CMESC is proposing changes to three Rules to further delineate and clarify a Member's right to participate in the close-out of an authorized User's positions in the event of the User's Default: (i) changes to Rule 405(c) (User Default); (ii) related conforming and clarifying changes to Rule 1507(b); and (iii) changes to the definition of the term ''close-out'' in Rule 101.

Rules 405 and 1507 together address the process that CMESC will follow in the event of the Default of a Member or User. CMESC is proposing changes to Rule 405 and related changes to Rule 1507(b) to set out explicitly that CMESC will promptly provide an authorizing Member the opportunity to participate in the close-out of the Defaulting User's positions on CMESC's behalf and to provide more detail with respect to how the Member may participate and the Member's obligations if it elects to participate. CMESC believes there are benefits both to CMESC and to the Member for the Member of an authorizing User to have the opportunity to participate in the close-out of the positions of a Defaulting User it has authorized, given the Member's obligation under Rule 406(b)(iii) to cover any losses that exceed the Defaulting User's initial margin and other assets available to CMESC and the incentive that creates for the Member to seek to minimize losses in closing out the Defaulting User's positions on CMESC's behalf.

Also, a core objective in managing the Default of a User is that the Defaulting User's positions be closed out promptly. Although this is implicit in Rule 405, to provide clarity and certainty, CMESC proposes to set out explicitly in Rule 405(c) that when the authorizing Member declines to close out the positions, CMESC will liquidate them promptly in accordance with the Rule. The proposed changes to Rule 1507(b) reiterate the prompt liquidation standard, both when CMESC is responsible for closing out the positions and when the authorizing Member participates in the close-out.

CMESC is proposing numerous changes in Rule 405(c), which governs a User Default. CMESC is proposing to modify subparagraph (c)(i) to set out explicitly that CMESC will, pursuant to Rule 1507(b), promptly notify each authorizing Member of a Defaulting User that the Member may participate in the close-out of the positions in each User Account associated with the Member's authorization. Proposed Rule 405(c)(i) refers to the positions of a Defaulting User in each User Account associated with the Member's authorization as the ''Defaulting User Positions.'' CMESC also proposes changes to clarify that after CMESC notifies a Member of its opportunity to participate in closing out the Defaulting User Positions on behalf of CMESC, the Member should promptly respond within the period CMESC prescribes and will be deemed to decline the opportunity to participate if the Member has not responded within such time.

CMESC is also proposing to delete the last sentence in Rule 405(c)(i), which sets out that a Member that agrees to liquidate the Defaulting User's portfolio on behalf of CMESC ''will be directly and primarily responsible for meeting the financial and settlement obligations of the Corporation with respect to open positions of the Defaulting User authorized by that Member.'' Upon further consideration, CMESC believes that this sentence may create ambiguity in relation to a Member's potential obligation under Rule 406(b)(iii) to cover any losses that exceed the Defaulting User's initial margin and other assets available to CMESC, which is the operative standard, in the event of the Default of a User it has authorized. This sentence also becomes unnecessary in light of the other proposed changes to Rule 405, explained below.

CMESC proposes adding new subparagraph (ii) to Rule 405(c) to provide additional detail regarding how a Member may participate in the close-out of the Defaulting User Positions if it elects to do so. As set forth in proposed Rule 405(c)(ii), the Member may participate in the manner established in this part of the Rule (*i.e.,* Rule 405(c)(ii) and its subparts) or in another manner, both of which would be determined in consultation with CMESC. Proposed Rule 405(c)(ii) sets out two manners for a Member to participate in the close-out of the Defaulting User Positions. As provided in subparagraph (A), the Defaulting User Positions could be liquidated promptly in the Defaulting User's Account and reestablished in the Member's Account, whereby positions equivalent to the liquidated Defaulting User Positions (*i.e.,* equivalent to the cleared positions in the Defaulting User's Account) are novated to the Member and established as cleared positions booked to the Member's Account. Under this approach, the following conditions must be met.

- First, because the Member will be party to the positions reestablished in the Member's Account (*i.e.,* positions equivalent to those that were cleared in the Defaulting User's Account), the Member must represent to CMESC that the Member will be able to meet its initial margin and settlement obligations on all positions in its Member Account following reestablishment of the Defaulting User Position in its Member Account under proposed Rule 405(c)(ii)(A)I.
- Second, proposed Rule 405(c)(ii)(A)II. sets out that the Member, acting in a commercially reasonable manner and consistent with market convention, is responsible for determining the liquidation value of the portfolio of the Defaulting User Positions as of the date the positions are liquidated and reestablished in the Member's Account as equivalent cleared positions, which date is referred to for purposes of Rule 405(c)(ii) as the ''Liquidation Date.'' Promptly following the Liquidation Date, the Member must provide a detailed written statement to CMESC, with supporting documentation, of the Member's calculation of such liquidation value, which must be satisfactory to CMESC. As between the Defaulting User and CMESC, if as of the Liquidation Date the liquidation value is less than the value of the portfolio of positions that are reestablished in the Member's Account (which as noted are reestablished as positions equivalent to those that were cleared in the Defaulting User's Account), the difference is fixed as the

amount of the losses on such positions and if such liquidation value is greater than the value of the portfolio of positions reestablished in the Member's Account as of the Liquidation Date, the difference is fixed as the amount of gains on such positions.

• Finally, consistent with CMESC's rights under Rule 406(b)(ii) and other Rules to apply initial margin and other assets held by CMESC to losses associated with a User's Default, proposed Rule 405(c)(ii)(A)III. sets out that CMESC will credit the Member for the amount of any losses fixed pursuant to Rule 405(c)(ii)(A)II., with such amount credited using and limited to the Defaulting User's initial margin and other assets CMESC holds in respect of the Defaulting User's Account associated with the Member's authorization. If the amount to be credited to the Member exceeds the Defaulting User's margin and other assets held by CMESC in respect of the Defaulting User's Account, then the Member would incur such loss in acquiring the positions, but that would be consistent with the Member's obligation under Rule 406(b)(iii) to cover the losses that exceed the Defaulting User's initial margin and other assets available to CMESC. Conversely, CMESC will debit the Member for the amount of any gains fixed pursuant to Rule 405(c)(ii)(A)II. After the Liquidation Date, any gains or losses on the Defaulting User Positions that are liquidated in the Defaulting User's Account and reestablished in the Member's Account will belong to the Member, as provided in proposed Rule 405(c)(ii)(A)III.

As provided in proposed Rule 405(c)(ii)(B), the second manner in which CMESC proposes to allow a Member to participate in the close-out of the Defaulting User Positions is specific to the liquidation of any Defaulting User Position that is a Repo Transaction for which the Member is the contra party on the original transaction (*i.e.,* a ''done-with'' Repo Transaction). In this scenario, the Member may agree to terminate the position by accelerating the Off-Leg Settlement Date to a new Off-Leg Settlement Date that is on or before a date that CMESC specifies, consistent with the core objective that the Defaulting User Positions be liquidated promptly. Similar to the process in proposed Rule 405(c)(ii)(A) described above, the Member must determine the liquidation value of the original (*i.e.,* pre-accelerated) Defaulting User Position as of the accelerated Off-Leg Settlement Date, which is used as the Liquidation Date, in the same manner as it would calculate the liquidation value for positions reestablished in its Account pursuant to Rule 405(c)(ii)(A)II. This liquidation value will be used to fix the loss or gain on the position as between CMESC and the Defaulting User and if multiple Repo Transactions between the Member and Defaulting User are accelerated pursuant to proposed Rule 405(c)(ii)(B), the losses or gains will be determined on an aggregate basis for such positions. CMESC will credit or debit the Member for the losses or gains fixed pursuant to this Rule 405(c)(ii)(B) in the manner provided in Rule 405(c)(ii)(A)III. CMESC believes a Member may find the approach outlined in proposed Rule 405(c)(ii)(B) an effective way to reduce losses realized upon the close-out of any Defaulting User Positions that are ''done-with'' Repo Transactions with the Member and is including this approach to provide additional flexibility to determine (in consultation with CMESC) the appropriate mean(s) for the Member to participate in the close-out of the Defaulting User Positions.

The proposed changes described above to elaborate on how a Member may participate in closing out the Defaulting User Positions do not change the Member's obligation under Rule 406(b)(iii) to cover any losses that exceed the Defaulting User's initial margin and other assets available to CMESC. Therefore, CMESC proposes adding a new subparagraph (iii) under Rule 405(c) to clarify that the Member's obligation under Rule 406(b)(iii) to fully discharge the losses and liabilities to CMESC associated with the User's Default in each User Account associated with the Member's authorization, once such losses and liabilities are finalized, remains in effect, notwithstanding the Member's decision to participate in the close-out of the Defaulting User Positions. As noted above, Rule 406(b)(iii) is the operative provision that governs the Member's potential liability in relation to the Default of a User it has authorized.

CMESC also proposes changes to existing subparagraph (ii) of Rule 405(c), which is proposed to be renumbered as Rule 405(c)(iv), to align with the revised provisions discussed above regarding the actions that CMESC will take to close-out, including liquidation of, the Defaulting User Positions in relation to any authorizing Member that declines to participate in the close-out of the Defaulting User Positions associated with the Member's authorization. CMESC proposes to clarify that CMESC will *promptly* initiate the close-out process described in the Rules for the User Account of the Defaulting User associated with the Member's authorization. CMESC also proposes to delete the last sentence, which is a ''for avoidance of doubt'' provision that is adequately explained in Rule 406(b)(iii), as described above.

CMESC also proposes changes to existing subparagraph (iii) of Rule 405(c), which is proposed to be renumbered as Rule 405(c)(v), to set out more directly that CMESC will apply the financial resources described in Rule 406(b), in the order provided in and subject to Rule 406(b), to the Defaulting User's obligations owed to CMESC, regardless whether the authorizing Member elects to participate in the close-out of the Defaulting User Positions pursuant to Rule 405(c).

As a result of the proposed changes to Rule 405 described above, CMESC is proposing conforming and clarifying changes to Rule 1507(b). First, existing Rule 1507(b) provides that in the case of a User Default, before CMESC takes any of the actions described in Rule 1507(e), CMESC will notify the Defaulting User's authorizing Member(s) that the Member may ''terminate the Defaulting User's obligations to the Corporation by satisfying them in full,'' but subject to the qualification ''if time permits.'' CMESC proposes to delete ''if time permits'' and ''terminate the Defaulting User's obligations to the Corporation by satisfying them in full,'' and to add new text to Rule 1507(b) to specify that CMESC will promptly notify the authorizing Member(s) of the Member's right to close-out the Defaulting User's positions pursuant to and in accordance with Rule 405(c), noting parenthetically that the Member and CMESC will act promptly to effect the close-out.

Finally, CMESC is proposing clarifying changes to the definition of ''close-out'' in Rule 101. The current definition covers extinguishing a Member's or User's cash receipt entitlement in relation to the sale of Eligible Securities under a Repo Transaction. The term is used in the proposed changes to Rule 405(c) and 1507(b) in the broader sense of liquidating or terminating any cleared Eligible Securities Transaction. Thus, CMESC proposes to modify the definition of the term ''close-out'' to mean the liquidation or termination of a cleared Eligible Securities Transaction. This definition is consistent with how the term is used in other CMESC Rules.

2. Statutory Basis

For the reasons set forth below, CMESC believes the proposed rule change is consistent with Section 17A of

the Act,[19] SEC Rule 17ad–22(e)(13),[20] SEC Rule 17ad–22(e)(18),[21] SEC Rule 17ad-22(e)(19),[22] and SEC Rule 17ad–22(e)(21)(i).[23]

Consistency With Section 17A(b)(3)(F) of the Act

Section 17A(b)(3)(F) of the Act requires, in part, that the rules of a clearing agency be designed to promote the prompt and accurate clearance and settlement of securities transactions, to remove impediments to and perfect the mechanism of a national system for the prompt and accurate clearance and settlement of securities transactions, and, in general, to protect investors and the public interest.[24] CMESC believes that the proposed rule change is consistent with Section 17A(b)(3)(F) of the Act because it will further support Members' management of risks associated with authorizing persons as Users and enhance Members' ability to authorize Users by addressing potential constraints imposed by bank regulatory capital requirements and enhancing Members' abilities to enforce contractual termination rights and secondary lien rights against authorized Users' margin or other funds held by CMESC that Members may have under their contractual arrangements with their authorized Users. The proposed rule change will also further strengthen and clarify a Member's ability to participate in the liquidation of an authorized User's positions in the event of the User's Default. These modifications will thus support Members' ability to participate in and authorize Users in CMESC's Clearing Services, which will promote the prompt and accurate clearance and settlement of transactions in or involving U.S. Treasury securities (including eligible secondary market securities transactions that market participants may be required to centrally clear pursuant to the rules of a covered clearing agency adopted pursuant to SEC Rule 17ad–22(e)(18)(iv)).[25]

Consistency With Rule 17ad–22(e)(13)

SEC Rule 17ad–22(e)(13) requires, in part, that the rules of a covered clearing agency be reasonably designed to ensure the covered clearing agency has the authority and operational capacity to take timely action to contain losses and liquidity demands and continue to meet its obligations. CMESC believes that the proposed rule change is consistent with Rule 17ad–22(e)(13) because the proposed changes to Rule 405(c) and Rule 1507(b) are designed to achieve the core objective in default management that the Defaulting User's positions be closed out promptly to minimize losses and liquidity demands and continue to meet CMESC's settlement obligations. The requirement to take prompt action to close-out, including liquidate, the Defaulting User's positions is reflected in multiple places in the proposed rule change. Specifically, proposed Rule 405(c) provides that CMESC will promptly notify each authorizing Member of a Defaulting User that the Member may participate in closing out the positions in each User Account associated with the Member's authorization. CMESC also proposes changes to clarify that, after CMESC notifies a Member of its opportunity to participate in closing out the Defaulting User Positions, the Member should promptly respond within the period CMESC prescribes and will be deemed to decline the opportunity if the Member has not responded within such time. In addition, proposed Rule 405(c)(ii) provides two non-exclusive manners in which authorizing Members may participate in closing out positions of Defaulting Users they authorize, both requiring that the Defaulting User Positions be closed out promptly and that the Member provide a detailed written statement of its calculation of the liquidation value promptly following the Liquidation Date. Similarly, if the authorizing Member declines to participate in the close-out of the Defaulting User's positions associated with the Member's authorization, proposed Rule 405(d)(iv) requires CMESC to promptly initiate the close-out process described in the Rules for the User Account of the Defaulting User. Finally, proposed changes to Rule 1507(b) specify that CMESC will ''promptly'' notify the authorizing Member of the Member's right to close-out the Defaulting User's positions and make clear that the Member and CMESC will act promptly to effect the close-out pursuant to and in accordance with proposed changes to Rule 405(c).

All of the above proposed changes are reasonably designed to ensure that CMESC will have the authority and operational capacity to take timely action to promptly close-out a Defaulting User's positions. In addition, as described in detail above, by proposing changes to Rule 405(c) to provide the authorizing Member the opportunity to participate in a prompt close-out of the User's positions, CMESC believes that the proposed changes to Rule 405(c) will help minimize losses from the User Default and, thus, contain losses and liquidity demands, enabling CMESC to continue to meet its obligations. Therefore, CMESC believes that the proposed rule change is consistent with SEC Rule 17ad–2(e)(13).

Consistency With Rule 17ad–22(e)(18)(iv)(C)

CMESC believes that the proposed rule change is consistent with SEC Rule 17ad–22(e)(18)(iv)(C), which requires, in part, a covered clearing agency that provides central counterparty services for transactions in U.S. Treasury securities to ensure that it has appropriate means to facilitate access to clearance and settlement services for eligible secondary market transactions in U.S. Treasury securities, including those of indirect participants such as Independent Users and Supported Users. As detailed above, the proposed rule change consists of (i) proposed new Rule 316 and proposed changes to Rule 602 designed to support Members' risk management and enhance their ability and capacity to authorize persons as Users, by providing Members the clear means to enforce contractual termination rights under their contractual arrangements with authorized Users in circumstances when the authorized Users are not in Default under CMESC's Rules; (ii) proposed changes to Rule 513 to create a legal structure to provide an authorizing Member with a securities entitlement under the NY UCC to excess assets in the Supported User Account associated with such Member's authorization and proposed new Rule 317 to provide a Member the means to obtain and perfect a secondary security interest in and lien against Independent User Funds held by CMESC for the Independent User Account associated with the Member's authorization, while affirming CMESC's first priority and unencumbered security interest in and lien against the Independent User funds; and (iii) proposed changes to Rules 405(c) and 1507(b) designed to strengthen and clarify Members' abilities to participate in the close-out of positions of Users they authorize in the event of an authorized User's Default. These proposed changes are designed to enhance the ability and capacity of Members to authorize Users, which will support CMESC's efforts to attract and to on-board Members and Users prior to CMESC commencing operations of its Clearing Services and on an ongoing basis thereafter and enhance access to

[19] 15 U.S.C. 78q–1(b)(3)(F).
[20] 17 CFR 240.17ad–22(e)(13).
[21] 17 CFR 240.17ad–22(e)(18).
[22] 17 CFR 240.17ad–22(e)(19).
[23] 17 CFR 240.17ad–22(e)(21)(i).
[24] 15 U.S.C. 78q–1(b)(3)(F).
[25] 17 CFR 240.17ad–22(e)(18)(iv).

CMESC's Clearing Services for prospective Members and Users. As such, CMESC believes that the proposed rule change is reasonably designed to provide appropriate means to facilitate access to clearance and settlement services for eligible secondary market transactions in U.S. Treasury securities, including those of indirect participants, consistent with Rule 17ad–22(e)(18)(iv)(C).

Consistency With Rule 17ad–22(e)(19)

SEC Rule 17ad–22(e)(19) requires that the rules of a covered clearing agency identify, monitor and manage material risks to the clearing agency arising from arrangements that indirect participants have with direct participants to access the clearing agency's clearing and settlement services. The existing Rules define a Member's rights and obligations with respect to any User it authorizes while at the same time recognizing (in Rule 306(c)) that a Member and an authorized User may enter into separate commercial terms between them. Those features are unchanged. Rather, the proposed rule change provides a means for a Member to enforce contractual liquidation rights and any secondary rights to User collateral it may negotiate with an authorized User, subject to terms that protect CMESC's ability to manage risk pursuant to its Rules. In this respect, as conditions to liquidate an authorized User's positions under proposed Rule 316 or under Rule 602 as proposed to be revised, a Member represents that it has the contractual authority to do so and indemnifies CMESC and related parties against any losses, liabilities, damages, claims or expenses they may incur arising out of any dispute between the Member and its authorized User or in the case of action under proposed Rule 316 regarding any action taken or not taken pursuant to that Rule. With respect to a Member's rights to collateral of an authorized User, the proposed rule change establishes structures whereby the Member's claim is *secondary* to CMESC's rights as explained above. In this respect, a Member's claim to such collateral is limited to the return of any excess margin or other funds remaining following CMESC's default management process if the User is in Default or following termination of the Member's authorization of the User and satisfaction of the User's obligations to CMESC. For these reasons, CMESC believes that the proposed rule change is appropriate to manage potential risks to CMESC arising from arrangements that its Users have with Members and is consistent with SEC Rule 27ad–22(e)(19).

Consistency With Rule 17ad–22(e)(21)(i)

SEC Rule 27ad–22(e)(21)(i) requires that a covered clearing agency have clearing and settlement arrangements that are efficient and effective in meeting the requirements of its participants and the markets the clearing agency services. CMESC believes the proposed rule change is consistent with Rule 27ad–22(e)(21)(i), meeting the needs of Members and Users, in that it will enhance Members' ability to authorize Users by addressing potential constraints imposed by bank regulatory capital requirements and will further support the enforceability of certain contractual terms that are separately negotiated between a Member and an authorized User.

B. CMESC's Statement on Burden on Competition

Section 17A(b)(3)(I) of the Act [26] requires that the rules of a clearing agency not impose any burden on competition that are not necessary or appropriate in furtherance of the purposes of the Act. CMESC believes that the proposed rule change would not impose a burden on competition that is not necessary or appropriate in furtherance of the purposes of the Act. CMESC believes that the proposed rule change may enhance competition because, as detailed above, the proposed rule change would further support Members' risk management of Users they authorize and enhance Members' ability and capacity to authorize Users, thereby facilitating access to CMESC's Clearing Services for eligible secondary market transactions in U.S. Treasury securities. CMESC also believes that the proposed rule change would indirectly benefit Users and prospective Users by enhancing their abilities to access CMESC by supporting Members' capabilities to authorize Users.

CMESC recognizes that various Members may perceive varying degrees of benefits of the proposed rule change conferred on them, depending on each Member's regulatory status and its entity type. CMESC believes that the effect of the proposed rule change on competition is distributed equally among all types of prospective Members because it will apply to all Member types and would not disadvantage or favor any particular type of Member in relationship to the other types of potential Members. As such, CMESC believes that the proposed rule change would promote competition and does not impose any burden on competition that is not necessary or appropriate in furtherance of the purposes of the Act.

C. CMESC's Statement on Comments on the Proposed Rule Change Received From Members, Participants, or Others

CMESC currently does not have any Members or Users and has not received nor solicited any written comments from others related to this proposal. CMESC has not received any unsolicited written comments from any interested parties. If any written comments are received, they will be publicly filed as an Exhibit 2 to this filing, as required by Form 19b–4 and the General Instructions thereto.

Persons submitting comments are cautioned that, according to Section IV (Solicitation of Comments) of the Exhibit 1A in the General Instructions to Form 19b–4, the Commission does not edit personal identifying information from comment submissions. Commenters should submit only information that they wish to make available publicly, including their name, email address, and any other identifying information.

All prospective commenters should follow the Commission's instructions on how to submit comments, available at *https://www.sec.gov/regulatory-actions/how-to-submit-comments.* General questions regarding the rule filing process or logistical questions regarding this filing should be directed to the Main Office of the Commission's Division of Trading and Markets at *tradingandmarkets@sec.gov* or 202–551–5777. CMESC reserves the right to not respond to any comments received.

III. Date of Effectiveness of the Proposed Rule Change and Timing for Commission Action

Within 45 days of the date of publication of this notice in the **Federal Register** or within such longer period up to 90 days (i) as the Commission may designate if it finds such longer period to be appropriate and publishes its reasons for so finding or (ii) as to which the self-regulatory organization consents, the Commission will:

(A) by order approve or disapprove such proposed rule change, or

(B) institute proceedings to determine whether the proposed rule change should be disapproved.

IV. Solicitation of Comments

Interested persons are invited to submit written data, views, and arguments concerning the foregoing, including whether the proposed rule change is consistent with the Act. Comments may be submitted by any of the following methods:

[26] 15 U.S.C. 78q–1(b)(3)(I).

Electronic Comments

- Use the Commission's internet comment form (*https://www.sec.gov/rules-regulations/self-regulatory-organization-rulemaking*); or
- Send an email to *rule-comments@sec.gov.* Please include File Number SR–CMESC–2026–004 on the subject line.

Paper Comments

Send paper comments in triplicate to Secretary, Securities and Exchange Commission, Station Place, 100 F Street NE, Washington, DC 20549.

All submissions should refer to File Number SR–CMESC–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-regulations/self-regulatory-organization-rulemaking*). Copies of the filing also will be available for inspection and copying at the principal office of CMESC and on CMESC's website (*https://www.cmegroup.com/market-regulation/rule-filings.html*). 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–CMESC–2026–004 and should be submitted on or before June 29, 2026.

For the Commission, by the Division of Trading and Markets, pursuant to delegated authority.[27]

Sherry R. Haywood,

Assistant Secretary.

[FR Doc. 2026–11381 Filed 6–5–26; 8:45 am]

BILLING CODE 8011–01–P

[27] 17 CFR 200.30–3(a)(12).

SECURITIES AND EXCHANGE COMMISSION

[Release No. 34–105603; File No. SR–NASDAQ–2026–009]

Self-Regulatory Organizations; The Nasdaq Stock Market LLC; Noticing of Filing of Amendment No. 1 and Order Granting Accelerated Approval of a Proposed Rule Change, as Modified by Amendment No. 1, To Adopt Listing Rule IM–5101–4

June 3, 2026.

I. Introduction

On February 20, 2026, The Nasdaq Stock Market LLC (''Nasdaq'' or ''Exchange'') filed with the Securities and Exchange Commission (''SEC'' or ''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 adopt Nasdaq Rule IM–5101–4, which would provide Nasdaq with the authority to delist a security where the Commission has previously suspended trading and the Exchange determines it appropriate and in the public interest to do so. The proposed rule change was published in the **Federal Register** on March 6, 2026.[3] On April 16, 2026, pursuant to Section 19(b)(2) of the Act,[4] the Commission designated a longer period within which to take action on the proposed rule change.[5] On May 21, 2026, the Exchange filed Amendment No. 1 to the proposed rule change, which superseded the original filing in its entirety.[6] The Commission is publishing this notice and order to solicit comments on Amendment No. 1 from interested persons and to approve the proposed rule change, as modified by Amendment No. 1, on an accelerated basis.

[1] 15 U.S.C. 78s(b)(1).

[2] 17 CFR 240.19b–4.

[3] *See* Securities Exchange Act Release No. 104917 (Mar. 3, 2026), 91 FR 11104 (''Notice''). Comments received on the proposed rule change are available at: *https://www.sec.gov/rules-regulations/public-comments/sr-nasdaq-2026-009.*

[4] 15 U.S.C. 78s(b)(2).

[5] *See* Securities Exchange Act Release No. 105252, 91 FR 21353 (Apr. 21, 2026). The Commission designated June 4, 2026, as the date by which the Commission shall approve, disapprove, or institute proceedings to determine whether to disapprove the proposed rule change. *See id.*

[6] In Amendment No. 1, the Exchange: (1) provided additional description of certain aspects of the proposal; (2) made technical and non-substantive changes to the proposal; and (3) addressed comments received on the proposal. The full text of Amendment No. 1 can be found on the Commission's website at: *https://www.sec.gov/comments/SR-NASDAQ-2026-009/srnasdaq2026009-789019-2393806.pdf* (''Amendment No. 1'').

II. Description of Proposed Rule Change, as Modified by Amendment No. 1[7]

The Nasdaq Rule 5000 Series contains rules related to the qualification, listing, and delisting of companies on the Exchange. Currently, Nasdaq Rule 5101 provides that, in addition to applying the enumerated criteria set forth in the Nasdaq Rule 5000 Series, the Exchange has broad discretionary authority over the initial and continued listing of securities on Nasdaq in order to maintain the quality of and public confidence in its market, to prevent fraudulent and manipulative acts and practices, to promote just and equitable principles of trade, and to protect investors and the public interest. Among other things, the Exchange may use this discretion to suspend and delist particular securities based on any event, condition, or circumstance that exists or occurs that makes continued listing on Nasdaq inadvisable or unwarranted in the opinion of Nasdaq, even though the securities meet all enumerated criteria for continued listing.[8]

The Exchange proposes to adopt Nasdaq Rule IM–5101–4 to provide that where a security exhibits trading activity that is indicative of potential manipulation, and the Commission has implemented a temporary trading suspension of that security pursuant to Section 12(k) of the Act (''Section 12(k) suspension''),[9] the Exchange may exercise its authority under Nasdaq Rule 5101 to delist the security when it determines that doing so is necessary to protect investors. As proposed, the Exchange would be permitted to exercise the discretionary authority even when the security and the listed company otherwise satisfy all applicable Nasdaq listing standards at the time of determination.[10]

The Exchange states that it would exercise its discretion to delist a company on a case-by-case basis, and in applying that discretion, it would consider whether the listed securities may be susceptible to manipulation based on factors related to concerns the Exchange and other regulators have identified with companies that previously were the subject of

[7] All capitalized terms not otherwise defined in this order shall have the meanings set forth in the Nasdaq Listing Rules.

[8] *See* Nasdaq Rule 5101.

[9] 15 U.S.C. 78l(k). Under Section 12(k) of the Act, if in its opinion the public interest and the protection of investors so require, the Commission is authorized by order to summarily suspend trading in any security (other than an exempted security) for a period not exceeding ten business days. 15 U.S.C. 78l(k)(1)(A).

[10] *See* proposed Nasdaq Rule IM–5101–4.

problematic or unusual trading, including considerations related to the company's advisors (including auditors, underwriters, law firms, brokers, clearing firms, or other professional service providers that are currently or have in the past worked for the company).[11] In particular, in making the determination to delist a security, the Exchange will consider all relevant facts and circumstances, including the following:

- where the company is located, including the availability of legal remedies to U.S. shareholders in that jurisdiction, the existence of blocking statutes, data privacy laws and other laws in foreign jurisdictions that may present challenges to regulators seeking to enforce rules against the company, the ability of parties to conduct comprehensive due diligence in that jurisdiction, and the transparency of regulators in the jurisdiction;
- whether a person or entity exercises substantial influence over the company and, if so, where that person or entity is located, including the availability of legal remedies to U.S. shareholders in that jurisdiction, the existence of blocking statutes, data privacy laws and other laws in foreign jurisdictions that may present challenges to regulators seeking to enforce rules against the person or entity, the ability of parties to conduct comprehensive due diligence in that jurisdiction, and the transparency of regulators in the jurisdiction;
- whether the public float, share distribution and trading patterns in the company's security raise concerns about adequate liquidity and potential concentration, including consideration of other explanations of any observed volatility or significant price moves;
- evidence of third-party social media activity or similar schemes designed to influence price and demand in the security;
- disclosures of material news by the company, and whether such disclosures adequately explain the trading activity observed;
- whether the company has recently issued securities and the terms of any such issuances, including the size of any discounts; whether such shares are subject to resale; and whether the company obtained shareholder approval for the share issuance (without regard to whether an exemption to Nasdaq's shareholder approval for the issuance was available);
- whether there are issues concerning the company's advisors (including auditors, underwriters, law firms, brokers, clearing firms, or other professional service providers), based on factors including, but not limited to, whether the advisor has been reviewed by applicable regulators and, if so, what were the results of those reviews;
  - if the company's advisor is a new entity, whether the advisor's principals were involved with other firms with a regulatory history;
- whether any of the company's advisors were involved in other transactions where the securities became subject to a pattern of concerning or volatile trading;
- whether the company's management and Board has experience or familiarity with U.S. public company requirements, including regulatory and reporting requirements under Nasdaq rules and federal securities laws;
- whether there are any FINRA, SEC or other regulatory referrals related to the company or its advisors, or the trading of the company's securities, which can be included in the record of the matter and, if applicable, the results of those referrals;
- whether the company currently has, or recently has had, a going concern audit opinion and, if so, what is the company's plan to continue as a going concern;
- whether there are other factors that raise concerns about the integrity of the company's board, management, significant shareholders, or advisors; and
- any other material information, whether mitigating or concerning, provided by the company or otherwise available in the record of the matter.[12]

Proposed Nasdaq Rule IM–5101–4 specifies that because trading activity that is indicative of potential manipulation may occur when a security lacks sufficient public float, investor base, or trading interest to support the depth and liquidity necessary to maintain a fair and orderly market, the Exchange may use this authority even where the potential manipulation appears to be driven by third parties with no known connection to the company, and even where Nasdaq cannot determine whether the company or any associated individual was involved. Further, the Exchange will consider evidence provided by the company that there is sufficient public float, investor base, or trading interest.[13]

Under the proposal, Exchange Staff will issue a Staff Delisting Determination under Nasdaq Rule 5810(c)(1) if the Exchange determines to delist a security pursuant to this authority.[14] A company can seek review of such a Staff Delisting Determination pursuant to Nasdaq Rule 5815.[15]

III. Discussion and Commission Findings

After careful review, the Commission finds that the proposed rule change, as modified by Amendment No. 1, is consistent with the requirements of the Act and the rules and regulations thereunder applicable to a national securities exchange.[16] In particular, the Commission finds that the proposed rule change, as modified by Amendment No. 1, is consistent with Section 6(b)(5) of the Act,[17] which requires, among other things, that the rules of an exchange be designed to prevent fraudulent and manipulative acts and practices, to promote just and equitable principles of trade, to 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, and not be designed to permit unfair discrimination between customers, issuers, brokers, or dealers. The Commission also finds that the proposed rule change, as modified by Amendment No. 1, is consistent with Section 6(b)(7) of the Act,[18] which requires, among other things, that the rules of an exchange provide fair procedure for the prohibition or limitation by the exchange of any person with respect to access to services offered by the exchange. In addition, the Commission finds that the proposed rule change is consistent with Section 6(b)(8) of the Act,[19] which requires that the rules of an exchange do not impose any burden on competition not necessary or appropriate in furtherance of the purposes of the Act.

The Commission has consistently recognized that the development and

[11] *See* Amendment No. 1, *supra* note 6, at 5.

[12] *See* proposed Nasdaq Rule IM–5101–4. The Exchange states that these factors are based in part on the factors in Nasdaq Rule IM–5101–3 (Application of Discretion to Deny Initial Listing). *See* Amendment No. 1, *supra* note 6, at 5.

[13] *See* proposed Nasdaq Rule IM–5101–4. The Exchange states that when determining whether to apply this discretion, the Exchange may request additional information from a company and such information can form the basis for a trading halt under Nasdaq Rule 4120(a)(5)(B). *See* Amendment No. 1, *supra* note 6, at 8.

[14] ''Staff Delisting Determination'' means a written determination by the Exchange's Listing Qualification Department to delist a listed company's securities for failure to meet a continued listing standard. *See* Nasdaq Rule 5805(h).

[15] *See* proposed Nasdaq Rule IM–5101–4.

[16] 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).

[17] 15 U.S.C. 78f(b)(5).

[18] 15 U.S.C. 78f(b)(7).

[19] 15 U.S.C. 78f(b)(8).

enforcement of meaningful listing standards [20] by an exchange is of critical importance to financial markets and the investing public.[21] Among other things, the Commission has stated that listing standards provide the means for an exchange to screen issuers that seek to become listed, and to provide listed status only to bona fide companies that have or will have sufficient public float, investor base, and trading interest to provide the depth and liquidity to promote fair and orderly markets.[22] Meaningful listing standards also are important given investor expectations regarding the nature of securities that have achieved an exchange listing, and the role of an exchange in overseeing its market and assuring compliance with its listing standards.[23]

The Exchange states that its listing standards include continuing financial and liquidity requirements that are designed to help ensure that listed companies maintain sufficient public float, investor base, and trading interest, to promote fair and orderly markets, while also allowing companies of all sizes to raise capital.[24] According to the Exchange, notwithstanding these requirements, it has recently observed problematic or unusual trading in certain listed companies.[25] The Exchange states that such trading has apparently been effectuated through recommendations made to investors by unknown persons via social media to purchase, hold, and/or sell the securities.[26] The Commission has also issued Section 12(k) suspensions of trading in securities in companies based on potential manipulation by third-parties through the use of recommendations that appear to be designed to artificially inflate the price and trading volume of the securities and a determination that the public interest and the protection of investors require a suspension of trading in the securities.[27] The Exchange states that it believes that the ability of third parties to manipulate a security's price can indicate that the security does not have sufficient liquidity, and the issuing company does not have sufficient market interest, for listing to be appropriate.[28]

As discussed above, proposed Nasdaq Rule IM–5101–4 addresses the Exchange's use of its discretionary authority to delist a company based, in part, on the presence of potentially manipulative trading activity. Specifically, where a security exhibits trading activity indicative of potential manipulation and the Commission has implemented a Section 12(k) suspension, the Exchange may exercise its authority under Nasdaq Rule 5101 to allow it to delist the security where it determines such action is necessary to protect investors. In exercising its discretion, the Exchange will consider all relevant facts and circumstances, including a set of identified factors.

One commenter expressed support for the proposal, stating that it will enable Nasdaq to immediately begin the delisting process when a company is the subject of a Section 12(k) suspension and ''Nasdaq, in its gatekeeping role as a national securities exchange, determines that the company may be susceptible to manipulation based on Nasdaq's evaluation of the factors in the [p]roposal.'' [29] This commenter stated that, in general, the Commission's recent Section 12(k) suspensions have followed ''manipulative schemes operated by unknown persons, who make recommendations to investors via social media designed to artificially inflate the price and volume of the securities of the target company.'' [30] This commenter also stated that it supports Nasdaq's inclusion of the factors it will consider when determining whether to initiate delisting proceedings for securities that have been subject to a Section 12(k) suspension.[31]

Other commenters raised concerns regarding the proposal.[32] Several commenters opposed the proposal because it would grant Nasdaq authority to delist a company even without any wrongdoing on the part of the company or its management.[33] Commenters also raised concerns that the proposal provides the Exchange with broad discretionary authority and lacks objective standards to constrain Exchange decision-making.[34] Similarly, several commenters stated that the proposal invites arbitrary application.[35]

[20] This reference to ''listing standards'' refers to both initial and continued listing standards.

[21] *See, e.g.,* Securities Exchange Act Release No. 57785 (May 6, 2008), 73 FR 27597 (May 13, 2008) (SR–NYSE–2008–17).

[22] *See, e.g.,* Securities Exchange Act Release Nos. 81856 (Oct. 11, 2017), 82 FR 48296, 48298 (Oct. 17, 2017) (SR–NYSE–2017–31); 81079 (July 5, 2017), 82 FR 32022, 32023 (July 11, 2017) (SR–NYSE–2017–11); 65708 (Nov. 8, 2011), 76 FR 70799, 70802 (Nov. 15, 2011) (SR–NASDAQ–2011–073); 63607 (Dec. 23, 2010); 75 FR 82420, 82422 (Dec. 30, 2010) (SR–NASDAQ–2010–137); and 57785 (May 6, 2008), 73 FR 27597, 27599 (May 13, 2008) (SR–NYSE–2008–17). The Commission has stated that adequate listing standards, by promoting fair and orderly markets, are consistent with Section 6(b)(5) of the Act, in that they are, among other things, designed to prevent fraudulent and manipulative acts and practices, promote just and equitable principles of trade, and protect investors and the public interest. *See, e.g.,* Securities Exchange Act Release Nos. 82627 (Feb. 2, 2018), 83 FR 5650, 5633, n.53 (Feb. 8, 2018) (SR–NYSE–2017–30); 87648 (Dec. 3, 2019), 84 FR 67308, 67314, n.42 (Dec. 9, 2019) (SR–NASDAQ–2019–059); and 88716 (Apr. 21, 2020), 85 FR 23393, 23395, n.22 (Apr. 27, 2020) (SR–NASDAQ–2020–001).

[23] *See, e.g.,* Securities Exchange Act Release Nos. 88716 (Apr. 21, 2020), 85 FR 23393 (Apr. 27, 2020) (SR–NASDAQ–2020–001); 88389 (Mar. 16, 2020), 85 FR 16163 (Mar. 20, 2020) (SR–NASDAQ–2019–089). *See also* Securities Exchange Act Release No. 81856 (Oct. 11, 2017), 82 FR 48296, 48298 (Oct. 17, 2017) (SR–NYSE–2017–31) (stating that ''[a]dequate standards are especially important given the expectations of investors regarding exchange trading and the imprimatur of listing on a particular market'' and that ''[o]nce a security has been approved for initial listing, maintenance criteria allow an exchange to monitor the status and trading characteristics of that issue . . . so that fair and orderly markets can be maintained'').

[24] *See* Amendment No. 1, *supra* note 6, at 4.

[25] *See id.*

[26] *See id.*

[27] *See id. See also, e.g.,* Securities Exchange Act Release Nos. 104112 (Sept. 26, 2025) (Smart Digital Group Limited), 104113 (Sept. 26, 2025) (QMMM Holding Limited), 104163 (Oct. 3, 2025) (Etoiles Capital Group Co., Ltd.), 104164 (Oct. 3, 2025) (Platinum Analytics Cayman Limited), 104165 (Oct. 3, 2025) (Pitanium Limited), 104166 (Oct. 8, 2025) (Empro Group Inc.), 104167 (Oct. 8, 2025) (NusaTrip Incorporated), 104168 (Oct. 16, 2025) (Premium Catering (Holdings) Limited), 104169 (Oct. 22, 2025) (Robot Consulting Co., Ltd.), 104176 (Nov. 11, 2025) (Charming Medical Limited), 104317 (Dec. 4, 2025) (Magnitude International Ltd), 104613 (Jan. 14, 2026) (JM Group Limited), 104763 (Feb. 1, 2026) (TechCreate Group Ltd.).

[28] *See* Amendment No. 1, *supra* note 6, at 4–5.

[29] Letter from Katie Kolchin, Managing Director, Head of Equity & Options Market Structure and Gerald O'Hara, Vice President & Assistant General Counsel, SIFMA, dated Mar. 27, 2026 (''SIFMA Letter''), at 1.

[30] *Id.* at 2.

[31] *See id.* at 2.

[32] *See* Letters from Aseel, dated Apr. 23, 2026 (''Aseel Letter''); Salem Alruwisan, dated Apr. 8, 2026 (''Alruwisan Letter''); Asma, dated Apr. 7, 2026 (''Asma Letter''); Ahmad, dated Apr. 3, 2026 (''Ahmad Letter''); Marc Indeglia, The Small Public Company Coalition, dated Mar. 27, 2026 (''SPCC Letter''); Alex Cheung, dated Mar. 24, 2026 (''Cheung Letter''); Rob, dated Mar. 24, 2026 (''Rob Letter''). *See also* Letter from Hamad Aldossary, dated Apr. 21, 2026 (''H. Aldossary Letter'') (expressing concerns, as a retail investor, about the current situation surrounding a company that has been subject to a Section 12(k) suspension); Letter from Khaled Aldossary, dated Apr. 21, 2026 (''K. Aldossary Letter'') (same); Letter from Abdulrhman kamal alabdali, dated Apr. 2, 2026 (stating that it is ''unclear'' why new customers do not receive sufficient warnings or safeguards regarding ''high-risk or potentially delisted stocks''). The Commission also received a comment letter regarding changes to the index methodology for the Nasdaq 100. *See* Letter from Habib Fanny, dated Mar. 16, 2026. This comment is not germane to the proposal.

[33] *See* Aseel Letter; Ahmad Letter; Asma Letter; Alruwisan Letter; Cheung Letter; Rob Letter; SPCC Letter.

[34] *See* Rob Letter; Ahmad Letter; Asma Letter; Cheung Letter; SPCC Letter at 9–11.

[35] *See* Aseel Letter (''[i]f delisting becomes an arbitrary process based on subjective interpretations of 'public interest,' investors will permanently withdraw''); SPCC Letter at 12 (stating that the proposal ''establishes a standardless regime under which Nasdaq may decide—based on open-ended factors, catchall provisions, and whatever else it deems relevant''); Cheung Letter (stating that the proposal provides ''broad, post-facto power to delist

Continued

One commenter stated that the Exchange has not demonstrated the existence of a systemic problem that would require this delisting power.[36] Additionally, commenters stated that delisting a company in these circumstances would harm the company's shareholders.[37]

In response to commenters, the Exchange states that the Commission's recent Section 12(k) suspensions reflect a demonstrated and recurring pattern of activity.[38] The Exchange also states that its existing continued listing standards do not currently address the distinct risk posed by third-party manipulation schemes that exploit structural vulnerabilities in a company's securities because existing quantitative metrics are not designed to capture these schemes arising from third-party conduct.[39] According to the Exchange, the proposal is a ''prophylactic measure'' designed to protect investors from continued exposure to securities that have demonstrated a susceptibility to manipulation.[40] The Exchange states that where it appears that a company is subject to manipulation by third parties, it is indicative that a security may not have sufficient liquidity, and the issuing company may not have sufficient market interest, for continued listing to be appropriate.[41] The Exchange states that therefore the proposal is appropriate, without regard to specific misconduct by the issuer.[42] The Exchange also states that proposed Nasdaq Rule IM–5101–4 enumerates specific factors that the Exchange will consider to determine whether delisting is appropriate, all of which are directly relevant to assessing whether a security's structural characteristics and market history make it susceptible to manipulation.[43]

The Exchange's proposal is reasonably designed to protect investors and the public interest by specifying that the Exchange will exercise its discretion to delist a company's security if the security exhibits trading activity indicative of potential manipulation, the Commission has imposed a Section 12(k) suspension relating to that security, and the Exchange determines that delisting the security is necessary to protect investors. The Commission agrees that the presence of potentially manipulative trading activity may indicate that a security lacks sufficient public float, investor base, or trading interest to provide the depth and liquidity to promote fair and orderly markets. In these circumstances, the security may continue to be susceptible to manipulative trading activity. Moreover, the Commission agrees that it is consistent with the Act for the Exchange to exercise its discretionary authority as the listing exchange and delist a security that is exhibiting potentially manipulative trading activity when the Exchange determines that delisting is necessary to protect investors, even if the Exchange cannot determine that the company or any individuals associated with the company were involved.[44] In setting forth how the Exchange will apply its discretionary authority over continued listing in these circumstances, the proposal is reasonably designed to reduce the risk of manipulative trading, promote just and equitable principles of trade, and help to protect investors and the public interest.

The Exchange's consideration of the factors enumerated in proposed Nasdaq Rule IM–5101–4, among ''all relevant facts and circumstances,'' when making its delisting determination should help the Exchange make a reasoned decision about whether to delist a security that is exhibiting trading activity indicative of potential manipulation. The factors are based, in part, on factors used in Nasdaq Rule IM–5101–3, which provides that the Exchange may use its discretionary authority under Nasdaq Rule 5101 to deny initial listing to a company based on factors that make the company's security susceptible to manipulation.[45] The factors in proposed Nasdaq Rule IM–5101–4 also include additional considerations specific to continued listing and Section 12(k) suspensions, including, but not limited to, trading patterns, evidence of third-party social media activity, disclosure of material news, and recent securities issuances. Proposed Nasdaq Rule IM–5101–4 also provides that the Exchange will consider any other material information, whether mitigating or concerning, provided by the company or otherwise available in the record of the matter; and will consider evidence provided by the company that there is sufficient public float, investor base, or trading interest to support a fair and orderly market. The Exchange's application of these factors to make a case-by-case determination, rather than automatically delisting a company's security based on the presence of a Section 12(k) suspension or specific trading observations alone, will allow the Exchange to use its judgment to determine whether or not continued listing is appropriate. Further, if the Exchange issues a Staff Delisting Determination in accordance with proposed Nasdaq Rule IM–5101–4, the affected company will be able to seek review pursuant to Nasdaq Rule 5815. The proposed rule therefore is reasonably designed to prevent fraudulent and manipulative acts and practices, protect investors and the public interest, and to help ensure that the Exchange applies its discretion to delist a company's securities in a manner that is not unfairly discriminatory, consistent with Section 6(b)(5) of the Act.

Several commenters stated that companies have no practical way to monitor or prevent manipulative online behavior by unrelated third parties and bad actors (including competitors) that could be incentivized to abuse the proposed rule to trigger suspension and delisting of a targeted company.[46] In response, the Exchange states that, under the proposal, delisting is not a guaranteed outcome and the Exchange will apply the enumerated factors in determining whether it is appropriate to delist a security.[47] The Exchange also states that Section 12(k) suspensions ''remain very rare, making it difficult for a competitor or other bad actor to predict when a suspension may be imposed.'' [48] As discussed above, the

on a seemingly arbitrary basis after investors have already purchased shares''); Rob Letter (''arbitrary power risks abuse and erodes the fairness that U.S. capital markets are supposed to uphold'').

[36] *See* SPCC Letter at 2–4.

[37] *See* SPCC Letter at 6; Ahmad Letter; Rob Letter; H. Aldossary Letter; K. Aldossary Letter. One commenter also stated that ''the proposal does not target the wrongdoer; it punishes the victim.'' SPCC Letter at 6.

[38] *See* Amendment No. 1, *supra* note 6, at 9.

[39] *See id.*

[40] *See id.* at 11.

[41] *See id.*

[42] *See id.*

[43] *See id.* at 12.

[44] *See In re Tassaway,* Securities Exchange Act Release No. 11291, 45 SEC. 706, 709. 1975 SEC LEXIS 2057, at 6 (Mar. 13, 1975) (''[P]rimary emphasis must be placed on the interests of prospective future investors . . . [who are] entitled to assume that the securities in [Nasdaq] meet [Nasdaq's] standards.'').

[45] *See* Nasdaq Rule IM–5101–3. Nasdaq Rule IM–5101–3 contains a non-exclusive list of factors that the Exchange will consider in making its determination of whether to deny initial listing even if the applicant meets all stated listing requirements. Many of these same factors are in proposed Nasdaq Rule IM–5101–4, including the existence of laws in foreign jurisdictions that may present challenges to regulators seeking to enforce rules against the company; whether any of the company's advisors were involved in prior transactions where the securities became subject to a pattern of concerning or volatile trading; whether there are any regulatory referrals related to the company or its advisors; and whether the company currently has, or recently has had, a going concern audit opinion.

[46] *See* Cheung Letter; Rob Letter; SPCC Letter at 2, 6.

[47] *See* Amendment No. 1, *supra* note 6, at 11.

[48] *Id.* The Exchange states that the type of underlying bad actor activity raised by these

ability for third parties to manipulate a security's price may indicate that the security does not have sufficient liquidity to promote fair and orderly markets. The Exchange's application of its discretionary authority and consideration of the enumerated factors, in addition to the evidence of potentially manipulative trading activity and presence of a Section 12(k) suspension, is reasonably designed to ensure that a security will be delisted when it is consistent with the protection of investors and the public interest.

One commenter stated that a Section 12(k) suspension could ''become the trigger for immediate and effectively indefinite removal from a national securities exchange.'' [49] Another commenter stated that the proposal raises ''serious'' due process concerns because there would be ''no clear, objective criteria, no required hearing, and no meaningful appeal process.'' [50] In response, the Exchange states that delisting would not be automatic upon a Section 12(k) suspension, but instead the Section 12(k) suspension would be a prerequisite, after which the Exchange would exercise case-by-case discretion considering all relevant facts and circumstances, including those factors enumerated in proposed Nasdaq Rule IM–5101–4, which include a consideration of mitigating information provided by the company.[51] The Exchange also states that under Nasdaq Rule 5810, Nasdaq Staff would issue a delisting letter setting forth the factual bases for the Staff Delisting Determination.[52] The company could seek review of the Staff Delisting Determination before a Hearings Panel pursuant to Nasdaq Rule 5815, which appeal would stay any suspension or delisting action, and the company also could appeal to the Nasdaq Listing and Hearing Review Council (''Listing Council'') pursuant to Nasdaq Rule 5820 and seek relief from the Commission under Section 19(d) of the Act.[53]

The proposal provides for a fair procedure for the Exchange to make a delisting determination. During the Exchange's consideration of whether to delist a company, the company will have the opportunity to provide evidence and narrative in support of its continued listing. The company also will receive in writing the factual basis for the Staff Delisting Determination and may appeal the Staff Delisting Determination while remaining listed on the Exchange.[54] During the appeal process, the company will have another opportunity to provide evidence and narrative in support of their continued listing to an independent Hearings Panel, separate from the Nasdaq Staff who made the delisting determination, as well as to the Listing Council and, ultimately, the Commission.[55] The proposed rule therefore is consistent with Section 6(b)(7) of the Act in that it provides a fair procedure for the prohibition or limitation by the Exchange of any person with respect to access to services offered.

Several commenters stated that the proposal would make raising capital more difficult for small public companies and increase risks to investors.[56] While the Commission acknowledges that there are many benefits to companies and their shareholders related to being listed on a national securities exchange, these benefits do not override the need for an exchange to maintain and enforce continued listing standards.[57] As discussed above, in the presence of potentially manipulative trading activity and a Section 12(k) suspension, the Exchange may exercise its discretionary authority to delist a security when necessary to protect investors and the public interest, consistent with Section 6(b)(5) of the Act. Accordingly, the proposal will not impose any burden on competition that is not necessary or appropriate in furtherance of the purposes of the Act, consistent with Section 6(b)(8) of the Act.

Several commenters provided suggested alternatives to the proposal. One commenter recommended ''the establishment of specific criteria, linking delisting decisions to actual violations, and focusing on the parties responsible for the manipulation.'' [58] Another commenter recommended, among other things, ''[c]lear and specific criteria for delisting decisions'' and a ''[r]equirement for tangible evidence of wrongdoing by the company.'' [59] Another commenter recommended mandatory ''safe harbor'' provisions and a ''cure period'' to protect public investors from the fallout of delisting actions.[60] In addition, one commenter that supported the proposal stated that when the Exchange determines to delist a company pursuant to the proposed rule, ''it should also provide clarity and transparency to the company's public shareholders regarding the expected timeline for delisting the company from Nasdaq.'' [61] These suggestions are not part of Nasdaq's proposal and the Commission must approve the proposal if it finds that the proposal is consistent with the Act and rules thereunder. For the reasons discussed herein, the proposal is consistent with the Act.[62]

Based on the foregoing, the Commission finds that the proposed rule change, as modified by Amendment No. 1, is consistent with the Act.

IV. Solicitation of Comments on Amendment No. 1 to the Proposed Rule Change

Interested persons are invited to submit written data, views, and arguments concerning whether the proposed rule change, as modified by Amendment No. 1, 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

commenters would violate the anti-fraud provisions of the federal securities laws. *See id.*

[49] SPCC Letter at 4–5.

[50] Rob Letter. Another commenter stated that the proposal raises due process concerns by allowing the delisting of companies ''based on 'suspicion' rather than proven misconduct by the issuing company.'' Ahman Letter.

[51] *See* Amendment No. 1, *supra* note 6, at 10. The Exchange states that this construct will help to ensure that no company is delisted without an opportunity to demonstrate that its securities can support a fair and orderly market. *See id.*

[52] *See id.*

[53] *See id.*

[54] *See* Nasdaq Rules 5810(a) and 5815.

[55] *See* Nasdaq Rules 5805(d), 5815, and 5820; 15 U.S.C. 78s(d).

[56] *See* Cheung Letter; Rob Letter; SPCC Letter at 4–6. One commenter states that the added risk of delisting under the proposal would ''make it materially more difficult for small public companies to attract and retain both equity and debt financing.'' SPCC Letter at 5. This commenter also states that investors would ''likewise bear substantial costs'' as ''delisting shifts trading from a national securities exchange to less transparent and liquid venues,[ ] increasing volatility and reducing oversight.'' *Id.* at 6.

[57] *See supra* note 23 and accompanying text.

[58] *See* Alruwisan Letter.

[59] *See* Asma Letter.

[60] *See* Ahmad Letter.

[61] SIFMA Letter at 2. In response to this commenter, the Exchange states that it requires a company to disclose receipt of a Staff Delisting Determination within four business days on a Form 8–K or by issuing a press release. *See* Amendment No. 1, *supra* note 6, at 11, n.16; Nasdaq Rule 5810(b). In addition, Nasdaq maintains a public library of FAQs that describe the delisting process, including the applicable steps and time frames. *See* Amendment No. 1, *supra* note 6, at 11, n.16.

[62] The Commission's findings herein are based on a determination that it is consistent with the Act for the Exchange to adopt proposed Nasdaq Rule IM–5101–4 to provide how the Exchange will utilize its authority under Nasdaq Rule 5101 to delist a security where the security exhibits trading activity that is indicative of potential manipulation, the Commission has implemented a Section 12(k) suspension, and the Exchange determines that delisting the security is necessary to protect investors. In this order, the Commission does not take a position regarding the extent of the Exchange's authority under current Nasdaq rules, including Nasdaq Rule 5101, to delist a security in these circumstances.

• Send an email to *rule-comments@sec.gov.* Please include file number SR–NASDAQ–2026–009 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–NASDAQ–2026–009. 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–NASDAQ–2026–009 and should be submitted on or before June 29, 2026.

V. Accelerated Approval of the Proposed Rule Change, as Modified by Amendment No. 1

The Commission finds good cause to approve the proposed rule change, as modified by Amendment No. 1, prior to the thirtieth day after the date of publication of notice of the filing of Amendment No. 1 in the **Federal Register**. Amendment No. 1 provides additional clarity to the proposal by (1) providing additional explanation of certain aspects of the proposal; (2) providing responses to comment letters; and (3) making other technical and non-substantive changes for readability. The changes and additional discussion in Amendment No. 1 assist the Commission in evaluating the proposal and determining that it is consistent with the Act. Amendment No. 1 does not alter any substantive provisions of the proposed rule change, or raise any regulatory issues substantially different, from what is set forth in the Notice, which was subject to public comment. For these reasons, the Commission finds good cause, pursuant to Section 19(b)(2) of the Act,[63] to approve the proposed rule change, as modified by Amendment No. 1, on an accelerated basis.

[63] 15 U.S.C. 78s(b)(2).

VI. Conclusion

It is therefore ordered, pursuant to Section 19(b)(2) of the Act,[64] that the proposed rule change (SR–NASDAQ–2026–009), as modified by Amendment No. 1, be and hereby is, approved on an accelerated basis.

For the Commission, by the Division of Trading and Markets, pursuant to delegated authority.[65]

Sherry R. Haywood,

Assistant Secretary.

[FR Doc. 2026–11379 Filed 6–5–26; 8:45 am]

BILLING CODE 8011–01–P

[64] *Id.*

[65] 17 CFR 200.30–3(a)(12).

SECURITIES AND EXCHANGE COMMISSION

[OMB Control No. 3235–0628]

Agency Information Collection Activities; Proposed Collection; Comment Request; Extension: Rule 17g–2

Upon Written Request, Copies Available From: Securities and Exchange Commission, Office of FOIA Services, 100 F Street NE, Washington, DC 20549–2736

Notice is hereby given that, pursuant to the Paperwork Reduction Act of 1995 (44 U.S.C. 3501 *et seq.*), the Securities and Exchange Commission (SEC or ''Commission'') is soliciting comments on the proposed collection of information. Rule 17g–2 requires NRSROs to make and retain certain records relating to their business and to retain certain other business records if made. The rule also prescribes the time periods and manner in which the records must be retained.

Currently, there are 11 credit rating agencies registered as NRSROs with the Commission. Based on staff experience, the Commission estimates that the ongoing annual burden for respondents to comply with Rule 17g–2 is 3,883 hours.

An agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless it displays a currently valid OMB Control Number.

Written comments are invited on: (a) whether this proposed collection of information is necessary for the proper performance of the functions of the SEC, including whether the information will have practical utility; (b) the accuracy of the SEC's estimate of the burden imposed by the proposed collection of information, including the validity of the methodology and the assumptions used; (c) ways to enhance the quality, utility, and clarity of the information to be collected; and (d) ways to minimize the burden of the collection of information on respondents, including through the use of automated, electronic collection techniques or other forms of information technology.

Please direct your written comments on this 60-Day Collection Notice to Austin Gerig, Director/Chief Data Officer, Securities and Exchange Commission, c/o Tanya Ruttenberg via email to *PaperworkReductionAct@sec.gov* by August 7, 2026. There will be a second opportunity to comment on this SEC request following the **Federal Register** publishing a 30-Day Submission Notice.

Dated: June 4, 2026.

Sherry R. Haywood,

Assistant Secretary.

[FR Doc. 2026–11462 Filed 6–5–26; 8:45 am]

BILLING CODE 8011–01–P

SECURITIES AND EXCHANGE COMMISSION

[Investment Company Act Release No. 36202; File No. 812–15961]

CIFC Direct Lending Evergreen Fund, *et al.*

June 3, 2026.

AGENCY: Securities and Exchange Commission (''Commission'' or ''SEC'').

ACTION: Notice of application for an order under sections 17(d) and 57(i) of the Investment Company Act of 1940 (the ''Act'') and rule 17d–1 under the Act to permit certain joint transactions otherwise prohibited by sections 17(d) and 57(a)(4) of the Act and rule 17d–1 under the Act.

SUMMARY OF APPLICATION: Applicants request an order to permit certain business development companies (''BDCs''), closed-end management investment companies, and open-end management investment companies to co-invest in portfolio companies with each other and with certain affiliated investment entities.

APPLICANTS: CIFC Direct Lending Evergreen Fund, CIFC Private Credit Management LLC, CIFC Asset Management LLC, LBC Credit Management, L.P. d/b/a LBC Credit Partners, and certain of their affiliated entities as described in Schedules A and B to the Application.

FILING DATES: The application was filed on December 22, 2025, and amended on June 1, 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 file number referenced above. Hearing requests should be received by the Commission by 5:30 p.m., Eastern time, on June 29, 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 at *Secretarys-Office@sec.gov.*

ADDRESSES: The Commission: *Secretarys-Office@sec.gov.* Applicants: Asha Richards, CIFC Private Credit Management LLC, 1 SE 3rd Avenue, Suite 1660, Miami, FL 33131; Richard Horowitz, Esq., Dechert LLP, 1095 Avenue of the Americas, New York, NY 10036; Alexander Karampatsos, Esq., Dechert LLP, 1900 K Street NW, Washington, DC 20006.

FOR FURTHER INFORMATION CONTACT: Adam Large, Senior Special Counsel, or Deepak T. Pai, Senior 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' first amended application, filed June 1, 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.

Sherry R. Haywood,

Assistant Secretary.

[FR Doc. 2026–11386 Filed 6–5–26; 8:45 am]

BILLING CODE 8011–01–P

SECURITIES AND EXCHANGE COMMISSION

[OMB Control No. 3235–0116]

Agency Information Collection Activities; Proposed Collection; Comment Request; Extension: Form 6–K—Exchange Act Rules 13a–16 and 15d–16

Upon Written Request, Copies Available From: Securities and Exchange Commission, Office of FOIA Services, 100 F Street NE, Washington, DC 20549–2736

Notice is hereby given that, pursuant to the Paperwork Reduction Act of 1995 (''PRA'') (44 U.S.C. 3501 *et seq.*), the Securities and Exchange Commission (''Commission'') is soliciting comments on the collection of information summarized below. The Commission plans to submit this existing collection of information to the Office of Management and Budget (''OMB'') for extension and approval.

Form 6–K (17 CFR 249.306) is a disclosure document under the Securities Exchange Act of 1934 (15 U.S.C. 78a *et seq.*) that must be filed by a foreign private issuer to report material information promptly after the occurrence of specified or other important corporate events that are disclosed in the foreign private issuer's home country. The purpose of Form 6–K is to ensure that U.S. investors have access to the same information that foreign investors do when making investment decisions. We estimate that Form 6–K takes approximately 8.7 total hours per response to comply with the form's information collection requirements and is filed approximately 21.29 times per year by approximately 1,261 respondents, for a total of approximately 26,848 responses per year. We estimate that 75% of the 8.7 hours per response is carried internally by the issuer for a total annual reporting burden of 175,183 hours (8.7 total hours per response × 75% × 26,848 responses annually). We estimate that 25% of the 8.7 hours per response is carried externally by outside professionals retained by the issuer at an estimated rate of $600 per hour for a total annual cost burden of $35,036,640 (8.7 total hours per response × 25% × $600 per hour × 26,848 responses annually).

An agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless it displays a currently valid OMB control number.

Written comments are invited on: (a) whether this proposed collection of information is necessary for the proper performance of the functions of the agency, including whether the information will have practical utility; (b) the accuracy of the agency's estimate of the burden imposed by the collection of information; (c) ways to enhance the quality, utility, and clarity of the information collected; and (d) ways to minimize the burden of the collection of information on respondents, including through the use of automated collection techniques or other forms of information technology.

Please direct your written comments on this 60-Day Collection Notice to Austin Gerig, Director/Chief Data Officer, Securities and Exchange Commission, c/o Tanya Ruttenberg via email to *PaperworkReductionAct@sec.gov* by August 7, 2026. There will be a second opportunity to comment on this SEC request following the **Federal Register** publishing a 30-Day Submission Notice.

Dated: June 3, 2026.

Sherry R. Haywood,

Assistant Secretary.

[FR Doc. 2026–11391 Filed 6–5–26; 8:45 am]

BILLING CODE 8011–01–P

SECURITIES AND EXCHANGE COMMISSION

[Release No. 34–105606; File No. SR–ICC–2026–004]

Self-Regulatory Organizations; ICE Clear Credit LLC; Notice of Filing of Proposed Rule Change Relating to the Operational Risk Management Framework

June 3, 2026.

Pursuant to Section 19(b)(1) of the Securities Exchange Act of 1934,[1] and Rule 19b–4,[2] notice is hereby given that on May 29, 2026, ICE Clear Credit LLC (''ICC'' or ''ICE Clear Credit'') filed with the Securities and Exchange Commission (''Commission'') the proposed rule change as described in Items I, II and III below, which Items have been prepared primarily by ICC. The Commission is publishing this notice to solicit comments on the proposed rule change, security-based swap submission, or advance notice from interested persons.

I. Clearing Agency's Statement of the Terms of Substance of the Proposed Rule Change

The principal purpose of the proposed rule change is to revise the Operational Risk Management

[1] 15 U.S.C. 78s(b)(1).

[2] 17 CFR 240.19b–4.

Framework (''ORMF''). These revisions do not require any changes to the ICC Credit Default Swap (''CDS'') or U.S. Treasury (''Treasury'') Clearing Rules.[3]

II. Clearing Agency's Statement of the Purpose of, and Statutory Basis for, the Proposed Rule Change

In its filing with the Commission, ICC included statements concerning the purpose of and basis for the proposed rule change, security-based swap submission, or advance notice and discussed any comments it received on the proposed rule change, security-based swap submission, or advance notice. The text of these statements may be examined at the places specified in Item IV below. ICC has prepared summaries, set forth in sections (A), (B), and (C) below, of the most significant aspects of these statements.

(A) Clearing Agency's Statement of the Purpose of, and Statutory Basis for, the Proposed Rule Change, Security-Based Swap Submission, or Advance Notice

(a) Purpose

ICC proposes to revise its ORMF. The ORMF details ICC's dynamic and independent program of risk assessment and oversight that aims to reduce operational incidents, encourage process, and control improvement, bring transparency to operational performance standard monitoring, and fulfill regulatory obligations. The proposed revisions to the ORMF generally consist of clarifications, updates to reflect current practices at ICC, and minor clean-up changes. ICC believes such proposed revisions will facilitate the prompt and accurate clearance and settlement of securities transactions and derivative agreements, contracts, and transactions for which it is responsible. ICC proposes to make such changes effective following Commission approval of the proposed rule change. The proposed revisions are described in detail as follows.

ICC proposes minor terminology updates to improve clarity in Section I, which describes ICC's operational risk lifecycle. The goal of the operational risk lifecycle is to actively identify, assess, monitor, mitigate and report on all plausible sources of operational risk. Accordingly, relevant processes associated with the operational risk lifecycle are currently organized under the following categories: identify, assess, monitor, mitigate, and report. ICC proposes to revise and replace the terminology to explicitly reference risk and add a new category of ''risk management'' to replace the existing ''mitigate'' category. As amended, relevant processes associated with the operational risk lifecycle would be organized under the following in the text and in the Operational Risk 'Lifecycle' chart in Section I: risk identification, risk assessment, risk management, risk monitoring, and risk reporting. Under the amended language, the ''risk assessment'' category would also include examining exposure in terms of likelihood and impact, including the effectiveness of existing controls that mitigate identified risks.

This operational lifecycle is used to implement the risk assessment and performance objectives setting and monitoring processes, and accordingly, ICC proposes corresponding terminology revisions to describe such processes in Section I. For instance, ICC proposes to describe the risk assessment process of the operational lifecycle in Section I as actively identifying, assessing, managing, and monitoring all plausible sources of operational risk and ensuring policies and procedures are in place to address the presented risk scenarios. In general, the purpose of the revisions is to ensure that the ORMF clearly reflects the description of the operational life cycle. In Section I.A, under the ''Risk Identification'' category, ICC proposes to replace a general reference to ''treasury'' with a more specific reference to ''movement of funds'' when describing clearing processes. ICC proposes minor updates to the ''Risk Assessment'' category to ensure its summary of the applicable Risk Assessment guidelines is consistent with the ICE, Inc. Enterprise Risk Management Policy (''ERM Policy'') that sets out those guidelines, including removing reference to ''design'' and updating reference to ''control remediation recommendation, and key control validation'' as topics addressed in such policy. ICC also proposes to rename the ''Mitigate'' category into the ''Risk Management'' category. ICC proposes minor edits to Sections I.A and I.B to replace verbs with nouns (*e.g.,* replace ''identify'' with ''identification''), and to replace the ''mitigate'' category with ''management'', including removing references to ''mitigate'' within its description.

ICC proposes updates to Section II.B. describing the management of risks from relationships with service providers for core services. ICC proposes to include reference to procedures that ICC maintains related to oversight, management and review of ICC's agreements governing the outsourcing of services by ICC to its affiliates. ICC proposes additional edits to reorganize a sentence for clarity regarding an identified ICC service provider for core services. Additional edits replace business services with administrative services to align with a new agreement executed by ICC. ICC proposes clarifications of such administrative services to include facilities, corporate treasury, and internal audit. In Section II.C, ICC further proposes to clarify there are four identified core clearing services and to remove reference to ''CDS'' so that such clearing services are not product specific. ICC intends for this ORMF to apply to its new Treasury clearing service as well as its existing CDS clearing service.[4]

ICC proposes to further amend Section II. ICC proposes minor updates to improve clarity in Section II.E., which discusses the Information Security Department,[5] which is responsible for risk analysis and oversight of information security and physical security/environmental controls. ICC proposes amendments regarding responsibilities of the Operational Oversight Committee (''OOC''), which acts as the forum to discuss changes and improvements to the services provided by the Parent. The proposed changes specify the OOC's receipt and review of the corporate information security policy and updates related to information security metrics, remediation activities, security incidents, and threat intelligence. Additional edits update the ICC members of the OOC to include the ICC President and ICC Chief Operating Officer. In Section II.F., which outlines ICC's technology control functions, ICC proposes to remove a specific reference to CDS clearing, as this ORMF will also apply to ICC's Treasury clearing service,

[3] ICC's CDS and Treasury Clearing Rules are available on ICC's public website at *https://www.ice.com/publicdocs/clear_credit/ICE_Clear_Credit_Rules.pdf* and *https://www.ice.com/publicdocs/clear_credit/ICE_Clear_Credit_Treasury_Clearing_Rules.pdf.*

[4] ICC filed an application on Form CA–1 (''Application'') under Section 17A of the Securities Exchange Act of 1934 (the ''Act'') (15 U.S.C. 78q–1) with the Securities and Exchange Commission (''Commission'') to register as a clearing agency to provide central counterparty services for transactions involving Treasury securities on August 1, 2025. Notice of ICC's Application was published in the **Federal Register** on August 21, 2025. *See* Securities Exchange Act Release No. 103727 (August 18, 2025), 90 FR 40879 (August 21, 2025) (File No. 600–45). The Commission issued an order granting ICC's Application for registration as a clearing agency to provide central counterparty services for transactions involving U.S. Treasury securities on January 30, 2026. *See* Securities Exchange Act Release No. 104762 (January 30, 2026), 91 FR 5528 (February 6, 2026) (File No. 600–45).

[5] The Information Security Department is an Intercontinental Exchange, Inc. (''ICE, Inc.'' or ''Parent'') department.

and to update a policy reference to be current.

ICC proposes revisions of Section III regarding the administration of the ORMF. ICC proposes to include references to the Board Risk Committee with respect to the annual review of the ORMF and any material amendments.[6]

ICC also proposes minor language clarifications and additional grammatical clean-up changes throughout the document that do not change the substance of the ORMF. These clean-up changes include deleting unnecessary definite articles, replacing conjunctions with commas, correcting verb tense and usage (*e.g.,* changing ''do occur'' to ''occur''), and removing unnecessary prepositions throughout the document. ICC also proposes a minor edit to Section II.A to correct a typographical error to reference ''these business processes'' instead of ''these business process.''

(b) Statutory Basis

ICC believes that the proposed changes are consistent with the requirements of Section 17A of the Securities Exchange Act of 1934 (''Act'')[7] and the regulations thereunder applicable to it, including the applicable standards under Rule 17Ad–22.[8] In particular, Section 17A(b)(3)(F) of the Act[9] requires that the rule change be consistent with the prompt and accurate clearance and settlement of securities transactions and derivative agreements, contracts and transactions cleared by ICC, the safeguarding of securities and funds in the custody or control of ICC or for which it is responsible, and the protection of investors and the public interest. ICC believes that the proposed rule change is consistent with the requirements of the Act and the rules and regulations thereunder applicable to ICC, in particular, to Section 17A(b)(3)(F),[10] because the proposed rule change enhances ICC's ability to control its operational risk by ensuring that the ORMF clearly, transparently, and accurately reflects ICC's operational risk lifecycle and associated governance practices. This operational lifecycle is used to implement the risk assessment and performance objectives setting and monitoring processes, and accordingly, ICC proposes corresponding terminology revisions to describe such processes. ICC proposes to revise the labeling across categories to improve consistency, including by incorporating risk-based modifiers, and to add a new category of ''risk management'' to replace the existing ''mitigate'' category. Additionally, the proposed changes to the ''Risk Assessment'' component ensure its summary of the applicable Risk Assessment guidelines is consistent with the ERM Policy which sets out those guidelines. As such, the proposed rule change is designed to promote the prompt and accurate clearance and settlement of securities transactions, derivatives agreements, contracts, and transactions; to contribute to the safeguarding of securities and funds associated with security-based swap transactions in ICC's custody or control, or for which ICC is responsible; and, in general, to protect investors and the public interest within the meaning of Section 17A(b)(3)(F) of the Act.[11]

The amendments would also satisfy relevant requirements of Rule 17Ad–22.[12] Rule 17Ad–22(e)(2)(i) and (v)[13] requires each covered clearing agency to establish, implement, maintain, and enforce written policies and procedures reasonably designed to provide for governance arrangements that are clear and transparent and specify clear and direct lines of responsibility. The proposed revisions to the ORMF enhance ICC's ability to satisfy these requirements by clarifying the operational risk lifecycle and incorporating updates relating to the review of the ORMF by the Board Risk Committee. Further, ICC's proposed amendments regarding responsibilities of the OOC, which acts as the forum to discuss changes and improvements to the services provided by the Parent, specify the OOC's receipt and review of the corporate information security policy and updates related to information security metrics, remediation activities, security incidents, and threat intelligence. Additional edits update the ICC members of the OOC. Such changes improve the accuracy and transparency of ICC's governance arrangements and improve the clarity of the lines of responsibility. In ICC's view, the proposed changes are therefore consistent with the requirements of Rule 17Ad–22(e)(2)(i) and (v).[14]

Rule 17Ad–22(e)(21)[15] requires each covered clearing agency to establish, implement, maintain, and enforce written policies and procedures reasonably designed to be efficient and effective in meeting the requirements of its participants and the markets it serves, and have its management regularly review the efficiency and effectiveness of its (i) clearing and settlement arrangements; (ii) operating structure, including risk management policies, procedures, and systems; (iii) scope of products cleared or settled; and (iv) use of technology and communication procedures. As noted above, the operational risk lifecycle is used to implement ICC's risk assessment and performance objectives setting and monitoring processes. The proposed revisions more clearly set out the operational risk lifecycle thereby promoting ICC's ability to be efficient and effective in meeting the requirements of its participants and the markets it serves. Further, the proposed revisions clarify responsibilities regarding review of risk assessments and operational risk reporting to appropriate parties, which would promote management's regular review of the efficiency and effectiveness of ICC's clearing and settlement arrangements, operating structure, product scope, and use of technology and communication procedures. The proposed rule changes are thus reasonably designed to meet the requirements of Rule 17Ad–22(e)(21).[16]

(B) Clearing Agency's Statement on Burden on Competition

ICC does not believe the proposed rule change would have any impact, or impose any burden, on competition. The proposed revisions to the ORMF generally consist of clarifications, updates to reflect current practices at ICC, and minor clean-up changes. The proposed changes to revise the ORMF will apply uniformly across all market participants. ICC does not believe these amendments would affect the costs of clearing or the ability of market participants to access clearing. Therefore, ICC does not believe the proposed rule change would impose any burden on competition that is inappropriate in furtherance of the purposes of the Act.

(C) Clearing Agency's Statement on Comments on the Proposed Rule Change Received From Members, Participants or Others

Written comments relating to the proposed amendments have not been solicited or received. ICC will notify the Commission of any written comments

[6] ICC previously filed a proposed rule change to establish the Board Risk Committee. *See* Securities Exchange Act Release No. 103161 (May 30, 2025), 90 FR 23970 (June 5, 2025) (File No. SR–ICC–2025–006).

[7] 15 U.S.C. 78q–1.

[8] 17 CFR 240.17ad–22.

[9] 15 U.S.C. 78q–1(b)(3)(F).

[10] *Id.*

[11] *Id.*

[12] 17 CFR 240.17Ad–22.

[13] 17 CFR 240.17ad–22(e)(2)(i) and (v).

[14] *Id.*

[15] 17 CFR 240.17Ad–22(e)(21).

[16] 17 CFR 240.17Ad–22(e)(21).

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 self-regulatory organization consents, the Commission will:

(A) by order approve or disapprove such proposed rule change, or

(B) institute proceedings to determine whether the proposed rule change should be disapproved.

IV. Solicitation of Comments

Interested persons are invited to submit written data, views, and arguments concerning the foregoing, including whether the proposed rule change is consistent with the Act. Comments may be submitted by any of the following methods:

Electronic Comments

- Use the Commission's internet comment form (*https://www.sec.gov/rules-regulations/self-regulatory-organization-rulemaking*); or
- Send an email to *rule-comments@sec.gov.* Please include file number SR–ICC–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.

All submissions should refer to file number SR–ICC–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 of submission. The Commission will post all comments on the Commission's internet website *(https://www.sec.gov/rules-regulations/self-regulatory-organization-rulemaking*). Copies of the filing will be available for inspection and copying at the principal office of ICE Clear Credit and on ICE Clear Credit's website at *https://www.ice.com/clear-credit/regulation.*

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–ICC–2026–004 and should be submitted on or before June 29, 2026.

For the Commission, by the Division of Trading and Markets, pursuant to delegated authority.[17]

Sherry R. Haywood,

Assistant Secretary.

[FR Doc. 2026–11382 Filed 6–5–26; 8:45 am]

BILLING CODE 8011–01–P

SECURITIES AND EXCHANGE COMMISSION

[Investment Company Act Release No. 36203; 812–15884]

Pear Tree Funds and Pear Tree Advisors, Inc.

June 3, 2026.

AGENCY: Securities and Exchange Commission (''Commission'' or ''SEC'').

ACTION: Notice of an application under section 6(c) of the Investment Company Act of 1940 (''Act'') for an exemption from sections 2(a)(32), 5(a)(1), 18(f)(1), 18(i), 22(d) and 22(e) of the Act and rule 22c–1 under the Act and under sections 6(c) and 17(b) of the Act for an exemption from sections 17(a)(1) and 17(a)(2) of the Act.

SUMMARY OF APPLICATION: Applicants request an order (''Order'') that would permit a registered open-end management investment company to offer one class of exchange-traded shares that operates as an exchange-traded fund (an ''ETF Class,'' and such shares, ''ETF Shares'') and one or more classes of shares that are not exchange-traded (each such class, a ''Mutual Fund Class,'' and such shares, ''Mutual Fund Shares,'' and each such fund, a ''Multi-Class ETF Fund''). The Order would provide Multi-Class ETF Funds with two broad categories of relief: (i) the relief necessary to permit standard exchange-traded fund (''ETF'') operations consistent with Rule 6c–11 under the Act (''ETF Operational Relief'') and (ii) the relief necessary for a fund to offer an ETF Class and one or more Mutual Fund Classes (''ETF Class Relief'').

APPLICANTS: Pear Tree Funds and Pear Tree Advisors, Inc.

FILING DATES: The application was filed on August 28, 2025, and amended on April 20, 2026, April 29, 2026, and May 6, 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 June 29, 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 at *Secretarys-Office@sec.gov.*

ADDRESSES: The Commission: *Secretarys-Office@sec.gov.* Applicants: Marc Griffin, Pear Tree Advisors, Inc., 55 Old Bedford Road, Lincoln, Massachusetts 01773; John Hunt, Esq., Sullivan & Worcester LLP, *jhunt@sullivan.com.*

FOR FURTHER INFORMATION CONTACT: Asaf Barouk, Senior Counsel, or 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' amended application, filed May 6, 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.

Sherry R. Haywood,

Assistant Secretary.

[FR Doc. 2026–11389 Filed 6–5–26; 8:45 am]

BILLING CODE 8011–01–P

[17] 17 CFR 200.30–3(a)(12).

SECURITIES AND EXCHANGE COMMISSION

[Release No. 34–105602; File No. SR–OCC–2026–801]

Self-Regulatory Organizations; The Options Clearing Corporation; Notice of Filing of Advance Notice by The Options Clearing Corporation To Establish a Commercial Paper Program

June 3, 2026.

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] of the Securities Exchange Act of 1934 (''Exchange Act'' or ''Act''),[3] notice is hereby given that on May 19, 2026, The Options Clearing Corporation (''OCC'' or ''Corporation'') filed with the Securities and Exchange Commission (''SEC'' or ''Commission'') an advance notice as described in Items I, II and III below, which Items have been prepared primarily by OCC. The Commission is publishing this notice to solicit comments on the advance notice from interested persons.

I. Clearing Agency's Statement of the Terms of Substance of the Advance Notice

This advance notice is submitted by OCC in connection with a prosed change to its operations to establish a commercial paper program as part of its overall liquidity plan to meet OCC's settlement obligations.

II. Clearing Agency's Statement of the Purpose of, and Statutory Basis for, the Advance Notice

In its filing with the Commission, OCC included statements concerning the purpose of and basis for the advance notice and discussed any comments it received on the advance notice. The text of these statements may be examined at the places specified in Item IV below. OCC has prepared summaries, set forth in sections (A) and (B) below, of the most significant aspects of these statements.

(A) Clearing Agency's Statement on Comments on the Advance Notice Received From Members, Participants or Others

The proposed change was approved for filing with the Commission by OCC's Board of Directors (''Board'') on December 12, 2024. The proposal was presented to OCC's non-Board-level risk management committee (''RMC'') [4] and OCC's Financial Risk Advisory Council (''FRAC'') [5] on February 24, 2025, and April 30, 2025, respectively. No substantive feedback on the proposed change was received by the RMC or FRAC. Proposed changes to OCC's Capital Management Policy were approved by OCC's stockholders on September 10, 2025. Written comments were not and are not intended to be solicited with respect to the proposed change and none have been received.

(B) Advance Notice Filed Pursuant to Section 806(e) of the Payment, Clearing, and Settlement Supervision Act

OCC is the sole clearing agency for standardized equity options listed on national securities exchanges registered with the Commission. In its role as a registered clearing agency, and as a derivatives clearing organization (''DCO'') registered with the Commodity Futures Trading Commission (''CFTC''), OCC acts as a central counterparty (''CCP'') that guarantees all contracts it clears. That is, OCC becomes the buyer to every seller and the seller to every buyer. In its role as guarantor, OCC is exposed to risks from a Clearing Member's failure to fulfill its obligations, including liquidity risk (*i.e.,* the risks that OCC may need to meet the defaulting Clearing Member's settlement obligations during the period between the default and the conclusion of a liquidation of the defaulting Clearing Member's portfolio). In the event of a Clearing Member default, OCC would be obligated to fulfill that member's cleared transactions and meet settlement obligations in a timely manner.

OCC manages liquidity risk by maintaining an overall liquidity plan that includes a minimum amount of cash OCC requires each Clearing Member to deposit in the Clearing Fund (''Clearing Fund Cash Requirement'') [6] and any excess cash a Clearing Member may choose to maintain up to its required Clearing Fund contribution.[7] In addition, OCC maintains access to a diverse set of committed funding sources for accessing additional liquidity on a same-day basis, including: (A) a syndicated bank credit facility, through which OCC may borrow cash by pledging the margin funds of the defaulting Clearing Member or Government securities borrowed from the Clearing Fund; [8] and (B) a non-bank liquidity facility program, through which OCC may use Government securities deposited by the defaulting Clearing Member or borrowed from the Clearing Fund to enter into repurchase transactions with institutional investment counterparties, such as insurance companies and pension funds, that do not increase the concentration of OCC's counterparty exposure to its participants [9] (together with the syndicated bank credit facility, the ''committed facilities'').[10] Together,

[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] The RMC is a sub-advisory group of rotating FRAC participants that OCC consults with on all matters that could materially affect OCC's risk profile. OCC established the RMC in compliance with Commodity Futures Trading Commission (''CFTC'') Regulations, which requires a derivatives clearing organization (''DCO'') to establish one or more risk management committees, comprised of a rotating membership of clearing member representatives and representatives of customers of clearing members, to consult with, and consider and respond to input from, on all matters that could materially affect the risk profile of the DCO, including any material changes to the DCO's margin model, default procedures, participation requirements, and risk monitoring practices, as well as the clearing of new products that could materially affect the risk profile of the DCO. *See* 17 CFR 39.24(b)(11).

[5] The FRAC is a forum to discuss and seek feedback on proposed financial risk initiatives comprised of representatives from direct and indirect market participants, including clearing members, customers of clearing members, exchanges, and other relevant stakeholders. As such, the FRAC and RMC function as risk advisory working groups as required by CFTC Regulation. *See* 17 CFR 39.24(b)(12). Board consultation with the RMC and FRAC are also means by which OCC complies with Exchange Act Rule 17ad–25(j), which requires each clearing agency to establish, implement, maintain, and enforce written policies and procedures reasonably designed to require the board of directors to solicit, consider, and document its consideration of the view of participants and other relevant stakeholders of the registered clearing agency regarding material developments in its risk management and operations on a recurring basis. 17 CFR 240.17ad–25(j). Materials submitted to the FRAC are included as Exhibits 3A and 3B [sic].

[6] *See* OCC Rule 1002.

[7] Clearing Members may choose to satisfy their Clearing Fund requirement with more than the minimum amount of cash or deposit Government securities. *See* OCC Rule 1002(a). Substitution of U.S. Government securities in place of excess cash is subject to a two-day notification period, which aligns with OCC's liquidation time horizon for managing a Clearing Member default. *See* OCC Rule 1002(a)(iv). Accordingly, OCC considers excess cash up to the Clearing Member's Clearing Fund requirement as part of its ''Available Liquidity Resources'' under its Liquidity Risk Management Framework. *See* Exchange Act Release No. 89014 (June 4, 2020), 85 FR 35446, 35447 (June 10, 2020) (SR–OCC–2020–003).

[8] *See, e.g.,* Exchange Act Release No. 88971 (May 28, 2020), 85 FR 34257 (June 3, 2020) (SR–OCC–2020–804).

[9] *See, e.g.,* Exchange Act Release Nos. 89039 (June 10, 2020), 85 FR 36444 (June 16, 2020) (SR–OCC–2020–803).

[10] OCC was provided a notice of no objection regarding establishing a repurchase agreement with a bank counterparty through which OCC may use Government securities deposited by the defaulting Clearing Member or borrowed from the Clearing Fund. *See* Exchange Act Release No. 103047 (May 21, 2025), 90 FR 21800 (May 21, 2025) (SR–OCC–2025–801).

the Clearing Fund Cash Requirement and committed facilities comprise OCC's ''Base Liquidity Resources'' under its LRMF—i.e., the amount of qualifying liquid resources [11] OCC maintains at all times to satisfy its regulatory obligation to maintain sufficient qualifying liquid resources to cover payment obligations arising from the default of the CMO Group that would generate the largest aggregate payment obligation in extreme but plausible market conditions (a ''Cover 1'' liquidity requirement).[12]

To further diversify its liquidity resources, OCC proposes to establish a program to raise prefunded liquidity through the private placement of unsecured debt (''Notes'') to institutional investors in an aggregate amount not to exceed $1 billion (the ''Commercial Paper Program''). OCC would engage an issuing and paying agent, as well as certain placement agent dealers, to develop a program to issue the Notes. The Notes would be issued to institutional investors through a private placement and offered in reliance on an exemption from registration under Section 4(a)(2) of the Securities Act of 1933.[13] OCC would execute certain agreements required to establish the Commercial Paper Program, including an issuing and paying agent agreement, and a dealer agreement with each of the placement agent dealers.[14] The dealer agreements would each be based on the standard form of dealer agreement for commercial paper programs, which is published by the Securities Industry and Financial Markets Association. The material terms and conditions of the Commercial Paper Program are summarized further below. Proceeds from the Commercial Paper Program would be held in an OCC account at the Federal Reserve Bank of Chicago (a ''Federal Reserve Bank account'').

OCC believes the Commercial Paper Program would further diversify its liquidity sources by adding a cost-effective [15] means to source liquidity more efficiently than its current facilities in response to changing liquidity demands or changes in its counterparties' commitments under the committed facilities. Specifically, once the program is established, OCC expects it will be able to issue new debt and receive proceeds on the same day. By comparison, sourcing additional commitments from liquidity providers through OCC's existing committed facilities is a process that can take weeks or months. Currently, the only tool available to OCC to increase Base Liquidity Resources on an expedited basis is to increase the Clearing Fund Cash Requirement under OCC Rule 1002(a)(i)(A). The Commercial Paper Program would add another tool for quickly increasing liquidity resources in response to changing liquidity needs.

In addition, the Commercial Paper Program would benefit OCC by providing a prefunded source of liquidity that OCC would maintain in one of its Federal Reserve Bank accounts. Accordingly, using proceeds from the Commercial Paper Program would not require OCC to draw on a facility during a Clearing Member default to make same-day settlement. The absence of a facility draw mitigates the risk that a liquidity provider may be delayed in funding or fail to fund as required under the terms of OCC's committed facilities.[16]

Description of Change

1. Material Terms of the Commercial Paper Program

As discussed above, OCC's Board has authorized OCC to establish a Commercial Paper Program in an aggregate amount not to exceed $1 billion. Initially, OCC anticipates replacing $250 million of existing liquidity from its non-bank liquidity facility with Commercial Paper proceeds. Specifically, to further diversify OCC's liquidity resources, OCC plans to replace one of three commitments from a single liquidity provider that together comprise 42.5% of the commitments under the $2 billion non-bank liquidity facility, and approximately 19% of OCC's $4.5 million in committed facilities. Any expansion of the Commercial Paper Program beyond the $1 billion would require further approval from the Board. Any change to the program that would materially affect the nature or level of risk at OCC would also require further regulatory filings. OCC intends to structure the Commercial Paper Program such that maturities of the Notes are staggered to avoid concentration of maturing liabilities and the risk that a rollover issuance to replace expiring Notes does not fund. For example, replacing $250 million of non-bank liquidity facility commitments may be achieved with two issues of $250 million in Notes of 90-day duration, staggered by 45 days.

The Notes would be interest-bearing and would be book-entry notes evidenced by one or more master notes registered in the name of The Depository Trust Company (''DTC'') or its nominee, in the form or forms annexed to OCC's agreement with the issuing and paying agent. To minimize interest rate risk,[17] the Notes would have a maturity not to exceed 180 days. The Notes would not be redeemable by OCC prior to maturity, nor would they contain any provision for extension, renewal, automatic rollover or voluntary prepayment.

2. Amendments to Rules

In order to establish the Commercial Paper Program, OCC proposes to amend certain of its frameworks and policies that have been filed as rules with the Commission in order to (1) recognize the proceeds from the Commercial Paper Program as a qualifying liquid resource, (2) ensure that OCC maintains sufficient funds to repay the Notes as they expire by incorporating the Commercial Paper Program proceeds into how OCC sizes its Clearing Fund and providing that OCC may use the Clearing Fund to repay the Notes if Commercial Paper Program proceeds are used to cover losses or liquidity shortfalls in lieu of the Clearing Fund, (3) distinguish the Commercial Paper

[11] Regulations applicable to OCC define ''qualifying liquid resources'' to include, among other things, (i) cash held either at the central bank of issue or at creditworthy commercial banks; and (ii) assets that are readily available and convertible into cash through prearranged funding arrangements, such as committed arrangements without material adverse changes provisions, including lines of credit and repurchase agreements. *See* 17 CFR 240.17ad–22(a) (''Qualifying liquid resources'').

[12] *See* 17 CFR 240.17ad–22(e)(7); 17 CFR 39.11(e).

[13] 15 U.S.C. 77d(a)(2).

[14] Pursuant to the existing TPRMF, as approved by the Commission, OCC's Management Committee will determine whether these counterparties constitute service providers for core services within the meaning of Exchange Act Rule 17Ad–25, 17 CFR 240.17ad–25, during the on-boarding stage and prior to entering into any agreement. If these counterparties are determined to be service providers for core services, then: (1) the Management Committee will evaluate and document the risks related to the agreement, including under changes to circumstances and potential disruptions, and assess whether the risks can be managed in a manner consistent with the TPRMF; and (2) the agreements establishing a relationship with these counterparties would be subject to Board approval. *See* Exchange Act Release No. 34–104099 (Sept. 26, 2025), 90 FR 47105 (Sept. 30, 2025) (SR–OCC–2025–015).

[15] OCC anticipates that the cost of sourcing liquidity through the Commercial Paper Program would be less than the cost of its existing syndicated bank credit facility and non-bank liquidity facility. OCC has provided an assessment of these costs in confidential Exhibit 3C [sic] to File No. SR–OCC–2026–801.

[16] OCC mitigates these risks under its committed facilities by executing committed arrangements without material adverse change provisions and conducting periodic test draws of its facilities.

[17] In this context, interest rate risk is the risk of dislocation between the interest OCC pays on the Notes and the interest that OCC would earn by holding the cash proceeds in its Federal Reserve bank account. Such dislocation could increase OCC's costs for maintaining the Commercial Paper Program.

Program proceeds from other types of prefunded financial resources that OCC maintains, (4) address the role played by the placement dealers and the issuing and payment agent and how OCC monitors and manages its relationships with these supporting institutions, (5) allow for OCC to maintain the proceeds in one of its Federal Reserve Bank accounts, and (6) provide for the governance to use the proceeds in the event of a Clearing Member default.

A. Qualifying Liquid Resources

OCC proposes to amend OCC's Rules and LRMF to recognize the proceeds from the Commercial Paper Program as a qualifying liquid resource under OCC's overall liquidity plan. Specifically, OCC would define the term ''Commercial Paper Program'' in Rule 101 as OCC's program to raise prefunded qualifying liquid resources through the private placement of unsecured debt to institutional investors up to an amount approved by the Board, proceeds of which OCC would use exclusively to: (i) repay maturing notes issued under the Commercial Paper Program or (ii) cover losses or liquidity shortfalls in those situations in which the Clearing Fund may be used under Rule 1006. This provision recognizes the Board's authority to set a cap on the total amount of Commercial Paper that OCC is authorized to issue. As discussed above, the Board has initially approved the Commercial Paper Program for up to $1 billion, but OCC intends to begin issuing Notes in an amount less than the total authorized amount at the outset of the program.

OCC would amend the LRMF to add the cash proceeds from the Commercial Paper Program as one of the liquidity resources that may comprise OCC's Base Liquidity Resources. The LRMF would further provide that OCC may count such proceeds as Base Liquidity Resources up to an amount approved by OCC's Board. This provision would allow the Board to establish a cap on the amount of Commercial Paper Program proceeds that may be counted towards OCC's Base Liquidity Resources to account for the staggering of maturities and the potential risk that a rollover of expiring Notes may not fund, in which case OCC may need to pivot to other sources of liquidity. For example, if the Notes were staggered into two $500 million tranches with 90-day maturities staggered by 45 days, the Board may determine that up to $500 million of the total $1 billion may be counted towards Base Liquidity Resources. OCC anticipates that the Board would initially provide that Commercial Paper Program proceeds may not exceed 5% of Base Liquidity Resources. Any Commercial Paper Program proceeds beyond the amount authorized as Base Liquidity Resources would be considered excess liquidity. Such excess would mitigate the risk that a failed rollover of expiring Notes may otherwise cause OCC's qualifying liquid resources to drop below the Cover 1 liquidity requirement. The LRMF would provide that factors the Board may consider in setting the amount of Commercial Paper Program proceeds that may be counted towards Base Liquidity Resources include, but are not limited to, OCC's current or anticipated liquidity needs, the total size of the Commercial Paper Program that the Board has authorized, the staggering of maturity dates to address rollover risk, the availability of other liquidity resources, and the size of the Clearing Fund.

OCC would further amend the LRMF to address the Commercial Paper Program in the Framework's discussion of the tools available to OCC to increase its liquidity resources in response to changing business or market conditions. Currently, those tools include: (1) OCC's authority to temporarily increase the Clearing Fund Cash Requirement; [18] (2) the uncommitted accordion feature that OCC endeavors to maintain in its syndicated bank credit facility that potentially allows OCC to borrow additional funds from its existing or new bank syndicated liquidity providers based on the willingness and ability of the syndicate members to fund the additional borrowing request; [19] and (3) OCC authority under OCC Rule 609 to issue an intraday margin call based on a Clearing Member's forecasted settlement demands, including for settlement demands arising under OCC's accord with the National Securities Clearing Corporation (''NSCC'').[20] To this list of tools, OCC would add that the Board may authorize a Commercial Paper Program that allows OCC to obtain additional liquidity up to the amount approved by the Board. Similar to the accordion feature of the syndicated bank credit facility, OCC would note that its ability to secure additional proceeds up to that approved amount is subject to the ability of the dealers to place and the willingness of institutional investors to purchase any additional Notes. The LRMF currently notes that the process of obtaining additional liquidity through the accordion feature is expected to take a period of weeks. By comparison, OCC expects it can issue new debt and receive proceeds under the Commercial Paper Program on the same day.

OCC would also amend its RWD Plan to recognize the Commercial Paper Program proceeds as a tool to address liquidity shortfalls, similar to the Clearing Fund Cash Requirement and the facilities, among other tools. The RWD Plan would be further amended to include an overview of the Commercial Paper Program that summarizes: (i) the material terms of the program, as discussed above; (ii) the Rules governing how OCC considers the Commercial Paper Program proceeds when determining the minimum size of its Clearing Fund, how OCC may use the cash proceeds as a qualifying liquid resource in the same manner in the same scenarios in which OCC is authorized to use the Clearing Fund under OCC Rule 1006(a), and how OCC may utilize its Clearing Fund to recover losses covered through the use of such proceeds, as discussed below; and (iii) the benefits of the Commercial Paper Program in terms of providing a prefunded qualifying liquid resource, as well as how OCC would manage rollover risk through the staggered issuance of Notes. OCC would also make certain conforming edits to the sections addressing OCC's management of risks including credit, custody and investment risks to reflect prior proposed rule changes concerning OCC's management of investment risk.[21] Specifically, OCC would revise the RWD Plan to reflect that under OCC Rule 1006(c) and (f), OCC may use the Clearing Fund to make good losses or liquidity shortfalls caused by the failure of an investment counterparty to perform any obligation to OCC when due with respect to the investment of Clearing Member cash margin (*e.g.,* a counterparty in which OCC has invested margin cash through overnight reverse repurchase agreements).

B. Clearing Fund

In order to ensure that OCC maintains sufficient funds to repay the Notes as they expire, even if OCC uses the proceeds from the Commercial Paper Program to meet settlement demands in the event of a Clearing Member's default, OCC would amend Rule 1001(b)

[18] *See* OCC Rule 1002(a)(i)(A).

[19] Exchange Act Release No. 88971, *supra* note 11, 85 FR at 34258 n. 6 and accompanying text.

[20] *See* Exchange Act Release No. 99735 (Mar. 14, 2024), 89 FR 19907 (Mar. 20, 2024) (SR–OCC–2023–007).

[21] *See* Exchange Act Release No. 94304 (Feb. 24, 2022), 87 FR 11776 (Mar. 2, 2022) (SR–OCC–2021–014) (approving amendments to OCC Rule 1006 to add ''investment counterparties'' with whom OCC has invested cash margin to the list of counterparties whose failure may occasion use of the Clearing Fund).

(Minimum Clearing Fund Size). Rule 1001(b) currently provides that the floor for the sizing of the Clearing Fund will be no less than 110% of the size of OCC's committed facilities plus the Clearing Fund Cash Requirement. OCC would amend Rule 1001(b) to add the proceeds from the Commercial Paper Program approved by the Board as Base Liquidity Resources to that list for purposes of calculating the minimum Clearing Fund size.[22] If OCC incurred a loss in a Clearing Member default, existing Rule 1006 authorizes OCC to charge such loss to the Clearing Fund. Accordingly, including the Commercial Paper Program proceeds authorized as Base Liquidity Resources when calculating the minimum Clearing Fund size helps ensure OCC maintains funds to cover such losses, like OCC does for its existing committed facilities. Because OCC plans to replace existing liquidity from its non-bank liquidity facility with Commercial Paper proceeds, the net effect on the calculation of the Minimum Clearing Fund Size would be zero. In any event, the Minimum Clearing Fund Size is not expected to determine the actual Clearing Fund size. Since the adoption of OCC's current Clearing Fund methodology in 2018, the Clearing Fund size has never been driven by the Minimum Clearing Fund Size.[23]

In connection with this change to Rule 1001, OCC would also amend OCC Rule 101 to define the term ''Base Liquidity Resources,'' which is not a term currently used in the OCC Rules. The Liquidity Risk Management Framework currently defines that term as ''[t]he amount of committed liquidity resources maintained at all times by OCC to meet its minimum Cover 1 liquidity resource requirements under the applicable regulations.'' To better reflect the prefunded nature of the Commercial Paper Program proceeds, as well as the Clearing Fund Cash Requirement, OCC proposes to define that term in Rule 101 as the amount of qualifying liquid resources that OCC maintains at all times to meet its regulatory requirements. OCC would make the same change to the definition of the term ''Base Liquidity Resources'' in the LRMF and in the Executive Summary, as well as reference the definition in Rule 101. OCC would also amend the monthly Clearing Fund size computation and the associated definition for ''Minimum Clearing Fund Size'' in its Clearing Fund Methodology Policy to reflect the addition of Commercial Paper Program proceeds up to the amount approved by the Board as Base Liquidity Resources in the calculation of the minimum size of the Clearing Fund. Similar changes would also be applied to the articulation of that calculation in OCC's CST Methodology Description and RWD Plan.

OCC also proposes to amend Rule 1006 (Purpose and Use of Clearing Fund) to ensure OCC's authority to use the Clearing Fund to make good losses or expenses that it suffers or provide liquidity to OCC as a result of OCC's use of the Commercial Paper Program proceeds for any of the purposes under Rule 1006. In connection with this change, OCC proposes to restate Rule 1006(a) (Conditions for Clearing Fund Use) for clarity. Specifically, OCC proposes to:

- Subdivide and renumber existing clauses (i) through (viii) into numbered paragraphs, consolidated and restated as addressed below.
- Consolidate under paragraphs (A) through (E) of proposed Rule 1006(a)(1) the conditions related to losses arising most directly from a Clearing Member default and OCC's default management currently found in existing clauses (i), (ii), (iv), (v) and (vi) of Rule 1006(a), respectively. Current clause (vii), which covers any other required payments or performance by a Clearing Member, would be addressed at the outset of proposed Rule 1006(a)(1) by noting that the Clearing Member performance obligations listed in that paragraph are without limitation.
- Consolidate the provisions related to a Clearing Fund borrowing currently found in the first and second sentences of current OCC Rule 1006(a) into OCC Rule 1006(a)(2).
- Renumber existing clause (iii)—related to Guaranty Substitution Payments—as proposed Rule 1006(a)(3). Proposed Rule 1006(a)(3) would be further amended to ensure parallel construction with the other paragraphs under Rule 1006(a) and to correct a typographical error.
- Renumber existing clause (viii)—related to the failure of any bank, securities or commodities clearing organization, or investment counterparty to perform its obligation to OCC when due—as proposed Rule 1006(a)(4). Proposed Rule 1006(a)(4) would be further amended to ensure parallel construction with the other paragraphs under Rule 1006(a), correct a grammatical error, and abbreviate a cross reference to another paragraph under Rule 1006.
- Include as Rule 1006(a)(5) the new authority related to use of the Clearing Fund with respect to the Commercial Paper Program.
- Remove unnecessary verbiage at the beginning of the last sentence of current Rule 1006(a), which would be renumbered as proposed Rule 1006(a)(6).
- Amend cross references in Rule 1006(h) to the current clauses under Rule 1006(a) to reflect the proposed paragraph structure.

C. Prefunded Financial Resources

OCC proposes to further amend the Clearing Fund Methodology Policy to exclude Commercial Paper Program proceeds from the definition of ''Pre-Funded Financial Resources,'' as that term is used in that policy. The policy uses that term when measuring financial resources against stress test scenarios for purposes of monitoring the adequacy of OCC's financial resources to satisfy its regulatory obligations to maintain financial resources sufficient to withstand a default by the two CMO Groups[24] to which it has the largest aggregate credit exposures in extreme but plausible market conditions (a ''Cover 2'' credit requirement).[25] That definition currently encompasses the margin of the defaulting Clearing Member and the Clearing Fund, less any deficits. The definition excludes certain resources, such as OCC's assessment powers (*i.e.,* Clearing Member resources that OCC can call upon, but are not pre-funded)[26] and OCC's own resources that it has committed to cover default losses

[22] Separately, OCC also proposes to remove Interpretation and Policy (''I&P'') .01 to Rule 1001. That I&P provides that the provision of Rule 1001(a) that limits the Clearing Fund size from decreasing by more than five percent from the prior month will not take effect until one month following the adoption of Rule 1001. Rule 1001 took effect on September 1, 2018, following the SEC's approval of that Rule. *See* Exchange Act Release No. 83735 (July 27, 2018), 83 FR 37855, 37856 n.6 (Aug. 2, 2018) (SR–OCC–2018–008). Accordingly, I&P .01 to Rule 1001 is no longer relevant and may be deleted.

[23] As of December 31, 2024, the Minimum Clearing Fund Size was $15.95 billion. However, the actual Clearing Fund size as of that date was $18.49 billion, driven by stress test scenarios (''Sizing Stress Tests'') in accordance with OCC Rule 1001(a). The Clearing Fund size may not decrease by more than 5% from the prior month. Accordingly, only a sustained reduction in shortfalls over an extended period would reduce OCC's Clearing Fund to the Minimum Clearing Fund size.

[24] ''CMO Group'' refers to the legal entity that is the Clearing Member and any other affiliate entities that control, are controlled by, or under common control with the Clearing Member.

[25] *See, e.g.,* 17 CFR 17ad–22(e)(4)(ii); 17 CFR 39.33(a)(1). OCC has not been designated a covered clearing agency that is systemically important in multiple jurisdictions or involved in activities that have a more complex profile. However, OCC has voluntarily opted to adopt a Cover 2 credit requirement as a covered clearing agency and a DCO that has elected to become a subpart C DCO. *See* Exchange Act Release No. 83406 (June 11, 2018), 83 FR 28018, 28021 (June 15, 2018) (SR–OCC–2018–008).

[26] *See* OCC Rule 1006(h).

(*i.e.,* ''skin-in-the-game''),[27] which OCC does not use when sizing or monitoring the adequacy of its Clearing Fund. While the Commercial Paper Program proceeds would be prefunded and maintained in a Federal Reserve Bank account, OCC would rely on the Clearing Fund to cover any loss associated with the use of those proceeds. Accordingly, since the Clearing Fund is already included in the definition, OCC proposes to exclude the Commercial Paper Program proceeds from its definition of Pre-Funded Financial Resources (which as noted above relates to OCC's Cover 2 monitoring).

OCC also proposes to amend its Capital Management Policy to distinguish the Commercial Paper Program proceeds from OCC's liquid net assets funded by equity (''LNAFBE'').[28] The Capital Management Policy requires OCC to monitor OCC's LNAFBE for purposes of ensuring that OCC maintains sufficient funds to cover potential general business losses so that OCC can continue operations and services as a going concern if those losses materialize. However, the proceeds of the Commercial Paper Program would be used exclusively to address liquidity shortfalls arising from a Clearing Member default or other situation in which OCC may borrow or otherwise obtain funds using its Clearing Fund under OCC Rule 1006 and would not be used as working capital or to cover general business losses. Accordingly, OCC would exclude the cash proceeds of the Commercial Paper Program from the Capital Management Policy's definition of LNAFBE. This exclusion is consistent with the current exclusion of the Minimum Corporate Contribution, which is OCC cash maintained exclusively as skin-in-the-game to cover default losses or liquidity shortfalls.

D. Supporting Institutions

OCC also proposes to make certain other changes to its LRMF and TPRMF to clarify and distinguish its relationship with the dealers, agents and Noteholders under OCC's Commercial Paper Program from its existing relationship with liquidity providers under OCC's committed facilities. Specifically, those frameworks currently address OCC's exposure to liquidity providers in terms of the risk that those institutions would fail to perform their obligations to fund a draw under the contractual terms of their committed agreements with OCC. However, these risks would not be present under the Commercial Paper Program because the Commercial Paper Program proceeds would be prefunded and maintained by OCC in its Federal Reserve account, available to address losses or liquidity shortfalls without the need to draw on a committed arrangement. Accordingly, OCC would amend the LRMF and TPRMF to clarify that existing references to ''liquidity providers'' for purposes of monitoring and managing third-party risk are limited to the liquidity providers under OCC's committed facilities, not the dealers, agents or Noteholders under OCC's Commercial Paper Program. Specifically, OCC proposes to amend the LRMF and TPRMF to clarify that the definition of ''liquidity provider'' and existing provisions about the on-boarding, ongoing monitoring and off-boarding of liquidity providers, as that term is used therein or proposed to be defined, are limited to liquidity providers under OCC's committed facilities (*i.e.,* counterparties providing liquidity to OCC under a committed line of credit or committed repurchase agreement), as is OCC's current practice. Such provisions would not extend to the Commercial Paper dealers, agent or Noteholders.

Instead, OCC proposes to add a separate section to the LRMF that would describe OCC's relationship with those institutions supporting OCC's Commercial Paper Program. That section would note that OCC maintains relationships with placement dealers and an issuing and paying agent to support the Commercial Paper Program, and that the dealers' role is to effect the private placement of the Notes to the noteholders, while the issuing and paying agent acts as OCC's agent in connection with the issuance and payment of principal and interest on the Notes. The LRMF would further note that unlike OCC's relationship with liquidity providers under OCC's committed facilities, OCC is not reliant on the dealers or agent to execute a draw to meet same-day settlement obligations, as discussed above. In addition, the LRMF would provide that OCC would monitor and manage its relationship with the dealers and issuing and paying agent as ''Financial Institutions'' under the TPRMF, as that term is defined therein.

OCC would also amend the TPRMF to address how OCC monitors and manages its relationship with the dealers and issuing and paying agent. Specifically, OCC would amend the TPRMF to include the dealers and agent, and the role they play in supporting OCC's Commercial Paper Program, within the scope of Financial Institutions, which currently includes OCC's relationships with Clearing Banks, custodians, liquidity providers and investment counterparties. As such, the on-boarding and ongoing monitoring of such relationships would be subject to existing governance through OCC's Credit and Liquidity Risk Working Group (''CLRWG''), a cross-functional group comprised of representatives from relevant OCC business units including Treasury, Stress Testing and Liquidity, Collateral and Third-Party Risk Management. OCC believes that CLRWG is the appropriate internal working group for reviewing these relationships given its existing role in managing OCC's liquidity risks, resources and relationships.

E. Federal Reserve Account

OCC also proposes to amend its Rules and the Cash and Investment Management Policy to allow for the Commercial Paper Program proceeds to be held in one of its Federal Reserve Bank accounts. As part of OCC's designation as a systemically important financial market utility (''SIFMU'') by the Financial Stability Oversight Council (''FSOC'') on July 18, 2012, OCC is eligible pursuant to Section 806 of Title VIII of the Dodd-Frank Act to request the use of certain accounts and services of Federal Reserve Banks.[29] OCC has been approved by the Board of Governors of the Federal Reserve System to maintain a Federal Reserve Bank account to hold, among other things, cash deposits from its Clearing Members to satisfy margin, Clearing Fund requirements, and OCC's corporate funds.[30] However, OCC Rule 1002 and OCC Rule 604B impose certain restrictions on the manner in which OCC must hold Clearing Fund contributions and margin assets.[31]

[27] *See, e.g.,* Exchange Act Release No. 92038 (May 27, 2021), 86 FR 29861 (June 3, 2021) (SR–OCC–2021–003) (approving changes to establish a persistent minimum amount of skin-in-the-game).

[28] Currently, the Capital Management Policy defines LNAFBE as the level of cash and cash equivalents, no greater than Equity, less any approved adjustments (*e.g.,* agency-related liabilities such as Section 31 fees held by OCC and the Minimum Corporate Contribution).

[29] 12 U.S.C. 5465.

[30] *See* Federal Reserve Bank of Chicago authorization to provide accounts and services to Options Clearing Corporation and Chicago Mercantile Exchange, Inc., in accordance with the Dodd-Frank Act and Regulation HH, approved March 15, 2016 (*https://www.federalreserve.gov/releases/h2/20160319/h2.pdf*). OCC has also been approved to maintain two additional accounts to serve as customer segregated accounts as defined under Section 4d of the Commodity Exchange Act. Since these accounts are segregated margin accounts, the change discussed herein does not impact these accounts.

[31] *See* OCC Rule 604B(c) (providing authority to commingle funds held by the Corporation as non-

Continued

Consistent with these requirements, OCC's Federal Reserve Bank account in which it would maintain the Commercial Paper Program proceeds currently is limited to Clearing Fund contributions and certain non-customer cash margin assets.[32]

To safeguard the prefunded cash proceeds from the Commercial Paper Program, OCC proposes to amend I&P .04 to OCC Rule 1002 and OCC Rule 604B(c)(2) to allow OCC to maintain the Commercial Paper Program proceeds in the same Federal Reserve Bank account as the Clearing Fund cash and non-customer cash margin. Like the cash Clearing Fund contributions, the Commercial Paper Program proceeds are funds that OCC would use exclusively to manage a Clearing Member default or other event for which OCC is authorized to use Clearing Fund deposits under OCC Rule 1006. In addition, OCC believes that the ability to hold the Commercial Paper Program proceeds in its Federal Reserve bank account would be consistent with Commission rules for covered clearing agencies that encourage the use of central bank services to conduct money settlements,[33] custody qualifying liquid resources,[34] and enhance management of liquidity risk.[35] Accordingly, OCC believes holding these funds together with the Clearing Fund cash in a Federal Reserve Bank account is both prudent and supported by applicable regulatory requirements. OCC intends to establish a subaccount under its master Federal Reserve Bank account to segregate the Commercial Paper Program proceeds from other funds maintained in the master account.

In connection with the above changes to OCC's Rules, OCC would also amend its Cash and Investment Management Policy. Specifically, OCC would update that policy to recognize the Commercial Paper Program proceeds would be a form of OCC cash, as opposed to Clearing Member cash. As defined in the Cash and Investment Management Policy, OCC's cash includes, among other things, working capital cash related to future operating costs, inclusive of financial resources held to meet liquidity and resiliency requirements. In contrast, Clearing Member cash is cash received from and held by OCC on behalf of its Clearing Members, including Clearing Fund cash, margin cash, cash held in liquidating settlement accounts, proceeds from OCC's liquidity facilities, and investments made with Clearing Member cash. Since the Commercial Paper Program proceeds are obtained through OCC's issuance of unsecured debt, such proceeds are a form of OCC cash. However, unlike other OCC cash, which OCC maintains at creditworthy commercial banks and may invest in Government securities through reverse repurchase agreements with investment counterparties, the policy would provide that the Commercial Paper Program proceeds would be held exclusively at a Federal Reserve Bank and would not be invested. The policy would further provide that interest earned on Commercial Paper Program proceeds held at a Federal Reserve Bank will accrue to the benefit of OCC. Such accrued interest would help to partially offset OCC's costs to issue the interest-bearing Notes.

F. Default Management

OCC also proposes to amend its Default Management Policy to provide for the governance process for using Commercial Paper Program proceeds in the event of a Clearing Member suspension, settlement bank failure, or other situation in which OCC may need to draw upon its Clearing Fund to cover losses or liquidity shortfalls. In such events, the policy provides that the Chairman, Chief Executive Officer (''CEO'') or Chief Operating Officer (''COO'') have authority under OCC Rule 1006 to authorize OCC's Treasury office within its Finance Department to draw on OCC's committed liquidity facilities or borrow cash deposits maintained in the Clearing Fund as necessary. In actuality, OCC Rule 1006(f)(2)(A)(iii) currently provides that OCC may use funds it takes possession of under Rule 1006(f) to borrow or otherwise obtain funds through any means determined to be reasonable at the discretion of the Chairman, CEO or COO. OCC's Office of the Chief Executive Officer (''OCEO''), currently comprised of the CEO and COO, has already determined that drawing on an existing committed liquidity facility or borrowing Clearing Fund cash deposits are reasonable means to borrow or otherwise obtain funds under Rule 1006 in such events. The Default Management Policy would be amended to note this determination, in place of the current statement about what OCC Rule 1006 authorizes.

With respect to approving a particular borrowing or draw, OCC would further amend the Default Management Policy to provide that the OCEO, OCC's Chief Financial Risk Officer (''CFRO''), Chief Risk Officer (''CRO''), or their delegates may authorize OCC's Treasury, a business unit within the Finance Department, to initiate a draw from OCC's committed facilities or borrow cash deposits maintained in the Clearing Fund to meet settlement obligations. OCC believes that expanding the universe of the senior managers or their delegates who are authorized to approve such measures is prudent to mitigate the operational risk that one or more of those individuals would not be available to approve such a time-sensitive request. If those individuals were unavailable to approve the request, OCC may not be able to obtain the funds in a timely enough manner and may need to extend settlement obligations under OCC Rule 505. In addition, OCC would amend the Default Management policy to provide that the same individuals would have the authority to approve the use of Commercial Paper Program proceeds in such situations. The Default Management Policy would further provide that any other means of borrowing or otherwise obtaining funds requires approval from the Chairman, CEO or COO, consistent with the determination required under OCC Rule 1006(f).

(1) Administrative Changes

OCC also proposes to make certain non-substantive changes and corrections to its rules for clarity, including:

- OCC would add titles (*i.e.,* ''Clearing Fund Cash Requirement,'' ''Commercial Paper Program'' and ''Committed Facilities'') to the descriptions in a list of qualifying liquid resources that count as Base Liquidity Resources in the LRMF.
- OCC would correct a cross-reference to the definition of the term ''qualifying liquid resources'' in the LRMF to conform with amendments to the Covered Clearing Agency Standards that removed the numbering of definitions under Exchange Act Rule 240.17Ad–22(a).[36]
- Where the LRMF, TPRMF or Cash and Investment Management Policy define terms at an earlier point in the document, OCC would carry those

customer margin assets in a Federal Reserve bank account with cash Clearing Fund contributions); OCC Rule 1002, I&P .04 (providing authority to commingle cash Clearing Fund contributions in a Federal Reserve bank account with non-customer margin assets).

[32] *See* Exchange Act Release No. 90100 (Oct. 6, 2020), 85 FR 64603 (Oct. 13, 2020) (SR–OCC–2020–010) (approving proposed rule changes to allow OCC to commingle certain non-customer margin assets with Clearing Fund contributions in OCC's Federal Reserve bank account).

[33] 17 CFR 240.17ad–22(e)(9).

[34] 17 CFR 240.17ad–22(a) (''Qualifying liquid resources'').

[35] 17 CFR 240.17ad–22(e)(7)(iii).

[36] *See* Exchange Act Release No. 99149 (Dec. 13, 2023), 89 FR 2714, 2829 (S7–23–22).

defined terms through the remainder of the document, as appropriate.

• Consistent with respect to other policies and frameworks,[37] OCC would remove the version number from the Cash and Investment Management Policy. Such version numbers do not constitute a rule and are instead reflected in an internal system of record that OCC uses to manage its policy governance.

Anticipated Effect on and Management of Risk

As a covered clearing agency and DCO, OCC's ability to meet settlement demands in the event of a Clearing Member default, or the failure of another participant to meet its obligations to OCC, is critical to the markets that OCC serves. OCC believes that the overall effect of the Commercial Paper Program on the risk profile at OCC would be to reduce liquidity risk associated with OCC's function as a covered clearing agency and DCO by providing it with an additional liquidity resource to meet same-day settlement demands in the event of a Clearing Member default or other scenario in which OCC may access its Clearing Fund under OCC Rule 1006. In addition, the Commercial Paper Program has a mix of benefits when compared with OCC's other liquidity resources. Like the Clearing Fund Cash Requirement, the Commercial Paper Program would be a prefunded source of liquidity, thus avoiding the operational risk of drawing on a committed facility when necessary to meet same-day settlement obligations. Also like the Clearing Fund Cash Requirement, OCC expects that the Commercial Paper Program would allow OCC to source new liquidity quickly and efficiently. However, unlike calling for additional cash from Clearing Members by increasing the Clearing Fund Cash Requirement, the Commercial Paper Program would not impose opportunity costs [38] on its Clearing Members. In addition, like OCC's non-bank liquidity facility, the Commercial Paper Program would not increase the concentration of OCC's credit risk to its participants. That is, by maintaining Commercial Paper Program proceeds as prefunded financial resources at a Federal Reserve Bank, OCC's liquidity sources would rely less on committed funding arrangements from financial institutions to which OCC faces credit risk through other relationships, including as Clearing Members, settlement banks, custodians or investment counterparties. As such, OCC believes that the addition of the Commercial Paper Program would strengthen OCC's liquidity risk management as part of a diverse set of liquidity sources.

The Commercial Paper Program, like any liquidity resource, would involve certain risks, most of which are standard in any commercial paper program. OCC has structured the proposed Commercial Paper Program to address: (1) repayment risk, (2) rollover risk, (3) interest rate risk, and (4) custody risk.

(1) Repayment Risk

In this context, repayment risk is the risk that OCC would not have access to sufficient financial resources to repay the face value of the issued Notes upon maturity. OCC believes that this risk is extremely remote because the proceeds of the Commercial Paper Program would be used only in the event of a Clearing Member default or other scenario in which the Clearing Fund may be charged under OCC Rule 1006. In the event of a Clearing Member default, OCC would replace the cash, as it would for any liquidity resource it utilized, with eligible proceeds from the liquidation of the defaulting Clearing Member's portfolio. OCC proposes to structure the Commercial Paper Program to mitigate repayment risk by providing authority under its Rules to charge or borrow from the Clearing Fund to obtain resources to pay the Notes upon maturity if OCC used the Commercial Paper Program proceeds to meet settlement demands. In addition, OCC proposes to amend its rules to include the Commercial Paper Program proceeds when calculating the minimum size of the Clearing Fund. Furthermore, as discussed above, the staggering of maturities would eliminate the risk that the Notes become due at one time. OCC believes that these measures ensure that OCC will have access to financial resources to repay the Commercial Paper Proceeds upon the maturity of the Notes.

(2) Rollover Risk

At the maturity of any Note, OCC would look to fund a new Note, *i.e.,* ''rollover'' the Note. Rollover risk is the risk that a rollover of expiring Notes may not fund, leaving OCC without the liquidity provided by those Notes upon their expiration. As discussed above, OCC proposes to structure the Commercial Paper Program to manage rollover risk by staggering the maturities of the Notes it issues, thereby reducing a concentration in expiring Notes. The proposed rules would also allow the Board to cap the amount of Commercial Paper Program proceeds that could be counted towards OCC's Base Liquidity Resources. Such a cap would further mitigate the risk that a failure to rollover expiring Notes would reduce OCC's qualifying liquid resources below its Cover 1 liquidity requirement. In addition, OCC would mitigate this risk by maintaining a diverse set of other liquidity sources, including the Clearing Fund Cash Requirement and the committed facilities, thereby reducing the risk that OCC would be dependent on any one liquidity source.

(3) Interest Rate Risk

Interest rate risk is the risk that the interest rate that OCC would pay on the interest-bearing Notes may become dislocated from the interest rate that OCC earns by holding the Commercial Paper Program proceeds at the Federal Reserve. Such dislocation could increase OCC's costs for maintaining the Commercial Paper Program. OCC proposes to address such interest rate risk by limiting the duration of the Notes it issues to no more than 180 days. OCC's current plan is to begin issuing Notes with maturities of 90 days. Based on an analysis of 90-day commercial paper rates compared to the Interest Rate on Reserve Balances (''IORB'') and the Interest Rate on Required Reserves (''IORR'') over the last fifteen years, OCC believes that the impact of issuing the Notes on OCC's own financials would be minimal.[39]

(4) Custody Risk

In this context, custody risk is the risk associated with safeguarding OCC's qualifying liquid resources and ensuring that OCC has prompt access to those resources to satisfy settlement demands on a same-day basis if needed. OCC proposes to structure the Commercial Paper Program to mitigate such custody risk by holding the Commercial Paper Program proceeds in one of its Federal Reserve Bank accounts. As part of the U.S. central banking system, the Federal Reserve Bank of Chicago, where OCC maintains its accounts, is among the safest and most sound depository institutions in the world. Accordingly, OCC believes that maintaining the Commercial Paper Program proceeds in its Federal Reserve bank account along with other qualifying liquid resources would appropriately safeguard those assets and minimize the risk of OCC's loss or delay in access to them. In

[37] *See* Exchange Act Release No. 93436 (Oct. 27, 2021), 86 FR 60499, 60501 (Nov. 2, 2021) (SR–OCC–2021–010).

[38] In this context, ''opportunity costs'' refers to Clearing Members' loss of potential gain when required to deposit cash with OCC rather than deploying their capital in some other way.

[39] *See* Exhibit 3C [sic] to File No. SR–OCC–2026–801, *supra* note 18 (presenting OCC's analysis).

addition, OCC would maintain the proceeds in cash and would not invest the proceeds in Government securities through overnight reverse-repurchase agreements, as it periodically invests its working capital and other permitted cash. Holding the proceeds in cash helps ensure that they will be available to meet settlement demands on a same-day basis, if needed.

Consistency With the Clearing Supervision Act

The stated purpose of the Clearing Supervision Act is to mitigate systemic risk in the financial system and promote financial stability by, among other things, promoting uniform risk management standards for SIFMUs and strengthening the liquidity of SIFMUs.[40] Section 805(a)(2) of the Clearing Supervision Act [41] also authorizes the Commission to prescribe risk management standards for the payment, clearing and settlement activities of designated clearing entities, like OCC, for which the Commission is the supervisory agency. Section 805(b) of the Clearing Supervision Act [42] states that the objectives and principles for risk management standards prescribed under Section 805(a) shall be to:

- promote robust risk management;
- promote safety and soundness;
- reduce systemic risks; and
- support the stability of the broader financial system.

The Commission has adopted risk management standards in furtherance of these objectives and principles.[43] Specifically, Rule 17ad–22(e) requires covered clearing agencies, like OCC, to establish, implement, maintain, and enforce written policies and procedures that are reasonably designed to meet certain minimum requirements for their operations and risk management practices on an ongoing basis.[44] Therefore, the Commission has stated [45] that it believes it is appropriate to review changes proposed in advance notices against Rule 17Ad–22 [46] and the objectives and principles of these risk management standards as described in Section 805(b) of the Clearing Supervision Act.[47]

OCC believes that the proposed changes are consistent with Section 805(b) of the Clearing Supervision Act [48] because the Commercial Paper Program would provide OCC with access to an additional source of prefunded qualifying liquid resources within its risk management toolbox to manage financial obligations more efficiently and effectively. As described above, the Commercial Paper Program would be structured to mitigate the risks that arise in connection with commercial paper programs, including repayment risk, rollover risk, interest rate risk, and custody risk, thereby promoting robust risk management consistent with Section 805(b)(1).[49] For example, OCC would mitigate custody risk by safekeeping the Commercial Paper Proceeds in its Federal Reserve Bank account, thereby promoting safety and soundness consistent with Section 805(b)(2).[50] In addition, the proceeds of the Commercial Paper Program would be available for OCC to meet settlement obligations in the event of a Clearing Member default, or such other scenarios in which OCC is permitted to use its Clearing Fund under OCC Rule 1006. Maintaining access to sufficient qualifying liquid resources mitigates the risk that OCC would exercise its authority to extend settlement obligations, which could have downstream impacts on its participants and the markets OCC serves, including the potential impact OCC's failure to make settlement could have on the ability of other market participants to meet their own financial obligations. As FSOC concluded when it designated OCC as a SIFMU under Title VIII of the Dodd-Frank Act,[51] ''a failure of or a disruption to OCC could increase the risk of significant liquidity or credit problems spreading among financial institutions or markets and thereby threaten the stability of the financial system of the United States.'' [52] OCC believes that by helping ensure that OCC has sufficient qualifying liquid resources to meet its liquidity demands, the proposed changes are consistent with paragraphs (3) and (4) of Section 805(b) [53] by mitigating systemic risk that could threaten the stability of the broader financial system. In these ways, the proposed changes are designed to promote robust risk management, promote safety and soundness, reduce systemic risks, and support the stability of the broader financial system.

Exchange Act Rule 17Ad–22(e)(7)(i) requires that OCC establish, implement, maintain and enforce written policies and procedures reasonably designed to maintain sufficient liquid resources at the minimum in all relevant currencies to effect same-day and, where appropriate, intraday and multiday settlement of payment obligations with a high degree of confidence under a wide range of foreseeable stress scenarios that includes, but is not limited to, the default of the participant family that would generate the largest aggregate payment obligation for the covered clearing agency in extreme but plausible market conditions.[54] As described above, the proposed change would allow OCC to establish its Commercial Paper Program, which would in turn help provide OCC with a prefunded qualifying liquid resource that would enable it to continue to meet its obligations in a timely manner and address OCC's liquidity demands under stressed or volatile market conditions. Accordingly, OCC believes that the proposed changes are consistent with Exchange Act Rule 17Ad–22(e)(7)(i).[55]

Exchange Act Rule 17Ad–22(e)(7) [56] also promotes the use of central bank services by a covered clearing agency to conduct money settlements. Specifically, Exchange Act Rule 17Ad–22(e)(7)(ii) requires OCC to establish, implement, maintain and enforce written policies and procedures reasonably designed to hold qualifying liquid resources sufficient to satisfy its Cover 1 liquidity requirement in the currency for which OCC has payment obligations owed to Clearing Members.[57] Exchange Act Rule 17Ad–22(a) defines ''qualifying liquid resources'' to include, among other things, cash held at the central bank of issue.[58] In addition, Exchange Act Rule 17Ad–22(e)(7)(iii) requires OCC to establish, implement, maintain and enforce written policies and procedures reasonably designed to use its access to accounts and services at a Federal Reserve Bank when available and where determined to be practical by OCC's Board to enhance its management of liquidity risk.[59] OCC proposes to maintain the proceeds of the Commercial Paper Program in U.S. dollars, the currency in which OCC

[40] 12 U.S.C. 5461(b).

[41] 12 U.S.C. 5464(a)(2).

[42] 12 U.S.C. 5464(b).

[43] *See* 17 CFR 240.17ad–22.

[44] 17 CFR 240.17ad–22(e).

[45] *See, e.g.,* Exchange Act Release No. 99731 (Mar. 13, 2024), 89 FR 19629, 19632–33 (Mar. 10, 2024) (SR–OCC–2023–801).

[46] 17 CFR 240.17ad–22.

[47] 12 U.S.C. 5464(b).

[48] 12 U.S.C. 5464(b).

[49] 12 U.S.C. 5464(b)(1).

[50] 12 U.S.C. 5464(b)(2).

[51] 12 U.S.C. 5463.

[52] FSOC Annual Report (2012), Appendix A at 187, *available at https://home.treasury.gov/system/files/261/2012-Appendix-A-Designation-of-Systemically-Important-Market-Utilities.pdf.*

[53] 12 U.S.C. 5464(b)(3)–(4).

[54] 17 CFR 240.17ad–22(e)(7)(i).

[55] *Id.*

[56] 17 CFR 240.17ad–22(e)(7).

[57] 17 CFR 240.17ad–22(e)(7)(ii).

[58] 17 CFR 240.17ad–22(a) (''Qualifying liquid resources'').

[59] 17 CFR 240.17ad–22(e)(7)(iii).

conducts its settlements, held in a Federal Reserve Bank account along with other qualifying liquid resources. Accordingly, OCC believes that the proposal is consistent with Exchange Act Rules 17Ad–22(e)(7)(ii) and (iii).[60]

Exchange Act Rule 17Ad–22(e)(16) requires OCC to establish, implement, maintain, and enforce written policies and procedures reasonably designed to safeguard its own and its participants' assets, minimize the risk of loss and delay in access to these assets, and invest such assets in instruments with minimal credit, market, and liquidity risks.[61] In adopting Exchange Rule 17Ad–22(e)(16),[62] the Commission stated that in satisfying the requirements a covered clearing agency should consider, among other things: (i) whether it holds its own and its participants' assets at supervised and regulated entities that have robust accounting practices, safekeeping procedures, and internal controls that fully protect these assets; (ii) whether it has prompt access to its assets and the assets provided by participants, when required; and (iii) whether it evaluates and understands its exposures to its custodian banks, taking into account the full scope of its relationships with each.[63] As discussed above, OCC believes that the proposed changes are consistent with these considerations by requiring OCC to hold the Commercial Paper Program proceeds as qualifying liquid resources in one of its Federal Reserve Bank accounts, thereby mitigating the custody risk of maintaining such assets.

For the foregoing reasons, OCC believes that the proposed changes are consistent with Section 805(b)(1) of the Clearing Supervision Act[64] and Rules 17Ad–22(e)(7) and (e)(16) under the Exchange Act.[65]

III. Date of Effectiveness of the Advance Notice and Timing for Commission Action

The proposed change may be implemented if the Commission does not object to the proposed change within 60 days of the later of (i) the date that the proposed change was filed with the Commission or (ii) the date that any additional information requested by the Commission is received. The clearing agency shall not implement the proposed change if the Commission has any objection to the proposed change.

The Commission may extend period for review by an additional 60 days if the proposed change raises novel or complex issues, subject to the Commission or the Board of Governors of the Federal Reserve System providing the clearing agency with prompt written notice of the extension. A proposed change may be implemented in less than 60 days from the date the advance notice is filed, or the date further information requested by the Commission is received, if the Commission notifies the clearing agency in writing that it does not object to the proposed change and authorizes the clearing agency to implement the proposed change on an earlier date, subject to any conditions imposed by the Commission. The clearing agency shall post notice on its website of proposed changes that are implemented.

The proposal shall not take effect until all regulatory actions required with respect to the proposal are completed.

IV. Solicitation of Comments

Interested persons are invited to submit written data, views and arguments concerning the foregoing, including whether the advance notice 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-regulations/self-regulatory-organization-rulemaking*); or
- Send an email to *rule-comments@sec.gov.* Please include file number SR–OCC–2026–801 on the subject line.

Paper Comments

- Send paper comments in triplicate to Secretary, Securities and Exchange Commission, 100 F Street NE, Washington, DC 20549.

All submissions should refer to file number SR–OCC–2026–801. 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 of submission. The Commission will post all comments on the Commission's internet website (*https://www.sec.gov/rules-regulations/self-regulatory-organization-rulemaking*). Copies of this filing will be available for inspection and copying at the principal office of OCC and on OCC's website at *https://www.theocc.com/Company-Information/Documents-and-Archives/By-Laws-and-Rules.*

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–OCC–2026–801 and should be submitted on or before June 29, 2026.

For the Commission, by the Division of Trading and Markets, pursuant to delegated authority.[66]

Sherry R. Haywood,

Assistant Secretary.

[FR Doc. 2026–11378 Filed 6–5–26; 8:45 am]

BILLING CODE 8011–01–P

[60] 17 CFR 240.17ad–22(e)(7)(ii), (iii).

[61] 17 CFR 240.17ad–22(e)(16).

[62] *Id.*

[63] *See* Exchange Act Release No. 34–78961, 81 FR at 70786 at 70837 (Oct. 13, 2016).

[64] 12 U.S.C. 5464(b)(1).

[65] 17 CFR 240.17ad–22(e)(7), (16).

[66] 17 CFR 200.30–3(a)(12).

SECURITIES AND EXCHANGE COMMISSION

[Release No. 34–105607; File No. SR–CME–2026–001]

Self-Regulatory Organizations; Chicago Mercantile Exchange Inc.; Notice of Filing of a Proposed Rule Change Relating to Amendments to Chicago Mercantile Exchange Inc.'s Rules Governing Performance Bond Requirements: Account Holder Level

June 3, 2026.

Pursuant to Section 19(b)(1) of the Securities Exchange Act of 1934 (the ''Act'')[1] and Rule 19b–4 thereunder,[2] notice is hereby given that on June 1, 2026, Chicago Mercantile Exchange Inc. (''CME'' or ''Exchange'') filed with the Securities and Exchange Commission (''SEC'' or ''Commission'') the proposed rule change described in Items I, II, and III below, which Items have been substantially prepared by CME. CME filed the proposed rule change pursuant to Section 19(b)(2) of the Act.[3] The Commission is publishing this notice to solicit comments on the proposed rule change from interested persons.

I. CME's Statement of the Terms and Substance of the Proposed Rule Change

CME's proposed rule change is filed as Exhibit 5 to this filing and consists of additions to Rule 930 in Chapter 9 of the CME Rulebook relating to customer performance bond requirements for security futures contracts that CME intends to list for trading. Each addition is described in more detail below.

[1] 15 U.S.C. 78s(b)(1).

[2] 17 CFR 240.19b–4.

[3] 15 U.S.C. 78s(b)(3)(A).

II. CME's Statement of the Purpose of, and Statutory Basis for the Proposed Rule Change

In its filing with the Commission, CME 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. CME has prepared summaries, set forth in Sections A, B, and C below, of the most significant aspects of such statements.

A. CME's Statement of the Purpose of, and Statutory Basis for the Proposed Rule Change

1. Purpose

Background

CME is registered with the Commodity Futures Trading Commission (''CFTC'') as a designated contract market (''DCM'') and a derivatives clearing organization under the Commodity Exchange Act (''CEA''). On April 10, 2026, CME, in its capacity as a DCM, submitted a 1–N notice filing to the Securities and Exchange Commission (''SEC'' or ''Commission'') to register as a national securities exchange for security futures products pursuant to the notice registration provisions of Section 6(g) of the Securities Exchange Act of 1934, as amended (''Act'' or ''Exchange Act'').[4] On April 29, 2026, the Commission issued a notice acknowledging receipt of such written notice and effectiveness of CME's notice registration as a national securities exchange contemporaneously with CME's submission of the 1–N notice on April 10, 2026.[5]

CME was previously registered with the SEC as a national securities exchange pursuant to the notice registration provisions of the Act and offered physically-delivered single security futures contracts pursuant to that registration and its registration as a DCM. CME ceased offering those contracts for trading in March 2011 and its former notice-registration lapsed.[6] Under its current notice-registration, CME plans to list cash-settled futures on individual equity securities for trading pursuant to listing standard rules for security futures products that it will adopt under a separate rule filing it will file in accordance with the filing procedures of Section 19(b)(7) of the Act[7] and Rule 19b–7 under the Act.[8]

CME is submitting this proposed rule change in connection with its plans to list cash-settled single stock futures, to establish customer-level margin requirements for security futures that are consistent with current Commission (and CFTC) requirements, as described in the following section.

Description of the Proposed Rule Change

CME Rule 930 (Performance Bond Requirements; Account Holder Level) sets out customer-level performance bond requirements, also known as margin requirements, for positions in futures and options on futures contracts listed for trading on CME. The proposed rule change will revise Rule 930 to add margin requirements specific to security futures products that CME may from time-to-time list for trading. Specifically, the proposed revisions to Rule 930 will establish procedures relating to the determination and administration of customer margin requirements for security futures and the applicability of those requirements, specifically excluding qualifying security futures dealers from those requirements and related regulatory requirements. The proposed additions to Rule 930 largely reinstate the margin provisions for security futures that CME previously added to Rule 930, with some modifications to align with the Commission's (and CFTC's) current margin requirements for security futures and some non-substantive clarification changes to the prior text.

Performance Bond Rates. Proposed Rule 930.B.2.a. provides that customer performance bond rates shall be established at levels no lower than those prescribed by SEC Rule 242.403 and CFTC Regulation 41.45 or any successor regulations. Proposed Rule 930.B.2.c. elaborates by establishing the requisite performance bond level for each long or short position in a security future at 15% of the current market value of such security futures contract, or such other requirement as may be established by the SEC and CFTC for purposes of SEC Rule 242.403(b)(1) and CFTC Regulation 41.45(b)(1).

Proposed Rule 930.B.2.d. sets out exceptions to that 15% requirement as permitted under SEC Rule 242.403(b)(2) and CFTC Regulation 41.45(b)(2), which establish that a self-regulatory authority may set the required initial or maintenance performance bond level for offsetting positions involving security futures and related positions at a level lower than the level that would apply if performance bond requirements for such positions were calculated separately based on the aforementioned 15% requirement, provided the rules establishing such lower performance bond levels meet the criteria set forth in Section 7(c)(2)(B) of the Act. That Section requires that:

(I) The margin requirements for a security future product be consistent with the margin requirements for comparable option contracts traded on any exchange registered pursuant to [Section 6(a) of the Act]; and

(II) Initial and maintenance margin levels for a security future product not be lower than the lowest level of margin, exclusive of premium, required for any comparable option contract traded on any exchange registered pursuant to [Section 6(a) of the Act], other than an option on a security future.

Proposed Rule 930.B.2.d. includes a table that sets out in detail the performance bond offsets available with respect to particular combinations of security futures and related positions. The offset strategies in the table align with those the SEC and CFTC have acknowledged are permissible, as set forth in their joint 2020 release on Customer Margin Rules Relating to Security Futures (the ''Customer Margin Release'').

Non-Customers. Proposed Rule 930.B.2.b. identifies ''exempted persons'' and ''market makers'' as non-customers for purposes of the proposed rule amendments. Those non-customers are, therefore, exempt from the application of such provisions. Exempted persons are specifically identified by reference to applicable SEC and CFTC Regulations.

Market Maker Exclusion. SEC Rule 242.400(c)(2)(v) and CFTC Regulation 41.42(c)(2)(v) permit exchanges to adopt rules containing specified requirements for security futures dealers, on the basis of which the financial relations between security futures intermediaries, on the one hand, and qualifying security futures dealers, on the other, are excluded from the customer performance bond requirements for security futures. Rules so adopted by an exchange must meet the criteria set forth in Section 7(c)(2)(B) of the Act. CME

[4] 15 U.S.C. 78f(g).

[5] Acknowledgement of Receipt of Notice of Registration as a National Securities Exchange Pursuant to Section 6(g) of the Securities Exchange Act of 1934 by Chicago Mercantile Exchange Inc. (Apr. 29, 2026) [Release No. 34–105336; File No. 10–251], *available at https://www.sec.gov/files/rules/other/2026/34-105336.pdf.*

[6] As a result of this procedural history, CME understands and acknowledges that the rules it previously adopted governing its listing and trading of any security futures products are null and void. Accordingly, this proposed rule change constitutes an initial rule filing subject to the filing requirements of Exchange Act Section 19(b)(4) [15 U.S.C. 78s(b)(2)] and SEC Rule 19b–4 [17 CFR 240.19b–4].

[7] 15 U.S.C. 78s(b)(7).

[8] 17 CFR 240.19b–7.

proposes a market maker exclusion in its proposed Rule 930.B.2.b. consistent with the requirements of those provisions. To qualify for the market maker exclusion, a person must be a member of CME and registered as a dealer with the SEC under Section 15(b) of the Act.

A proposed market maker must also hold itself out as willing to buy and sell security futures for its own account on a regular or continuous basis. The proposed market maker exclusion provides three alternative ways for a person to satisfy this requirement. Under the first alternative, the market maker must (1) provide continuous two-sided quotations throughout the trading day for all delivery months of security futures contracts representing a meaningful proportion of the total trading volume of security futures contracts on the Exchange, subject to relaxation during unusual market conditions as determined by CME (such as a fast market in either a security futures contract or a security underlying a security futures contract) at which times the market maker must use its best efforts to quote continuously and competitively; and (2) when providing quotations, quote with a maximum bid/ask spread of no more than the greater of $0.20 or 150% of the bid/ask spread in the primary market for the security underlying each security futures contract. Beginning on the 181st calendar day after the commencement of trading of security futures contracts on the Exchange, a ''meaningful proportion of the total trading volume of security futures contracts on the Exchange from time to time'' shall mean a minimum of 20% of such trading volume.

Under the second alternative, the market maker must (1) respond to at least 75% of the requests for quotation for all delivery months of security futures contracts representing a meaningful proportion of the total trading volume of security futures contracts on the Exchange, subject to relaxation during unusual market conditions as determined by the CME (such as a fast market in either a security futures contract or a security underlying a security futures contract) at which times the Market Maker must use its best efforts to quote competitively; and (2) when responding to requests for quotation, quote within five seconds with a maximum bid/ask spread of no more than the greater of $0.20 or 150% of the bid/ask spread in the primary market for the security underlying each security futures contract. As with the first alternative, beginning on the 181st calendar day after the commencement of trading of security futures contracts on the Exchange, a ''meaningful proportion of the total trading volume of security futures contracts on the Exchange from time to time'' shall mean a minimum of 20% of such trading volume.

Under the third alternative, the market maker is assigned to a group of security futures contracts listed on the Exchange that is either unlimited in nature (''Unlimited Assignment'') or is assigned to no more than 20% of the security futures contracts listed on the Exchange (''Limited Assignment''). In addition, this alternative provides that: (a) At least 75% of the market maker's total trading activity in Exchange security futures contracts is in its assigned security futures contracts, measured on a quarterly basis; (b) during at least 50% of the trading day, the market maker has bids or offers in the market that are at or near the best market, except in unusual market conditions (such as a fast market in either a security futures contract or a security underlying a security futures contract), with respect to at least 25% (in the case of an Unlimited Assignment) or at least one (in the case of a Limited Assignment) of its assigned security futures contracts; and (c) the first two requirements are satisfied on at least 90% (in the case of an Unlimited Assignment) or 80% (in the case of a Limited Assignment, or in the case of either an Unlimited or Limited Assignment but where the Exchange is listing four or fewer security futures contracts) of the trading days in each calendar quarter.

Under the proposed revisions, market makers are required to maintain books and records including trading statements and other financial records that would evidence compliance with these standards. This recordkeeping requirement includes, without limitation, such trading statements and other financial records as may be necessary specifically to verify compliance. Failure on the part of a market maker to comply with these standards may result in revocation of security futures dealer status or other sanctions provided under CME Rules.

Performance Bond Administration. Proposed Rule 930.C.2.a identifies the types of performance bonds that a security futures intermediary may accept from a customer. Consistent with SEC Rule 242.404(b) and CFTC Regulation 41.46(b), acceptable types of performance bonds are limited to: deposits of cash, margin securities (subject to specified restrictions), exempted securities, any other assets permitted under Regulation T of the Board of Governors of the Federal Reserve System to satisfy a performance bond deficiency in a securities margin account, and any combination of the foregoing. Proposed Rule 930.C.2.a. further provides that the different types of eligible performance bonds are to be valued in accordance with the applicable principles set forth in SEC Rules 242.404(c) and 242.404(e) and CFTC Regulations 41.46(c) and 41.46(e).

Proposed Rule 930.C.2.b. provides that a security futures intermediary shall not accept as performance bond from any customer securities that have been issued by that customer or an affiliate of that customer unless the intermediary files a petition with and receives permission from the Exchange for such purpose. Proposed Rule 930.C.2.c. provides that all assets deposited by a customer to meet performance bond requirements must be and remain unencumbered by third-party claims against that customer.

Proposed Rule 930.K.2. requires a security futures intermediary to take the deduction required with respect to an underfunded account in computing its net capital under applicable SEC and CFTC Regulations if the customer has failed to comply with a required performance bond call within a reasonable period of time. This requirement is consistent with SEC Rule 242.406(a) and CFTC Regulation 41.48(a). Further, Proposed Rule 930.K.2. requires the liquidation of an account where there is a liquidating deficit, in accordance with SEC Rule 242.406(b) and CFTC Regulation 41.48(b).

2. Statutory Basis

CME's proposed rule change is consistent with Section 6(h)(3)(L) of the Act in conjunction with Section 7(c)(2)(B) of the Act, in that the proposed margin requirements for a security futures product will not be lower than the lowest level of margin (excluding premium) required for a comparable option contracts traded on any registered national securities exchange. The SEC has implemented this provision in Rule 242.403(b)(1) under the Act, which as revised in 2020 under the Customer Margin Release sets the minimum margin requirements for security futures at 15% of current market value (reduced from 20%). The CME's proposed revisions to CME Rule 930 follow that 15% standard and also follow the offset strategies recognized under the Customer Margin Release. Thus, CME's proposed rule change is consistent with Exchange Act Sections 6(h)(3)(L) and 7(c)(2)(B) and the SEC's current requirements implementing those statutory provisions.

CME's proposed rule change is also consistent with Section 6(b)(5) of the Act in that it promotes competition and is designed to prevent fraudulent and manipulative acts and practices, to promote just and equitable principles of trade, and to protect investors and the public interest. The CME believes that the proposed rule change is designed to accomplish these goals by permitting members to trade security futures contracts (as permitted under the Commission's rules and regulations) and by establishing the margin requirements to be not lower than the requirements under SEC and CFTC regulations.

B. CME's Statement on Burden on Competition

CME 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, because it will apply generally to market participants that will trade security futures that CME lists for trading and will not discriminate between market participants.

C. CME's Statement on Comments on the Proposed Rule Change Received From Members, Participants, or Others

The Exchange has not solicited, and does not intend to solicit, comments on this 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 self-regulatory organization consents, the Commission will:

(A) by order approve or disapprove such proposed rule change, or

(B) institute proceedings to determine whether the proposed rule change should be disapproved.

IV. Solicitation of Comments

Interested persons are invited to submit written data, views, and arguments concerning the foregoing, including whether the proposed rule change is consistent with the Act. Comments may be submitted by any of the following methods:

Electronic Comments

- Use the Commission's internet comment form (*http://www.sec.gov/rules/sro.shtml*); or
- Send an email to *rule-comments@sec.gov*. Please include File Number SR–CME–2026–001 on the subject line.

Paper Comments

- Send paper comments in triplicate to Secretary, Securities and Exchange Commission, Station Place, 100 F Street, NE, Washington, DC 20549.

All submissions should refer to File Number SR–CME–2026–001. 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 (*http://www.sec.gov/rules/sro.shtml*). Copies of the filing will be available for inspection and copying at the principal office of CME. 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–CME–2026–001 and should be submitted on or before June 29, 2026.

For the Commission, by the Division of Trading and Markets, pursuant to delegated authority.[9]

Sherry R. Haywood,

Assistant Secretary.

[FR Doc. 2026–11383 Filed 6–5–26; 8:45 am]

BILLING CODE 8011–01–P

SECURITIES AND EXCHANGE COMMISSION

[OMB Control No. 3235–0690]

Agency Information Collection Activities; Proposed Collection; Comment Request; Extension: Form SF–3

Upon Written Request, Copies Available From: Securities and Exchange Commission, Office of FOIA Services, 100 F Street NE, Washington, DC 20549–2736

Notice is hereby given that, pursuant to the Paperwork Reduction Act of 1995 (44 U.S.C. 3501 *et seq.*), the Securities and Exchange Commission (''Commission'') is soliciting comments on the collection of information summarized below. The Commission plans to submit this existing collection of information to the Office of Management and Budget for extension and approval.

Form SF–3 (17 CFR 239.45) is a registration statement used by issuers of asset-backed securities to register a public shelf offering of their securities under the Securities Act of 1933 (15 U.S.C. 77a *et seq.*). The information collected is intended to ensure the adequacy of information available to investors in connection with the shelf offering of asset-backed securities. We estimate that Form SF–3 takes approximately 1,380.50 hours per response and is filed once per year by approximately 19 issuers, for an estimate of 19 total responses annually. We estimate that 25% of the 1,380.50 hours per response (345.12 hours) is carried internally by the issuer for a total annual reporting burden of 6,557 hours (345.12 hours per response × 19 responses). We estimate that 75% of the 1,380.50 hours per response (1,035.38 hours) is carried externally by outside professionals retained by the issuer at an estimated rate of $600 per hour for a total annual cost burden of $11,803,332 ((75% × 1,380.50 hours per response) × $600 per hour × 19 responses).

An agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless it displays a currently valid OMB control number.

Written comments are invited on: (a) whether this proposed collection of information is necessary for the proper performance of the functions of the agency, including whether the information will have practical utility; (b) the accuracy of the agency's estimate of the burden imposed by the collection of information; (c) ways to enhance the quality, utility, and clarity of the information collected; and (d) ways to minimize the burden of the collection of information on respondents, including through the use of automated collection techniques or other forms of information technology.

Please direct your written comments on this 60-Day Collection Notice to Austin Gerig, Director/Chief Data Officer, Securities and Exchange Commission, c/o Tanya Ruttenberg via email to *PaperworkReductionAct@sec.gov* by August 7, 2026. There will be a second opportunity to comment on this SEC request following the **Federal Register** publishing a 30-Day Submission Notice.

Dated: June 3, 2026.

Sherry R. Haywood,

Assistant Secretary.

[FR Doc. 2026–11393 Filed 6–5–26; 8:45 am]

BILLING CODE 8011–01–P

[9] 17 CFR 200.30–3(a)(12).

SECURITIES AND EXCHANGE COMMISSION

[Release No. 34–105604; File No. SR–CBOE–2026–048]

Self-Regulatory Organizations; Cboe Exchange, Inc.; Notice of Filing and Immediate Effectiveness of a Proposed Rule Change To Amend Rule 8.30 (Position Limits), Interpretation and Policy .07, To Increase the Position and Exercise Limits for Options on iShares Bitcoin Trust ETF

June 3, 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 May 20, 2026, Cboe Exchange, Inc. (''Exchange'') filed with the Securities and Exchange Commission (''Commission'') the proposed rule change as described in Items I and II below, which Items have been prepared by the Exchange. The Exchange filed the proposal as a ''non-controversial'' proposed rule change pursuant to Section 19(b)(3)(A)(iii) of the Act [3] and Rule 19b–4(f)(6) thereunder.[4] The Commission is publishing this notice to solicit comments on the proposed rule change from interested persons.

I. Self-Regulatory Organization's Statement of the Terms of Substance of the Proposed Rule Change

Cboe Exchange, Inc. (the ''Exchange'' or ''Cboe Options'') proposes to amend Rule 8.30 (Position Limits), Interpretation and Policy .07 to increase the position and exercise limits [5] for options on iShares Bitcoin Trust ETF (''IBIT''). The text of the proposed rule change is provided in Exhibit 5.

The text of the proposed rule change is also available on the Commission's website (*https://www.sec.gov/rules/sro.shtml*), the Exchange's website (*https://www.cboe.com/us/options/regulation/rule_filings/bzx/*), and at the principal office of the Exchange.

II. Self-Regulatory Organization's Statement of the Purpose of, and Statutory Basis for, the Proposed Rule Change

In its filing with the Commission, the Exchange included statements concerning the purpose of and basis for the proposed rule change and discussed any comments it received on the proposed rule change. The text of these statements may be examined at the places specified in Item IV below. The Exchange has prepared summaries, set forth in sections A, B, and C below, of the most significant aspects of such statements.

A. Self-Regulatory Organization's Statement of the Purpose of, and Statutory Basis for, the Proposed Rule Change

1. Purpose

The Exchange proposes to amend Rule 8.30 (Position Limits), Interpretation and Policy .07 to increase the position and exercise limits for options on IBIT.

IBIT is an Exchange-Traded Fund (''ETF'') that holds Bitcoin and is listed on The Nasdaq Stock Market LLC.[6] On November 22, 2024, the Securities and Exchange Commission (the ''Commission'') issued a notice of filing and immediate effectiveness of the Exchange's proposed rule change to list and trade IBIT options.[7] The position and exercise limits for IBIT options are currently set as stated in Rule 8.30, Interpretation and Policy .07 and Rule 8.42.[8]

Position limits, and exercise limits, are designed to limit the number of options contracts traded on the exchange in an underlying security that an investor, acting alone or in concert with others directly or indirectly, may control. These limits, which are described in Rule 8.30, Interpretation and Policy .07 and Rule 8.42, are intended to address potential manipulative schemes and adverse market impacts surrounding the use of options, such as disrupting the market in the security underlying the options. Position and exercise limits must balance concerns regarding mitigating potential manipulation and the cost of inhibiting potential hedging activity that could be used for legitimate economic purposes.

To achieve this balance, the Exchange proposes to increase the position and exercise limits for options on IBIT to 1,000,000 contracts by noting the proposed position limit in Rule 8.30, Interpretation and Policy .07. Additionally, pursuant to Rule 8.42, Interpretation and Policy .02, the exercise limit for options on IBIT will be equivalent to this proposed position limit. This proposed rule change is based on a proposal submitted by the Nasdaq ISE, LLC (''ISE''), which was recently approved by the Commission.[9] In considering the appropriate position and exercise limits for IBIT, the Exchange reviewed the data presented by ISE in the ISE Approval.

The position limit for options on IBIT is currently set pursuant to Rule 8.30, Interpretation and Policy .07 where the largest in capitalization and the most frequently traded stocks and ETFs have an option position limit of 250,000 contracts (with adjustments for splits, re-capitalizations, etc.) on the same side of the market; and smaller capitalization stocks and ETFs have position limits of 200,000, 75,000, 50,000 or 25,000 contracts (with adjustments for splits, recapitalizations, etc.) on the same side of the market. The Exchange notes that the proposed position and exercise limits for options on IBIT are consistent with existing position limits and exercise limits for options on iShares MSCI Emerging Markets, iShares China Large-Cap ETF and iShares MSCI EAFE ETF.

Composition and Growth Analysis for Underlying ETFs

As stated above, position (and exercise) limits are intended to prevent the establishment of options positions that can be used or might create incentives to manipulate the underlying market so as to benefit options positions. The Commission has recognized that these limits are designed to minimize the potential for mini-manipulations and for corners or squeezes of the underlying market, as well as serve to reduce the possibility for disruption of the options market itself, especially in illiquid classes.[10]

Per the Commission, ''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

[1] 15 U.S.C. 78s(b)(1).

[2] 17 CFR 240.19b–4.

[3] 15 U.S.C. 78s(b)(3)(A)(iii).

[4] 17 CFR 240.19b–4(f)(6).

[5] Pursuant to Rule 8.42, Interpretation and Policy .02, the exercise limit for options on IBIT will be equivalent to this proposed position limit.

[6] Nasdaq received approval to list and trade Bitcoin-Based Commodity-Based Trust Shares in IBIT pursuant to Rule 5711(d) of Nasdaq. See Securities Exchange Act Release No. 99306 (January 10, 2024), 89 FR 3008 (January 17, 2024) (SR–NASDAQ–2023–016) (Order Granting Accelerated Approval of Proposed Rule Changes, as Modified by Amendments Thereto, To List and Trade Bitcoin-Based Commodity-Based Trust Shares and Trust Units). IBIT started trading on January 11, 2024.

[7] *See* Securities Exchange Act Release No. 101711 (November 22, 2024), 89 FR 94846 (November 29, 2024) (SR–CBOE–2025–051) (''IBIT Approval Order''). Cboe began trading IBIT options on November 19, 2024.

[8] IBIT currently has a position limit of 250,000 contracts

[9] *See* Securities Exchange Act Release No. 105317 (April 27, 2026), 91 FR 23333 (April 30, 2026) (SR–ISE–2025–26) (''ISE Approval'').

[10] *See* Securities Exchange Act Release No. 67672 (August 15, 2012), 77 FR 50750 (August 22, 2012) (SR–NYSEAmex–2012–29).

benefit the options positions.'' [11] For this reason, the Commission requires 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.'' [12] The Exchange believes the current position limit and exercise limit of 250,000 contracts (the highest position limit available pursuant to Rule 8.30, Interpretation and Policy .07 (and exercise limit pursuant to Rule 8.42) will impede trading activity and strategies of investors, such as use of effective hedging vehicles or income generating strategies (*e.g.,* buy-write or put-write), and the ability of Market-Makers to make liquid markets with tighter spreads in IBIT options.

The Exchange believes that increasing the position limit (and exercise limit) for options on IBIT to 1,000,000 contracts would enable liquidity providers to provide additional liquidity to the Exchange, as well as other options exchange on which they participate. As described in further detail below, the Exchange believes that the continuously increasing market capitalization of IBIT options, as well as the highly liquid markets for those securities, reduces the concerns for potential market manipulation and/or disruption in the underlying markets upon increasing position limits, while the rising demand for trading options on IBIT for legitimate economic purposes compels an increase in position limits (and corresponding exercise limits).

IBIT currently qualifies for a 250,000 contract position limit pursuant to the criteria in Rule 8.30, Interpretation and Policy .07, which requires that, for the most recent six-month period, trading volume for the underlying security be at least 100 million shares.[13] As of February 11, 2026, the market capitalization for IBIT was 52,661,063,818 [14] with an average daily volume (''ADV'') for the preceding 6 months prior to February 11, 2026 of 61,803,035 shares. By comparison on the same day, the iShares MSCI Emerging Markets (''EEM'') had an ADV of 29,459,889 shares and an AUM of 27,761,941,292, the iShares China Large-Cap ETF (''FXI'') had an ADV 31,656,532 and an AUM of 6,594,337,253, and the iShares MSCI EAFE ETF (''EFA'') had an ADV of 17,215,037 shares and an AUM of 76,788,457,200.[15]

In addition to IBIT's Rule 8.30, Interpretation and Policy .07 eligibility for 1,000,000 contracts, the Exchange reviewed the data presented by ISE in the ISE Approval. First, ISE considered IBIT's market capitalization and ADV, and prospective position limit in relation to other securities. In measuring IBIT against other securities, ISE aggregated market capitalization and volume data for securities that have defined position limits utilizing data from The Options Clearing Corporations (''OCC'').[16] This pool of data took into consideration 3,797 options on single stock securities, excluding broad based ETFs.[17] Next, the data was aggregated based on market capitalization and ADV and grouped by option symbol and position limit utilizing statistical thresholds for ADV, based on 180 days, and market capitalization that were one standard deviation [18] above the mean for each position limit category (*i.e.* 25,000, 50,000 to 52,000, 75,000, 200,000, 250,000 to 375,000, 450,000 to 650,000, 750,000 to 1,250,000 and, and greater than or equal to 2,000,000).[19] This exercise was performed to demonstrate IBIT's position limit relative to other options symbols in terms of market capitalization and ADV. For reference, the market capitalization for IBIT was $52,661,063,818 [20] with an ADV, for the preceding 180 days prior to February 11, 2026, of 61,803,035 shares.

Based on ISE's data analysis, if IBIT were compared to the 10 stocks that have position limits of 750,000 contracts to 1.25 million contracts it would rank in the 45th percentile for market capitalization and the 89th percentile for ADV.

ISE also analyzed the position limits for IBIT by regressing the median elements from each bucket of market capitalization and 180-day ADV of all non-ETF equities, against their respective position limit figures. From this regression, ISE was able to determine the implied coefficients to create a formulaic method for determining an appropriate position limit.[21] ISE utilized a linear model approach which incorporated the median metric from each bucket given the data at both the lower end of each position limit bucket and the higher end of each position limit bucket could be considered significant outliers, thereby skewing the results. The Exchange reviewed ISE's analysis which set forth various linear models utilizing market capitalization and ADV as well as a two-factor model to determine the appropriate coefficients when both metrics are incorporated into the same model.[22]

ISE's analysis utilized IBIT's market capitalization of 52,661,063,818 to arrive at a modeled position limit of 1,707,654, and utilized IBIT's ADV of 61,803,035 to arrive at a modeled position limit of 5,672,081. Based on the aforementioned analysis, the Exchange believes that the proposed 1,000,000 contracts position and exercise limit is appropriate. Finally, ISE's analysis illustrated the results when constructing a two-factor model employing both metrics (180-day ADV and market capitalization); the result is a modeled position limit of 4,952,107.[23]

Second, ISE reviewed IBIT's data relative to the market capitalization of the entire Bitcoin market in terms of exercise risk and availability of deliverables. As set forth in the ISE

[11] *See* Securities Exchange Act Release No. 101128 (September 20, 2024), 89 FR 78942 (September 26, 2024) (SR–ISE–2024–03) (Notice of Filing of Amendment Nos. 4 and 5 and Order Granting Accelerated Approval of a Proposed Rule Change, as Modified by Amendment Nos. 1, 4, and 5, To Permit the Listing and Trading of Options on the iShares Bitcoin Trust) (''ISE IBIT Approval Order'').

[12] *See id.*

[13] Rule 8.30, Interpretation and Policy .02(e) provides that to be eligible for the 250,000 contract limit, either the most recent six (6) month trading volume of the underlying security must have totaled at least 100 million shares or the most recent six-month trading volume of the underlying security must have totaled at least seventy-five (75) million shares and the underlying security must have at least 300 million shares currently outstanding.

[14] The market capitalization was determined by multiplying a Net Asset Value of $38.29 by the number of shares outstanding 1,337,920,000. This figure was acquired as of February 11, 2026. *See https://www.ishares.com/us/products/333011/ishares-Bitcoin-trust-etf.*

[15] These figures are from February 11, 2026.

[16] These computations were based on OCC data from February 11, 2026. ISE represented data displaying zero values in market capitalization or ADV were removed.

[17] IBIT has one asset and therefore is not comparable to a broad-based ETF where there are typically multiple components.

[18] The standard deviation added limited utility to the analysis given the heavily skewed distribution of market capitalizations in the single stock securities.

[19] These buckets were based on OCC's current positions limits. See *https://www.theocc.com/marketdata/market-data-reports/series-and-trading-data/position-limits.* Rule 8.30, Interpretation and Policy .02 sets out position limits for various contracts. For example, a 25,000 contract limit applies to those options having an underlying security that does not meet the requirements for a higher options contract limit. The Exchange notes that position limits may also be higher due to corporate actions in the underlying equities, such as a stock split.

[20] Net Asset Value of $38.29 by the number of shares outstanding 1,337,920,000 This figure was acquired as of February 11, 2026. See *https://www.ishares.com/us/products/333011/ishares-Bitcoin-trust-etf.*

[21] ISE utilized Excel's Data Analysis Package to model the position limit.

[22] *See id.*

[23] *See id.*

Approval, as of February 11, 2026, there were approximately 20.5 million Bitcoins in circulation.[24] At a price of $66,938,[25] that equates to a market capitalization of greater than $1.374 trillion US. If a position limit of 1,000,000 contracts were considered, the exercisable risk would represent 7.474%[26] of the outstanding shares outstanding of IBIT. Since IBIT has a creation and redemption process managed through the issuer, the position limit can be compared to the total market capitalization of the entire Bitcoin market and in that case, the exercisable risk for options on IBIT would represent 0.278% of all Bitcoin outstanding.[27] Assuming a scenario where all options on IBIT shares were exercised given the proposed 1,000,000-contract position limit (and exercise limit), this would have a virtually unnoticed impact on the entire Bitcoin market. This analysis demonstrates that the proposed 1,000,000 per same side position and exercise limit is appropriate for options on IBIT given its liquidity.

Third, ISE reviewed the proposed position limit by comparing it to position limits for derivative products regulated by the Commodity Futures Trading Commission (''CFTC''). While the CFTC, through the relevant Designated Contract Markets, only regulates options positions based upon delta equivalents (creating a less stringent standard), ISE examined equivalent bitcoin futures position limits. In particular, ISE looked to the CME bitcoin futures contract [28] that has a position limit of 2,000 futures.[29] On February 11, 2026, CME bitcoin futures settled at $67,71570,406.33.[30] On February 11, 2026, IBIT settled at $38.29, which would equate to greater than 17,684,774 shares of IBIT if the CME notional position limit was utilized. Since substantial portions of any distributed options portfolio is likely to be out of the money on expiration, an options position limit equivalent to the CME position limit for bitcoin futures (considering that all options deltas are <=1.00) should be a bit higher than the CME implied 176,848 limit. Of note, unlike options contracts, CME position limits are calculated on a net futures-equivalent basis by contract and include contracts that aggregate into one or more base contracts according to an aggregation ratio(s).[31] Therefore, if a portfolio includes positions in options on futures, CME would aggregate those positions into the underlying futures contracts in accordance with a table published by CME on a delta equivalent value for the relevant spot month, subsequent spot month, single month and all month position limits.[32] If a position exceeds position limits because of an option assignment, CME permits market participants to liquidate the excess position within one business day without being considered in violation of its rules. Additionally, if at the close of trading, a position that includes options exceeds position limits for futures contracts, when evaluated using the delta factors as of that day's close of trading, but does not exceed the limits when evaluated using the previous day's delta factors, then the position shall not constitute a position limit violation. Based on the aforementioned analysis, the Exchange believes that the proposed 1,000,000 contracts position and exercise limit is appropriate.

Fourth, ISE analyzed a position limit and exercise limit of 1,000,000 for IBIT options against other options on ETFs with an underlying commodity, namely SPDR Gold Shares (''GLD''), iShares Silver Trust (''SLV''), and ProShares Bitcoin ETF (''BITO'').[33] Per the analysis, GLD has a float of 377 million shares [34] and a position limit of 250,000 contract. SLV has a float of 552 million shares,[35] and a position limit of 250,000 contracts. Finally, BITO has 200.89 million shares outstanding [36] and a position limit of 250,000 contracts. As previously noted, position limits and exercise limits are designed to limit the number of options contracts traded on the exchange in an underlying security that an investor, acting alone or in concert with others directly or indirectly, may control. A position limit exercise in GLD would represent 6.63% of the float of GLD; a position limit exercise in SLV would represent 4.53% of the float of SLV, and a position limit exercise of BITO would represent 12.44% of the float of BITO. In comparison, a 1,000,000-contract position limit in IBIT options would represent 7.474% [37] of the float of IBIT. Consequently, the 1,000,000 proposed IBIT options position and exercise limit is generally aligned with the standards applied to GLD, SLV and BITO, and appropriate.

Fifth, ISE noted that IBIT began trading in penny increments as of January 2, 2025 pursuant to the Penny Interval Program.[38] The Commission noted that evidence and analysis provided in connection with the Penny Pilot demonstrated that the Pilot benefited investors and other market participants in the form of narrower spreads.[39] The most actively traded options classes are included in the Penny Program based on certain objective criteria (trading volume thresholds and initial price tests). As noted in the Penny Approval Order, the Penny Program reflects a certain level of trading interest (either because the class is newly listed or a class experienced a significant growth in investor interest) to quote in finer trading increments, which in turn should benefit market

[24] *See https://www.coingecko.com/en/coins/Bitcoin.*

[25] This is the approximate price of Bitcoin from February 11, 2026.

[26] This percentage is arrived at with this equation: (1,000,000 contract limit * 100 share per option/1,337,920,000 shares outstanding).

[27] This number was arrived at with this calculation: (1,000,000 limit * 100 shares per option * $38.29 IBIT NAV)/(20,528,687 BTC outstanding * $66,938 BTC price).

[28] CME Bitcoin Futures are described in Chapter 350 of CME's Rulebook.

[29] *See* the Position Accountability and Reportable Level Table in the Interpretations & Special Notices Section of Chapter 5 of CME's Rulebook.

[30] 2,000 futures at a 5 bitcoin multiplier (per the contract specifications) equates to $677,150,000 (2,000 contracts * 5 BTC per contract * $67,715 price of February BTC future) of notional value.

[31] *See https://www.cmegroup.com/education/courses/market-regulation/position-limits/position-limits-aggregation-of-contracts-and-table.htm.*

[32] *Id.*

[33] GLD, SLV and BITO each hold one asset in trust similar to IBIT.

[34] *See https://www.ssga.com/us/en/intermediary/etfs/spdr-gold-shares-gld.*

[35] *See https://www.ishares.com/us/products/239855/ishares-silver-trust-fund.*

[36] *See https://www.marketwatch.com/investing/fund/bito*

[37] This percentage is arrived at with this equation: (1,000,000 contract limit * 100 share per option/1,337,920,000 shares outstanding). This information was captured on February 11, 2026.

[38] The Exchange may add to the Penny Program a newly listed option class provided that (i) it is among the 300 most actively traded multiply listed option classes, as ranked by National Cleared Volume at OCC, in its first full calendar month of trading and (ii) the underlying security is priced below $200 or the underlying index is at an index level below $200. Any option class added under this provision will be added on the first trading day of the month after it qualifies and will remain in the Penny Program for one full calendar year, after which it will be subject to the Annual Review described in Rule 5.4(d). The Exchange may add any option class to the Penny Program, provided that (i) it is among the 75 most actively traded multiply listed option classes, as ranked by National Cleared Volume at OCC, in the past six full calendar months of trading and (ii) the underlying security is priced below $200 or the underlying index is at an index level below $200. Any option class added under this provision will be added on the first trading day of the second full month after it qualifies and will remain in the Penny Program for the rest of the calendar year, after which it will be subject to the Annual Review as described in Rule 5.4(d). *See* Rule 5.4(d).

[39] *See* Securities Exchange Act Release No. 88532 (April 1, 2020), 85 FR 19545, 19548 (April 7, 2020) (File No. 4–443) (Joint Industry Plan; Order Approving Amendment No. 5 to the Plan for the Purpose of Developing and Implementing Procedures Designed To Facilitate the Listing and Trading of Standardized Options To Adopt a Penny Interval Program) (''Penny Approval Order'')

participants by reducing the cost of trading such options.[40] IBIT options is among a select group of products that have achieved a certain level of liquidity that have garnered it the ability to trade in finer increments. Failing to increase position and exercise limits for IBIT options, now that it is trading in finer increments, may artificially inhibit liquidity and create price inefficiency. The Exchange notes that options on iShares MSCI Emerging Markets, iShares China Large-Cap ETF and iShares MSCI EAFE ETF also trade in penny increments based on their liquidity.

The Exchange believes that IBIT options have more than sufficient liquidity to garner an increased position and exercise limit of 1,000,000 contracts. The Exchange believes that any concerns related to manipulation and protection of investors are mollified by the significant liquidity provision in IBIT. The Exchange states that, as a general principle, increases in active trading volume and deep liquidity of the underlying securities do not lead to manipulation and/or disruption.

The Exchange believes that increasing the position (and exercise) limits for IBIT options would lead to a more liquid and competitive market environment for IBIT options, which will benefit customers that trade these options. Further, the reporting requirement for such options would remain unchanged. Thus, the Exchange will still require that each Trading Permit Holder (''TPH'') organization that maintains positions in impacted options on the same side of the market, for its own account or for the account of a customer, report certain information to the Exchange. This information includes, but would not be limited to, the options' positions, whether such positions are hedged and, if so, a description of the hedge(s). Market-Makers would continue to be exempt from this reporting requirement, however, the Exchange may access Market-Maker position information.[41] Moreover, the Exchange's requirement that TPH organizations file reports with the Exchange for any customer who held aggregate large long or short positions on the same side of the market of 200 or more option contracts of any single class for the previous day will remain at this level and will continue to serve as an important part of the Exchange's surveillance efforts.[42]

The Exchange also has no reason to believe that the growth in trading volume in IBIT will not continue. Rather, the Exchange expects continued options volume growth in IBIT as opportunities for investors to participate in the options markets increase and evolve. The Exchange believes that the current position and exercise limits in IBIT options are restrictive and will hamper the listed options markets from being able to compete fairly and effectively with the over-the-counter (''OTC'') markets. OTC transactions occur through bilateral agreements, the terms of which are not publicly disclosed to the marketplace. As such, OTC transactions do not contribute to the price discovery process on a public exchange or other lit markets. The Exchange believes that without the proposed changes to position and exercise limits for IBIT options, market participants will find the 250,000-contract position limit an impediment to their business and investment objectives as well as an impediment to efficient pricing. As such, market participants may find the less transparent OTC markets a more attractive alternative to achieve their investment and hedging objectives, leading to a retreat from the listed options markets, where trades are subject to reporting requirements and daily surveillance.

The Exchange believes that the existing surveillance procedures and reporting requirements at the Exchange are capable of properly identifying disruptive and/or manipulative trading activity. The Exchange also represents that it has adequate surveillances in place to detect potential manipulation, as well as reviews in place to identify continued compliance with the Exchange's listing standards. These procedures monitor market activity via automated surveillance techniques to identify unusual activity in both options and the underlyings, as applicable. The Exchange also notes that large stock holdings must be disclosed to the Commission by way of Schedules 13D or 13G,[43] which are used to report ownership of stock which exceeds 5% of a company's total stock issue and may assist in providing information in monitoring for any potential manipulative schemes. Further, the Exchange believes that the current financial requirements imposed by the Exchange and by the Commission adequately address concerns regarding potentially large, unhedged positions in equity options. Current margin and risk-based haircut methodologies serve to limit the size of positions maintained by any one account by increasing the margin and/or capital that a Member must maintain for a large position held by itself or by its customer.[44] In addition, Rule 15c3–1 [45] imposes a capital charge on Members to the extent of any margin deficiency resulting from the higher margin requirement.

2. Statutory Basis

The Exchange believes the proposed rule change is consistent with the Securities Exchange Act of 1934 (the ''Act'') and the rules and regulations thereunder applicable to the Exchange and, in particular, the requirements of Section 6(b) of the Act.[46] Specifically, the Exchange believes the proposed rule change is consistent with the Section 6(b)(5) [47] requirements that the rules of an exchange be designed to prevent fraudulent and manipulative acts and practices, to promote just and equitable principles of trade, to foster cooperation and coordination with persons engaged in regulating, clearing, settling, processing information with respect to, and facilitating transactions in securities, to remove impediments to and perfect the mechanism of a free and open market and a national market system, and, in general, to protect investors and the public interest. Additionally, the Exchange believes the proposed rule change is consistent with the Section 6(b)(5) [48] requirement that the rules of an exchange not be designed to permit unfair discrimination between customers, issuers, brokers, or dealers.

The Exchange believes that increasing the position limit and exercise limit for options on IBIT to 1,000,000 contracts is consistent with the Act. This proposal will remove impediments to and perfect the mechanism of a free and open market and a national market system, and, in general, protect investors and the public interest, because it will provide market participants with the ability to more effectively execute their trading and hedging activities. Also, based on current trading volume, the resulting increase in the position (and exercise) limits for IBIT options may allow Market-Makers to maintain their liquidity in these options in amounts

[40] *Id.* at 19548.

[41] OCC through the Large Option Position Reporting (''LOPR'') system acts as a centralized service provider for Member compliance with position reporting requirements by collecting data from each Member, consolidating the information, and ultimately providing detailed listings of each Member's report to the Exchange, as well as Financial Industry Regulatory Authority, Inc. (''FINRA''), acting as its agent pursuant to a regulatory services agreement (''RSA'').

[42] *See* Rule 8.43(a).

[43] 17 CFR 240.13d–1.

[44] *See* Chapter 10 of the Exchange's rulebook, including Rule 10.3, for a description of margin requirements.

[45] 17 CFR 240.15c3–1.

[46] 15 U.S.C. 78f(b).

[47] 15 U.S.C. 78f(b)(5).

[48] *Id.*

commensurate with the continued high consumer demand in IBIT options. The increased position and exercise limits may also encourage other liquidity providers to continue to trade on the Exchange rather than shift their volume to OTC markets, which will enhance the process of price discovery conducted on the Exchange through increased order flow. Further, the proposed change would allow institutional investors to utilize IBIT options for prudent risk management purposes.

In addition, the Exchange believes that the current liquidity in IBIT will continue to mitigate concerns regarding potential manipulation of IBIT options and/or disruption of IBIT upon amending the table of position limits in Rule 8.30, Interpretation and Policy .07 and amending the exercise limits via Rule 8.42, Interpretation and Policy .02.

In reviewing ISE's comparison of IBIT's data relative to the market capitalization of the entire Bitcoin market in terms of exercise risk and availability of deliverables, the Exchange was able to conclude that if a position limit of 1,000,000 contracts were considered, the exercisable risk would represent 7.474% [49] of the shares outstanding of IBIT. Since IBIT has a creation and redemption process managed through the issuer (whereby Bitcoin is used to create IBIT shares), the position limit can be compared to the total market capitalization of the entire Bitcoin market and in that case, the exercisable risk for options on IBIT would represent less than 0.278% of all Bitcoin outstanding.[50] This analysis demonstrated that a 1,000,000 contracts position and exercise limits would be appropriate.

As noted above, comparing a position limit of 1,000,000 for IBIT options against other options on ETFs with an underlying commodity, namely GLD, SLV and BITO, a position limit exercise in GLD represents 6.63% of the float of GLD, a position limit exercise in SLV represents 4.53% of the float of SLV, and a position limit exercise of BITO represents 12.44% of the float of BITO. In comparison, a 1,000,000-contract position limit in IBIT options would represent 7.474% [51] of the float of IBIT. Consequently, a 1,000,000 IBIT options position limit is generally aligned with the standards applied to GLD, SLV and BITO, and appropriate.

Also as noted above, IBIT began trading in penny increments on January 2, 2025 pursuant to the Penny Interval Program.[52] The Commission noted that evidence and analysis provided in connection with the Penny Pilot demonstrated that the Pilot benefitted investors and other market participants in the form of narrower spreads.[53] The most actively traded options classes are included in the Penny Program based on certain objective criteria (trading volume thresholds and initial price tests).[54] As noted in the Penny Approval Order, the Penny Program reflects a certain level of trading interest (either because the class is newly listed or a class that experience a significant growth in investor interest) to quote in finer trading increments, which in turn should benefit market participants by reducing the cost of trading such options.[55] IBIT options are among a select group of products that have achieved a certain level of liquidity that have garnered it the ability to trade in finer increments pursuant to the Penny Interval Program. Failing to permit IBIT options to potentially increase position and exercise limits given the trading in finer increments, may artificially inhibit liquidity and create price inefficiency for IBIT options.

Finally, as discussed above, the Exchange's surveillance and reporting safeguards continue to be designed to deter and detect possible manipulative behavior that might arise from increasing or eliminating position and exercise limits in certain classes. The Exchange believes that the current financial requirements imposed by the Exchange and by the Commission adequately address concerns regarding potentially large, unhedged positions in the options on the underlying securities, further promoting just and equitable principles of trading, the maintenance of a fair and orderly market, and the protection of investors.

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. The Exchange does not believe the proposed rule change will impose any burden on intramarket competition that is not necessary or appropriate in furtherance of the purposes of the Act because all TPHs would be subject to the same position and exercise limit for IBIT options, as set by Rules 8.30, Interpretation and Policy .02 and 8.42. The Exchange does not believe the proposed rule change will impose any burden on intermarket competition, and may benefit competition, as the proposed rule change is identical to the proposed rule change of at least one other options exchange recently approved by the Commission.[56] The Exchange believes that the proposed rule change may provide additional opportunities for market participants to continue to efficiently achieve their investment and trading objectives for IBIT options.

C. Self-Regulatory Organization's Statement on Comments on the Proposed Rule Change Received From Members, Participants, or Others

The Exchange neither solicited nor received comments on the proposed rule change.

III. Date of Effectiveness of the Proposed Rule Change and Timing for Commission Action

Because the foregoing proposed rule change does not: (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 [57] and

[49] This percentage is arrived at with this equation: (1,000,000 contract limit * 100 share per option/1,337,920,000 shares outstanding). This information was captured on February 11, 2026.

[50] This number was arrived at with this calculation: (1,000,000 limit * 100 shares per option * $38.29 IBIT NAV)/(20,528,687 BTC outstanding * $66,938 BTC price).

[51] This percentage is arrived at with this equation: (1,000,000 contract limit * 100 share per option/1,337,920,000 shares outstanding). This information was captured on February 11, 2026.

[52] The Exchange may add to the Penny Program a newly listed option class provided that (i) it is among the 300 most actively traded multiply listed option classes, as ranked by National Cleared Volume at OCC, in its first full calendar month of trading and (ii) the underlying security is priced below $200 or the underlying index is at an index level below $200. Any option class added under this provision will be added on the first trading day of the month after it qualifies and will remain in the Penny Program for one full calendar year, after which it will be subject to the Annual Review described in Rule 5.4(d). The Exchange may add any option class to the Penny Program, provided that (i) it is among the 75 most actively traded multiply listed option classes, as ranked by National Cleared Volume at OCC, in the past six full calendar months of trading and (ii) the underlying security is priced below $200 or the underlying index is at an index level below $200. Any option class added under this provision will be added on the first trading day of the second full month after it qualifies and will remain in the Penny Program for the rest of the calendar year, after which it will be subject to the Annual Review as described in Rule 5.4(d). *See* Rule 5.4(d).

[53] *See* Penny Approval Order.

[54] Options on iShares MSCI Emerging Markets, iShares China Large-Cap ETF and iShares MSCI EAFE ETF also trade in penny increments based on their liquidity.

[55] *Id.* at 19548.

[56] *See* ISE Approval.

[57] 15 U.S.C. 78s(b)(3)(A)(iii).

subparagraph (f)(6) of Rule 19b–4 thereunder.[58]

A proposed rule change filed pursuant to Rule 19b–4(f)(6) under the Act normally does not become operative for 30 days after the date of its filing. However, Rule 19b–4(f)(6)(iii) [59] permits the Commission to designate a shorter time if such action is consistent with the protection of investors and the public interest. The Exchange has requested that the Commission waive the 30-day operative delay so that the proposal may become operative immediately upon filing. The Commission notes that the proposal will conform the Exchange's IBIT options position and exercise limits with ISE's IBIT options position and exercise limits.[60] Therefore, the proposal raises no novel legal or regulatory issues. Thus, the Commission believes that waiver of the 30-day operative delay is consistent with the protection of investors and the public interest. Accordingly, the Commission hereby waives the 30-day operative delay and designates the proposed rule change operative upon filing.[61]

At any time within 60 days of the filing of the proposed rule change, the Commission summarily may temporarily suspend such rule change if it appears to the Commission that such action is necessary or appropriate in the public interest, for the protection of investors, or otherwise in furtherance of the purposes of the Act.

IV. Solicitation of Comments

Interested persons are invited to submit written data, views, and arguments concerning the foregoing, including whether the proposed rule change is consistent with the Act. Comments may be submitted by any of the following methods:

Electronic Comments

- Use the Commission's internet comment form (*https://www.sec.gov/rules/sro.shtml*); or
- Send an email to *rule-comments@sec.gov.* Please include file number SR–CBOE–2026–048 on the subject line.

Paper Comments

- Send paper comments in triplicate to Secretary, Securities and Exchange Commission, 100 F Street NE, Washington, DC 20549–1090.

All submissions should refer to file number SR–CBOE–2026–048. This file number should be included on the subject line if email is used. To help the Commission process and review your comments more efficiently, please use only one method. The Commission will post all comments on the Commission's internet website (*https://www.sec.gov/rules/sro.shtml*). Copies of the filing will be available for inspection and copying at the principal office of the Exchange. Do not include personal identifiable information in submissions; you should submit only information that you wish to make available publicly. We may redact in part or withhold entirely from publication submitted material that is obscene or subject to copyright protection. All submissions should refer to file number SR–CBOE–2026–048 and should be submitted on or before June 29, 2026.

For the Commission, by the Division of Trading and Markets, pursuant to delegated authority.[62]

Sherry R. Haywood,

Assistant Secretary.

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[58] 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, along with a brief description and text of the proposed rule change, at least five business days prior to the date of filing of the proposed rule change, or such shorter time as designated by the Commission. The Exchange has satisfied this requirement.

[59] 17 CFR 240.19b–4(f)(6)(iii).

[60] *See supra* note 9 and accompanying text.

[61] For purposes only of waiving the 30-day operative delay, the Commission has also considered the proposed rule's impact on efficiency, competition, and capital formation. *See* 15 U.S.C. 78c(f).

[62] 17 CFR 200.30–3(a)(12), (59).

SECURITIES AND EXCHANGE COMMISSION

[Release No. 34–105601; File No. SR–OCC–2026–004]

Self-Regulatory Organizations; The Options Clearing Corporation; Notice of Filing of Proposed Rule Change by The Options Clearing Corporation To Establish a Commercial Paper Program

June 3, 2026.

Pursuant to Section 19(b)(1) of the Securities Exchange Act of 1934 (''Exchange Act'' or ''Act''),[1] and Rule 19b–4 thereunder,[2] notice is hereby given that on May 19, 2026, The Options Clearing Corporation (''OCC'' or ''Corporation'') 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 primarily by OCC. 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. Clearing Agency's Statement of the Terms of Substance of the Proposed Rule Change

This proposed rule change would establish a commercial paper program as part of its overall liquidity plan to meet OCC's settlement obligations. The proposed changes to OCC's Rules are included in Exhibit 5A [sic] of File No. SR–OCC–2026–004. Proposed changes to OCC's Third-Party Risk Management Framework (''TPRMF''), Liquidity Risk Management Framework (''LRMF''), Clearing Fund Methodology Policy, Comprehensive Stress Testing & Clearing Fund Methodology, and Liquidity Risk Management Description (''CST Methodology Description''), Capital Management Policy, Cash and Investment Management Policy, Default Management Policy, and Recovery and Orderly Wind-Down (''RWD'') Plan are included in Exhibits 5B through 5I [sic] of File No. SR–OCC–2026–004, respectively. Material proposed to be added is marked by underlining and material proposed to be deleted is marked with strikethrough text. All terms with initial capitalization that are not otherwise defined herein have the same meaning as set forth in the OCC By-Laws and Rules.[3]

II. Clearing Agency's Statement of the Purpose of, and Statutory Basis for, the Proposed Rule Change

In its filing with the Commission, OCC 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. OCC has prepared summaries, set forth in sections (A), (B), and (C) below, of the most significant aspects of these statements.

(A) Clearing Agency's Statement of the Purpose of, and Statutory Basis for, the Proposed Rule Change

1. Purpose

OCC is the sole clearing agency for standardized equity options listed on national securities exchanges registered with the Commission. In its role as a registered clearing agency, and as a derivatives clearing organization (''DCO'') registered with the Commodity Futures Trading Commission (''CFTC''), OCC acts as a central counterparty

[3] OCC's By-Laws and Rules can be found on OCC's public website: *https://www.theocc.com/Company-Information/Documents-and-Archives/By-Laws-and-Rules.*

(''CCP'') that guarantees all contracts it clears. That is, OCC becomes the buyer to every seller and the seller to every buyer. In its role as guarantor, OCC is exposed to risks from a Clearing Member's failure to fulfill its obligations, including liquidity risk (*i.e.,* the risks that OCC may need to meet the defaulting Clearing Member's settlement obligations during the period between the default and the conclusion of a liquidation of the defaulting Clearing Member's portfolio). In the event of a Clearing Member default, OCC would be obligated to fulfill that member's cleared transactions and meet settlement obligations in a timely manner.

OCC manages liquidity risk by maintaining an overall liquidity plan that includes a minimum amount of cash OCC requires each Clearing Member to deposit in the Clearing Fund (''Clearing Fund Cash Requirement'') [4] and any excess cash a Clearing Member may choose to maintain up to its required Clearing Fund contribution.[5] In addition, OCC maintains access to a diverse set of committed funding sources for accessing additional liquidity on a same-day basis, including: (A) a syndicated bank credit facility, through which OCC may borrow cash by pledging the margin funds of the defaulting Clearing Member or Government securities borrowed from the Clearing Fund; [6] and (B) a non-bank liquidity facility program, through which OCC may use Government securities deposited by the defaulting Clearing Member or borrowed from the Clearing Fund to enter into repurchase transactions with institutional investment counterparties, such as insurance companies and pension funds, that do not increase the concentration of OCC's counterparty exposure to its participants [7] (together with the syndicated bank credit facility, the ''committed facilities'').[8] Together, the Clearing Fund Cash Requirement and committed facilities comprise OCC's ''Base Liquidity Resources'' under its LRMF—*i.e.*, the amount of qualifying liquid resources [9] OCC maintains at all times to satisfy its regulatory obligation to maintain sufficient qualifying liquid resources to cover payment obligations arising from the default of the CMO Group that would generate the largest aggregate payment obligation in extreme but plausible market conditions (a ''Cover 1'' liquidity requirement).[10]

To further diversify its liquidity resources, OCC proposes to establish a program to raise prefunded liquidity through the private placement of unsecured debt (''Notes'') to institutional investors in an aggregate amount not to exceed $1 billion (the ''Commercial Paper Program''). OCC would engage an issuing and paying agent, as well as certain placement agent dealers, to develop a program to issue the Notes. The Notes would be issued to institutional investors through a private placement and offered in reliance on an exemption from registration under Section 4(a)(2) of the Securities Act of 1933.[11] OCC would execute certain agreements required to establish the Commercial Paper Program, including an issuing and paying agent agreement, and a dealer agreement with each of the placement agent dealers.[12] The dealer agreements would each be based on the standard form of dealer agreement for commercial paper programs, which is published by the Securities Industry and Financial Markets Association. The material terms and conditions of the Commercial Paper Program are summarized further below. Proceeds from the Commercial Paper Program would be held in an OCC account at the Federal Reserve Bank of Chicago (a ''Federal Reserve Bank account'').

OCC believes the Commercial Paper Program would further diversify its liquidity sources by adding a cost-effective [13] means to source liquidity more efficiently than its current facilities in response to changing liquidity demands or changes in its counterparties' commitments under the committed facilities. Specifically, once the program is established, OCC expects it will be able to issue new debt and receive proceeds on the same day. By comparison, sourcing additional commitments from liquidity providers through OCC's existing committed facilities is a process that can take weeks or months. Currently, the only tool available to OCC to increase Base Liquidity Resources on an expedited basis is to increase the Clearing Fund Cash Requirement under OCC Rule 1002(a)(i)(A). The Commercial Paper Program would add another tool for quickly increasing liquidity resources in response to changing liquidity needs.

In addition, the Commercial Paper Program would benefit OCC by providing a prefunded source of liquidity that OCC would maintain in one of its Federal Reserve Bank accounts. Accordingly, using proceeds from the Commercial Paper Program would not require OCC to draw on a facility during a Clearing Member default to make same-day settlement. The absence of a facility draw mitigates the risk that a liquidity provider may be delayed in funding or fail to fund as required under the terms of OCC's committed facilities.[14]

[4] *See* OCC Rule 1002.

[5] Clearing Members may choose to satisfy their Clearing Fund requirement with more than the minimum amount of cash or deposit Government securities. *See* OCC Rule 1002(a). Substitution of U.S. Government securities in place of excess cash is subject to a two-day notification period, which aligns with OCC's liquidation time horizon for managing a Clearing Member default. *See* OCC Rule 1002(a)(iv). Accordingly, OCC considers excess cash up to the Clearing Member's Clearing Fund requirement as part of its ''Available Liquidity Resources'' under its Liquidity Risk Management Framework. *See* Exchange Act Release No. 89014 (June 4, 2020), 85 FR 35446, 35447 (June 10, 2020) (SR–OCC–2020–003).

[6] *See, e.g.,* Exchange Act Release No. 88971 (May 28, 2020), 85 FR 34257 (June 3, 2020) (SR–OCC–2020–804).

[7] *See, e.g.,* Exchange Act Release Nos. 89039 (June 10, 2020), 85 FR 36444 (June 16, 2020) (SR–OCC–2020–803).

[8] OCC was provided a notice of no objection regarding establishing a repurchase agreement with a bank counterparty through which OCC may use Government securities deposited by the defaulting Clearing Member or borrowed from the Clearing Fund. *See* Exchange Act Release No. 103047 (May 21, 2025), 90 FR 21800 (May 21, 2025) (SR–OCC–2025–801).

[9] Regulations applicable to OCC define ''qualifying liquid resources'' to include, among other things, (i) cash held either at the central bank of issue or at creditworthy commercial banks; and (ii) assets that are readily available and convertible into cash through prearranged funding arrangements, such as committed arrangements without material adverse changes provisions, including lines of credit and repurchase agreements. *See* 17 CFR 240.17ad–22(a) (''Qualifying liquid resources'').

[10] *See* 17 CFR 240.17ad–22(e)(7); 17 CFR 39.11(e).

[11] 15 U.S.C. 77d(a)(2).

[12] Pursuant to the existing TPRMF, as approved by the Commission, OCC's Management Committee will determine whether these counterparties constitute service providers for core services within the meaning of Exchange Act Rule 17Ad–25, 17 CFR 240.17ad–25, during the on-boarding stage and prior to entering into any agreement. If these counterparties are determined to be service providers for core services, then: (1) the Management Committee will evaluate and document the risks related to the agreement, including under changes to circumstances and potential disruptions, and assess whether the risks can be managed in a manner consistent with the TPRMF; and (2) the agreements establishing a relationship with these counterparties would be subject to Board approval. *See* Exchange Act Release No. 34–104099 (Sept. 26, 2025), 90 FR 47105 (Sept. 30, 2025) (SR–OCC–2025–015).

[13] OCC anticipates that the cost of sourcing liquidity through the Commercial Paper Program would be less than the cost of its existing syndicated bank credit facility and non-bank liquidity facility. OCC has provided an assessment of these costs in confidential Exhibit 3C [sic] to File No. SR–OCC–2026–004.

[14] OCC mitigates these risks under its committed facilities by executing committed arrangements without material adverse change provisions and conducting periodic test draws of its facilities.

Description of Change

A. Material Terms of the Commercial Paper Program

As discussed above, OCC's Board has authorized OCC to establish a Commercial Paper Program in an aggregate amount not to exceed $1 billion. Initially, OCC anticipates replacing $250 million of existing liquidity from its non-bank liquidity facility with Commercial Paper proceeds. Specifically, to further diversify OCC's liquidity resources, OCC plans to replace one of three commitments from a single liquidity provider that together comprise 42.5% of the commitments under the $2 billion non-bank liquidity facility, and approximately 19% of OCC's $4.5 million in committed facilities. Any expansion of the Commercial Paper Program beyond the $1 billion would require further approval from the Board. Any change to the program that would materially affect the nature or level of risk at OCC would also require further regulatory filings. OCC intends to structure the Commercial Paper Program such that maturities of the Notes are staggered to avoid concentration of maturing liabilities and the risk that a rollover issuance to replace expiring Notes does not fund. For example, replacing $250 million of non-bank liquidity facility commitments may be achieved with two issues of $250 million in Notes of 90-day duration, staggered by 45 days.

The Notes would be interest-bearing and would be book-entry notes evidenced by one or more master notes registered in the name of The Depository Trust Company (''DTC'') or its nominee, in the form or forms annexed to OCC's agreement with the issuing and paying agent. To minimize interest rate risk,[15] the Notes would have a maturity not to exceed 180 days. The Notes would not be redeemable by OCC prior to maturity, nor would they contain any provision for extension, renewal, automatic rollover or voluntary prepayment.

(1) Amendments to Rules

In order to establish the Commercial Paper Program, OCC proposes to amend certain of its frameworks and policies that have been filed as rules with the Commission in order to (1) recognize the proceeds from the Commercial Paper Program as a qualifying liquid resource, (2) ensure that OCC maintains sufficient funds to repay the Notes as they expire by incorporating the Commercial Paper Program proceeds into how OCC sizes its Clearing Fund and providing that OCC may use the Clearing Fund to repay the Notes if Commercial Paper Program proceeds are used to cover losses or liquidity shortfalls in lieu of the Clearing Fund, (3) distinguish the Commercial Paper Program proceeds from other types of prefunded financial resources that OCC maintains, (4) address the role played by the placement dealers and the issuing and payment agent and how OCC monitors and manages its relationships with these supporting institutions, (5) allow for OCC to maintain the proceeds in one of its Federal Reserve Bank accounts, and (6) provide for the governance to use the proceeds in the event of a Clearing Member default.

(a) Qualifying Liquid Resources

OCC proposes to amend OCC's Rules and LRMF to recognize the proceeds from the Commercial Paper Program as a qualifying liquid resource under OCC's overall liquidity plan. Specifically, OCC would define the term ''Commercial Paper Program'' in Rule 101 as OCC's program to raise prefunded qualifying liquid resources through the private placement of unsecured debt to institutional investors up to an amount approved by the Board, proceeds of which OCC would use exclusively to: (i) repay maturing notes issued under the Commercial Paper Program or (ii) cover losses or liquidity shortfalls in those situations in which the Clearing Fund may be used under Rule 1006. This provision recognizes the Board's authority to set a cap on the total amount of Commercial Paper that OCC is authorized to issue. As discussed above, the Board has initially approved the Commercial Paper Program for up to $1 billion, but OCC intends to begin issuing Notes in an amount less than the total authorized amount at the outset of the program.

OCC would amend the LRMF to add the cash proceeds from the Commercial Paper Program as one of the liquidity resources that may comprise OCC's Base Liquidity Resources. The LRMF would further provide that OCC may count such proceeds as Base Liquidity Resources up to an amount approved by OCC's Board. This provision would allow the Board to establish a cap on the amount of Commercial Paper Program proceeds that may be counted towards OCC's Base Liquidity Resources to account for the staggering of maturities and the potential risk that a rollover of expiring Notes may not fund, in which case OCC may need to pivot to other sources of liquidity. For example, if the Notes were staggered into two $500 million tranches with 90-day maturities staggered by 45 days, the Board may determine that up to $500 million of the total $1 billion may be counted towards Base Liquidity Resources. OCC anticipates that the Board would initially provide that Commercial Paper Program proceeds may not exceed 5% of Base Liquidity Resources. Any Commercial Paper Program proceeds beyond the amount authorized as Base Liquidity Resources would be considered excess liquidity. Such excess would mitigate the risk that a failed rollover of expiring Notes may otherwise cause OCC's qualifying liquid resources to drop below the Cover 1 liquidity requirement. The LRMF would provide that factors the Board may consider in setting the amount of Commercial Paper Program proceeds that may be counted towards Base Liquidity Resources include, but are not limited to, OCC's current or anticipated liquidity needs, the total size of the Commercial Paper Program that the Board has authorized, the staggering of maturity dates to address rollover risk, the availability of other liquidity resources, and the size of the Clearing Fund.

OCC would further amend the LRMF to address the Commercial Paper Program in the Framework's discussion of the tools available to OCC to increase its liquidity resources in response to changing business or market conditions. Currently, those tools include: (1) OCC's authority to temporarily increase the Clearing Fund Cash Requirement; [16] (2) the uncommitted accordion feature that OCC endeavors to maintain in its syndicated bank credit facility that potentially allows OCC to borrow additional funds from its existing or new bank syndicated liquidity providers based on the willingness and ability of the syndicate members to fund the additional borrowing request; [17] and (3) OCC authority under OCC Rule 609 to issue an intraday margin call based on a Clearing Member's forecasted settlement demands, including for settlement demands arising under OCC's accord with the National Securities Clearing Corporation (''NSCC'').[18] To this list of tools, OCC would add that the Board may authorize

[15] In this context, interest rate risk is the risk of dislocation between the interest OCC pays on the Notes and the interest that OCC would earn by holding the cash proceeds in its Federal Reserve bank account. Such dislocation could increase OCC's costs for maintaining the Commercial Paper Program.

[16] *See* OCC Rule 1002(a)(i)(A).

[17] Exchange Act Release No. 88971, *supra* note 11, 85 FR at 34258 n. 6 and accompanying text.

[18] *See* Exchange Act Release No. 99735 (Mar. 14, 2024), 89 FR 19907 (Mar. 20, 2024) (SR–OCC–2023–007).

a Commercial Paper Program that allows OCC to obtain additional liquidity up to the amount approved by the Board. Similar to the accordion feature of the syndicated bank credit facility, OCC would note that its ability to secure additional proceeds up to that approved amount is subject to the ability of the dealers to place and the willingness of institutional investors to purchase any additional Notes. The LRMF currently notes that the process of obtaining additional liquidity through the accordion feature is expected to take a period of weeks. By comparison, OCC expects it can issue new debt and receive proceeds under the Commercial Paper Program on the same day.

OCC would also amend its RWD Plan to recognize the Commercial Paper Program proceeds as a tool to address liquidity shortfalls, similar to the Clearing Fund Cash Requirement and the facilities, among other tools. The RWD Plan would be further amended to include an overview of the Commercial Paper Program that summarizes: (i) the material terms of the program, as discussed above; (ii) the Rules governing how OCC considers the Commercial Paper Program proceeds when determining the minimum size of its Clearing Fund, how OCC may use the cash proceeds as a qualifying liquid resource in the same manner in the same scenarios in which OCC is authorized to use the Clearing Fund under OCC Rule 1006(a), and how OCC may utilize its Clearing Fund to recover losses covered through the use of such proceeds, as discussed below; and (iii) the benefits of the Commercial Paper Program in terms of providing a prefunded qualifying liquid resource, as well as how OCC would manage rollover risk through the staggered issuance of Notes. OCC would also make certain conforming edits to the sections addressing OCC's management of risks including credit, custody and investment risks to reflect prior proposed rule changes concerning OCC's management of investment risk.[19] Specifically, OCC would revise the RWD Plan to reflect that under OCC Rule 1006(c) and (f), OCC may use the Clearing Fund to make good losses or liquidity shortfalls caused by the failure of an investment counterparty to perform any obligation to OCC when due with respect to the investment of Clearing Member cash margin (*e.g.,* a counterparty in which OCC has invested margin cash through overnight reverse repurchase agreements).

(b) Clearing Fund

In order to ensure that OCC maintains sufficient funds to repay the Notes as they expire, even if OCC uses the proceeds from the Commercial Paper Program to meet settlement demands in the event of a Clearing Member's default, OCC would amend Rule 1001(b) (Minimum Clearing Fund Size). Rule 1001(b) currently provides that the floor for the sizing of the Clearing Fund will be no less than 110% of the size of OCC's committed facilities plus the Clearing Fund Cash Requirement. OCC would amend Rule 1001(b) to add the proceeds from the Commercial Paper Program approved by the Board as Base Liquidity Resources to that list for purposes of calculating the minimum Clearing Fund size.[20] If OCC incurred a loss in a Clearing Member default, existing Rule 1006 authorizes OCC to charge such loss to the Clearing Fund. Accordingly, including the Commercial Paper Program proceeds authorized as Base Liquidity Resources when calculating the minimum Clearing Fund size helps ensure OCC maintains funds to cover such losses, like OCC does for its existing committed facilities. Because OCC plans to replace existing liquidity from its non-bank liquidity facility with Commercial Paper proceeds, the net effect on the calculation of the Minimum Clearing Fund Size would be zero. In any event, the Minimum Clearing Fund Size is not expected to determine the actual Clearing Fund size. Since the adoption of OCC's current Clearing Fund methodology in 2018, the Clearing Fund size has never been driven by the Minimum Clearing Fund Size.[21]

In connection with this change to Rule 1001, OCC would also amend OCC Rule 101 to define the term ''Base Liquidity Resources,'' which is not a term currently used in the OCC Rules. The Liquidity Risk Management Framework currently defines that term as ''[t]he amount of committed liquidity resources maintained at all times by OCC to meet its minimum Cover 1 liquidity resource requirements under the applicable regulations.'' To better reflect the prefunded nature of the Commercial Paper Program proceeds, as well as the Clearing Fund Cash Requirement, OCC proposes to define that term in Rule 101 as the amount of qualifying liquid resources that OCC maintains at all times to meet its regulatory requirements. OCC would make the same change to the definition of the term ''Base Liquidity Resources'' in the LRMF and in the Executive Summary, as well as reference the definition in Rule 101. OCC would also amend the monthly Clearing Fund size computation and the associated definition for ''Minimum Clearing Fund Size'' in its Clearing Fund Methodology Policy to reflect the addition of Commercial Paper Program proceeds up to the amount approved by the Board as Base Liquidity Resources in the calculation of the minimum size of the Clearing Fund. Similar changes would also be applied to the articulation of that calculation in OCC's CST Methodology Description and RWD Plan.

OCC also proposes to amend Rule 1006 (Purpose and Use of Clearing Fund) to ensure OCC's authority to use the Clearing Fund to make good losses or expenses that it suffers or provide liquidity to OCC as a result of OCC's use of the Commercial Paper Program proceeds for any of the purposes under Rule 1006. In connection with this change, OCC proposes to restate Rule 1006(a) (Conditions for Clearing Fund Use) for clarity. Specifically, OCC proposes to:

- Subdivide and renumber existing clauses (i) through (viii) into numbered paragraphs, consolidated and restated as addressed below.
- Consolidate under paragraphs (A) through (E) of proposed Rule 1006(a)(1) the conditions related to losses arising most directly from a Clearing Member default and OCC's default management currently found in existing clauses (i), (ii), (iv), (v) and (vi) of Rule 1006(a), respectively. Current clause (vii), which covers any other required payments or performance by a Clearing Member, would be addressed at the outset of proposed Rule 1006(a)(1) by noting that the Clearing Member performance obligations listed in that paragraph are without limitation.

[19] *See* Exchange Act Release No. 94304 (Feb. 24, 2022), 87 FR 11776 (Mar. 2, 2022) (SR–OCC–2021–014) (approving amendments to OCC Rule 1006 to add ''investment counterparties'' with whom OCC has invested cash margin to the list of counterparties whose failure may occasion use of the Clearing Fund).

[20] Separately, OCC also proposes to remove Interpretation and Policy (''I&P'') .01 to Rule 1001. That I&P provides that the provision of Rule 1001(a) that limits the Clearing Fund size from decreasing by more than five percent from the prior month will not take effect until one month following the adoption of Rule 1001. Rule 1001 took effect on September 1, 2018, following the SEC's approval of that Rule. *See* Exchange Act Release No. 83735 (July 27, 2018), 83 FR 37855, 37856 n.6 (Aug. 2, 2018) (SR–OCC–2018–008). Accordingly, I&P .01 to Rule 1001 is no longer relevant and may be deleted.

[21] As of December 31, 2024, the Minimum Clearing Fund Size was $15.95 billion. However, the actual Clearing Fund size as of that date was $18.49 billion, driven by stress test scenarios (''Sizing Stress Tests'') in accordance with OCC Rule 1001(a). The Clearing Fund size may not decrease by more than 5% from the prior month. Accordingly, only a sustained reduction in shortfalls over an extended period would reduce OCC's Clearing Fund to the Minimum Clearing Fund size.

• Consolidate the provisions related to a Clearing Fund borrowing currently found in the first and second sentences of current OCC Rule 1006(a) into OCC Rule 1006(a)(2).

• Renumber existing clause (iii)—related to Guaranty Substitution Payments—as proposed Rule 1006(a)(3). Proposed Rule 1006(a)(3) would be further amended to ensure parallel construction with the other paragraphs under Rule 1006(a) and to correct a typographical error.

• Renumber existing clause (viii)—related to the failure of any bank, securities or commodities clearing organization, or investment counterparty to perform its obligation to OCC when due—as proposed Rule 1006(a)(4). Proposed Rule 1006(a)(4) would be further amended to ensure parallel construction with the other paragraphs under Rule 1006(a), correct a grammatical error, and abbreviate a cross reference to another paragraph under Rule 1006.

• Include as Rule 1006(a)(5) the new authority related to use of the Clearing Fund with respect to the Commercial Paper Program.

• Remove unnecessary verbiage at the beginning of the last sentence of current Rule 1006(a), which would be renumbered as proposed Rule 1006(a)(6).

• Amend cross references in Rule 1006(h) to the current clauses under Rule 1006(a) to reflect the proposed paragraph structure.

(c) Prefunded Financial Resources

OCC proposes to further amend the Clearing Fund Methodology Policy to exclude Commercial Paper Program proceeds from the definition of ''Pre-Funded Financial Resources,'' as that term is used in that policy. The policy uses that term when measuring financial resources against stress test scenarios for purposes of monitoring the adequacy of OCC's financial resources to satisfy its regulatory obligations to maintain financial resources sufficient to withstand a default by the two CMO Groups [22] to which it has the largest aggregate credit exposures in extreme but plausible market conditions (a ''Cover 2'' credit requirement).[23] That definition currently encompasses the margin of the defaulting Clearing Member and the Clearing Fund, less any deficits. The definition excludes certain resources, such as OCC's assessment powers (*i.e.,* Clearing Member resources that OCC can call upon, but are not pre-funded) [24] and OCC's own resources that it has committed to cover default losses (*i.e.,* ''skin-in-the-game''),[25] which OCC does not use when sizing or monitoring the adequacy of its Clearing Fund. While the Commercial Paper Program proceeds would be prefunded and maintained in a Federal Reserve Bank account, OCC would rely on the Clearing Fund to cover any loss associated with the use of those proceeds. Accordingly, since the Clearing Fund is already included in the definition, OCC proposes to exclude the Commercial Paper Program proceeds from its definition of Pre-Funded Financial Resources (which as noted above relates to OCC's Cover 2 monitoring).

OCC also proposes to amend its Capital Management Policy to distinguish the Commercial Paper Program proceeds from OCC's liquid net assets funded by equity (''LNAFBE'').[26] The Capital Management Policy requires OCC to monitor OCC's LNAFBE for purposes of ensuring that OCC maintains sufficient funds to cover potential general business losses so that OCC can continue operations and services as a going concern if those losses materialize. However, the proceeds of the Commercial Paper Program would be used exclusively to address liquidity shortfalls arising from a Clearing Member default or other situation in which OCC may borrow or otherwise obtain funds using its Clearing Fund under OCC Rule 1006 and would not be used as working capital or to cover general business losses. Accordingly, OCC would exclude the cash proceeds of the Commercial Paper Program from the Capital Management Policy's definition of LNAFBE. This exclusion is consistent with the current exclusion of the Minimum Corporate Contribution, which is OCC cash maintained exclusively as skin-in-the-game to cover default losses or liquidity shortfalls.

(d) Supporting Institutions

OCC also proposes to make certain other changes to its LRMF and TPRMF to clarify and distinguish its relationship with the dealers, agents and Noteholders under OCC's Commercial Paper Program from its existing relationship with liquidity providers under OCC's committed facilities. Specifically, those frameworks currently address OCC's exposure to liquidity providers in terms of the risk that those institutions would fail to perform their obligations to fund a draw under the contractual terms of their committed agreements with OCC. However, these risks would not be present under the Commercial Paper Program because the Commercial Paper Program proceeds would be prefunded and maintained by OCC in its Federal Reserve account, available to address losses or liquidity shortfalls without the need to draw on a committed arrangement. Accordingly, OCC would amend the LRMF and TPRMF to clarify that existing references to ''liquidity providers'' for purposes of monitoring and managing third-party risk are limited to the liquidity providers under OCC's committed facilities, not the dealers, agents or Noteholders under OCC's Commercial Paper Program. Specifically, OCC proposes to amend the LRMF and TPRMF to clarify that the definition of ''liquidity provider'' and existing provisions about the on-boarding, ongoing monitoring and off-boarding of liquidity providers, as that term is used therein or proposed to be defined, are limited to liquidity providers under OCC's committed facilities (*i.e.,* counterparties providing liquidity to OCC under a committed line of credit or committed repurchase agreement), as is OCC's current practice. Such provisions would not extend to the Commercial Paper dealers, agent or Noteholders.

Instead, OCC proposes to add a separate section to the LRMF that would describe OCC's relationship with those institutions supporting OCC's Commercial Paper Program. That section would note that OCC maintains relationships with placement dealers and an issuing and paying agent to support the Commercial Paper Program, and that the dealers' role is to effect the private placement of the Notes to the noteholders, while the issuing and paying agent acts as OCC's agent in connection with the issuance and payment of principal and interest on the Notes. The LRMF would further note that unlike OCC's relationship with

[22] ''CMO Group'' refers to the legal entity that is the Clearing Member and any other affiliate entities that control, are controlled by, or under common control with the Clearing Member.

[23] *See, e.g.,* 17 CFR 17ad–22(e)(4)(ii); 17 CFR 39.33(a)(1). OCC has not been designated a covered clearing agency that is systemically important in multiple jurisdictions or involved in activities that have a more complex profile. However, OCC has voluntarily opted to adopt a Cover 2 credit requirement as a covered clearing agency and a DCO that has elected to become a subpart C DCO. *See* Exchange Act Release No. 83406 (June 11, 2018), 83 FR 28018, 28021 (June 15, 2018) (SR–OCC–2018–008).

[24] *See* OCC Rule 1006(h).

[25] *See, e.g.,* Exchange Act Release No. 92038 (May 27, 2021), 86 FR 29861 (June 3, 2021) (SR–OCC–2021–003) (approving changes to establish a persistent minimum amount of skin-in-the-game).

[26] Currently, the Capital Management Policy defines LNAFBE as the level of cash and cash equivalents, no greater than Equity, less any approved adjustments (*e.g.,* agency-related liabilities such as Section 31 fees held by OCC and the Minimum Corporate Contribution).

liquidity providers under OCC's committed facilities, OCC is not reliant on the dealers or agent to execute a draw to meet same-day settlement obligations, as discussed above. In addition, the LRMF would provide that OCC would monitor and manage its relationship with the dealers and issuing and paying agent as ''Financial Institutions'' under the TPRMF, as that term is defined therein.

OCC would also amend the TPRMF to address how OCC monitors and manages its relationship with the dealers and issuing and paying agent. Specifically, OCC would amend the TPRMF to include the dealers and agent, and the role they play in supporting OCC's Commercial Paper Program, within the scope of Financial Institutions, which currently includes OCC's relationships with Clearing Banks, custodians, liquidity providers and investment counterparties. As such, the on-boarding and ongoing monitoring of such relationships would be subject to existing governance through OCC's Credit and Liquidity Risk Working Group (''CLRWG''), a cross-functional group comprised of representatives from relevant OCC business units including Treasury, Stress Testing and Liquidity, Collateral and Third-Party Risk Management. OCC believes that CLRWG is the appropriate internal working group for reviewing these relationships given its existing role in managing OCC's liquidity risks, resources and relationships.

(e) Federal Reserve Account

OCC also proposes to amend its Rules and the Cash and Investment Management Policy to allow for the Commercial Paper Program proceeds to be held in one of its Federal Reserve Bank accounts. As part of OCC's designation as a systemically important financial market utility (''SIFMU'') by the Financial Stability Oversight Council (''FSOC'') on July 18, 2012, OCC is eligible pursuant to Section 806 of Title VIII of the Dodd-Frank Act to request the use of certain accounts and services of Federal Reserve Banks.[27] OCC has been approved by the Board of Governors of the Federal Reserve System to maintain a Federal Reserve Bank account to hold, among other things, cash deposits from its Clearing Members to satisfy margin, Clearing Fund requirements, and OCC's corporate funds.[28] However, I&P .04 to OCC Rule 1002 and OCC Rule 604B impose certain restrictions on the manner in which OCC must hold Clearing Fund contributions and margin assets.[29] Consistent with these requirements, OCC's Federal Reserve Bank account in which it would maintain the Commercial Paper Program proceeds currently is limited to Clearing Fund contributions and certain non-customer cash margin assets.[30]

To safeguard the prefunded cash proceeds from the Commercial Paper Program, OCC proposes to amend I&P .04 to OCC Rule 1002 and OCC Rule 604B(c)(2) to allow OCC to maintain the Commercial Paper Program proceeds in the same Federal Reserve Bank account as the Clearing Fund cash and non-customer cash margin. Like the cash Clearing Fund contributions, the Commercial Paper Program proceeds are funds that OCC would use exclusively to manage a Clearing Member default or other event for which OCC is authorized to use Clearing Fund deposits under OCC Rule 1006. In addition, OCC believes that the ability to hold the Commercial Paper Program proceeds in its Federal Reserve bank account would be consistent with Commission rules for covered clearing agencies that encourage the use of central bank services to conduct money settlements,[31] custody qualifying liquid resources,[32] and enhance management of liquidity risk.[33] Accordingly, OCC believes holding these funds together with the Clearing Fund cash in a Federal Reserve Bank account is both prudent and supported by applicable regulatory requirements. OCC intends to establish a subaccount under its master Federal Reserve Bank account to segregate the Commercial Paper Program proceeds from other funds maintained in the master account.

In connection with the above changes to OCC's Rules, OCC would also amend its Cash and Investment Management Policy. Specifically, OCC would update that policy to recognize the Commercial Paper Program proceeds would be a form of OCC cash, as opposed to Clearing Member cash. As defined in the Cash and Investment Management Policy, OCC's cash includes, among other things, working capital cash related to future operating costs, inclusive of financial resources held to meet liquidity and resiliency requirements. In contrast, Clearing Member cash is cash received from and held by OCC on behalf of its Clearing Members, including Clearing Fund cash, margin cash, cash held in liquidating settlement accounts, proceeds from OCC's liquidity facilities, and investments made with Clearing Member cash. Since the Commercial Paper Program proceeds are obtained through OCC's issuance of unsecured debt, such proceeds are a form of OCC cash. However, unlike other OCC cash, which OCC maintains at creditworthy commercial banks and may invest in Government securities through reverse repurchase agreements with investment counterparties, the policy would provide that the Commercial Paper Program proceeds would be held exclusively at a Federal Reserve Bank and would not be invested. The policy would further provide that interest earned on Commercial Paper Program proceeds held at a Federal Reserve Bank will accrue to the benefit of OCC. Such accrued interest would help to partially offset OCC's costs to issue the interest-bearing Notes.

(f) Default Management

OCC also proposes to amend its Default Management Policy to provide for the governance process for using Commercial Paper Program proceeds in the event of a Clearing Member suspension, settlement bank failure, or other situation in which OCC may need to draw upon its Clearing Fund to cover losses or liquidity shortfalls. In such events, the policy provides that the Chairman, Chief Executive Officer (''CEO'') or Chief Operating Officer (''COO'') have authority under OCC Rule 1006 to authorize OCC's Treasury office within its Finance Department to draw on OCC's committed liquidity facilities or borrow cash deposits maintained in the Clearing Fund as necessary. In actuality, OCC Rule 1006(f)(2)(A)(iii) currently provides that OCC may use funds it takes possession of under Rule 1006(f) to borrow or

[27] 12 U.S.C. 5465.

[28] *See* Federal Reserve Bank of Chicago authorization to provide accounts and services to Options Clearing Corporation and Chicago Mercantile Exchange, Inc., in accordance with the Dodd-Frank Act and Regulation HH, approved March 15, 2016 (*https://www.federalreserve.gov/releases/h2/20160319/h2.pdf*). OCC has also been approved to maintain two additional accounts to serve as customer segregated accounts as defined under Section 4d of the Commodity Exchange Act. Since these accounts are segregated margin accounts, the change discussed herein does not impact these accounts.

[29] *See* OCC Rule 604B(c) (providing authority to commingle funds held by the Corporation as non-customer margin assets in a Federal Reserve bank account with cash Clearing Fund contributions); OCC Rule 1002, I&P .04 (providing authority to commingle cash Clearing Fund contributions in a Federal Reserve bank account with non-customer margin assets).

[30] *See* Exchange Act Release No. 90100 (Oct. 6, 2020), 85 FR 64603 (Oct. 13, 2020) (SR–OCC–2020–010) (approving proposed rule changes to allow OCC to commingle certain non-customer margin assets with Clearing Fund contributions in OCC's Federal Reserve bank account).

[31] 17 CFR 240.17ad–22(e)(9).

[32] 17 CFR 240.17ad–22(a) (''Qualifying liquid resources'').

[33] 17 CFR 240.17ad–22(e)(7)(iii).

otherwise obtain funds through any means determined to be reasonable at the discretion of the Chairman, CEO or COO. OCC's Office of the Chief Executive Officer (''OCEO''), currently comprised of the CEO and COO, has already determined that drawing on an existing committed liquidity facility or borrowing Clearing Fund cash deposits are reasonable means to borrow or otherwise obtain funds under Rule 1006 in such events. The Default Management Policy would be amended to note this determination, in place of the current statement about what OCC Rule 1006 authorizes.

With respect to approving a particular borrowing or draw, OCC would further amend the Default Management Policy to provide that the OCEO, OCC's Chief Financial Risk Officer (''CFRO''), Chief Risk Officer (''CRO''), or their delegates may authorize OCC's Treasury, a business unit within the Finance Department, to initiate a draw from OCC's committed facilities or borrow cash deposits maintained in the Clearing Fund to meet settlement obligations. OCC believes that expanding the universe of the senior managers or their delegates who are authorized to approve such measures is prudent to mitigate the operational risk that one or more of those individuals would not be available to approve such a time-sensitive request. If those individuals were unavailable to approve the request, OCC may not be able to obtain the funds in a timely enough manner and may need to extend settlement obligations under OCC Rule 505. In addition, OCC would amend the Default Management policy to provide that the same individuals would have the authority to approve the use of Commercial Paper Program proceeds in such situations. The Default Management Policy would further provide that any other means of borrowing or otherwise obtaining funds requires approval from the Chairman, CEO or COO, consistent with the determination required under OCC Rule 1006(f).

(g) Administrative Changes

OCC also proposes to make certain non-substantive changes and corrections to its rules for clarity, including:

- OCC would add titles (*i.e.,* ''Clearing Fund Cash Requirement,'' ''Commercial Paper Program'' and ''Committed Facilities'') to the descriptions in a list of qualifying liquid resources that count as Base Liquidity Resources in the LRMF.
- OCC would correct a cross-reference to the definition of the term ''qualifying liquid resources'' in the LRMF to conform with amendments to the Covered Clearing Agency Standards that removed the numbering of definitions under Exchange Act Rule 240.17Ad–22(a).[34]
- Where the LRMF, TPRMF or Cash and Investment Management Policy define terms at an earlier point in the document, OCC would carry those defined terms through the remainder of the document, as appropriate.
- Consistent with respect to other policies and frameworks,[35] OCC would remove the version number from the Cash and Investment Management Policy. Such version numbers do not constitute a rule and are instead reflected in an internal system of record that OCC uses to manage its policy governance.

2. Statutory Basis

OCC believes the proposed rule change is consistent with Section 17A of the Exchange Act [36] and Rule 17Ad–22(e)(7) [37] and 17Ad-22(e)(16) [38] thereunder. Section 17A(b)(3)(F) of the Act [39] requires, among other things, that OCC's rules must be designed to promote the prompt and accurate clearance and settlement of securities transactions, assure the safeguarding of securities and funds which are in the custody or control of OCC or for which it is responsible, and, in general, protect investors and the public interest.[40] OCC believes that the proposal is designed to assure the safeguarding and security of the Commercial Paper Program proceeds because OCC proposes to safeguard such funds by maintaining them in its Federal Reserve Bank account to mitigate custody risk, thereby helping to ensure that the funds will be available to address a liquidity shortfall during a Clearing Member default or other similar liquidity demands. By maintaining sufficient qualifying liquid resources to meet such liquidity demands, OCC also believes that the proposed changes are designed to promote the prompt and accurate clearance and settlement of securities transactions by mitigating the risk that OCC would exercise its authority to extend settlement obligations. Such an extension of settlement could have downstream impacts on its participants and the markets OCC serves, including the potential impact OCC's failure to make settlement could have on the ability of other market participants to meet their own financial obligations. As FSOC concluded when it designated OCC as a SIFMU under Title VIII of the Dodd-Frank Act,[41] ''a failure of or a disruption to OCC could increase the risk of significant liquidity or credit problems spreading among financial institutions or markets and thereby threaten the stability of the financial system of the United States.'' [42] Instability within the U.S. financial system may result in losses for investors and costs for the general public. OCC believes that by helping ensure that OCC has sufficient qualifying liquid resources to meet its liquidity demands, the proposed changes mitigate systemic risk that could threaten the stability of the broader financial system. For these reasons, the proposed changes to OCC's rules are reasonably designed to promote the prompt and accurate clearance and settlement of securities transactions, assure the safeguarding of securities and funds which are in OCC's custody or control or for which it is responsible, and protect investors and the public interest in accordance with Section 17A(b)(3)(F) of the Act.[43]

Rule 17Ad–22(e)(7)(i) requires that OCC establish, implement, maintain and enforce written policies and procedures reasonably designed to maintain sufficient liquid resources at the minimum in all relevant currencies to effect same-day and, where appropriate, intraday and multiday settlement of payment obligations with a high degree of confidence under a wide range of foreseeable stress scenarios that includes, but is not limited to, the default of the participant family that would generate the largest aggregate payment obligation for the covered clearing agency in extreme but plausible market conditions.[44] As described above, the proposed change would allow OCC to establish its Commercial Paper Program, which would in turn help provide OCC with a prefunded qualifying liquid resource that would enable it to continue to meet its obligations in a timely manner and address OCC's liquidity demands under stressed or volatile market conditions. Accordingly, OCC believes that the proposed changes are consistent with Exchange Act Rule 17Ad–22(e)(7)(i).[45]

[34] *See* Exchange Act Release No. 99149 (Dec. 13, 2023), 89 FR 2714, 2829 (S7–23–22).

[35] *See* Exchange Act Release No. 93436 (Oct. 27, 2021), 86 FR 60499, 60501 (Nov. 2, 2021) (SR–OCC–2021–010)

[36] 15 U.S.C. 78q–1.

[37] 17 CFR 240.17ad–22(e)(7).

[38] 17 CFR 240.17ad–22(e)(16).

[39] 15 U.S.C. 78q–1(b)(3)(F).

[40] 15 U.S.C. 78q–1(b)(3)(F).

[41] 12 U.S.C. 5463.

[42] FSOC Annual Report (2012), Appendix A at 187, *available at https://home.treasury.gov/system/files/261/2012-Appendix-A-Designation-of-Systemically-Important-Market-Utilities.pdf.*

[43] *Id.*

[44] 17 CFR 240.17ad–22(e)(7)(i).

[45] *Id.*

Exchange Act Rule 17Ad–22(e)(7)[46] also promotes the use of central bank services by a covered clearing agency to conduct money settlements. Specifically, Exchange Act Rule 17Ad–22(e)(7)(ii) requires OCC to establish, implement, maintain and enforce written policies and procedures reasonably designed to hold qualifying liquid resources sufficient to satisfy its Cover 1 liquidity requirement in the currency for which OCC has payment obligations owed to Clearing Members.[47] Exchange Act Rule 17Ad–22(a) defines ''qualifying liquid resources'' to include, among other things, cash held at the central bank of issue.[48] In addition, Exchange Act Rule 17Ad–22(e)(7)(iii) requires OCC to establish, implement, maintain and enforce written policies and procedures reasonably designed to use its access to accounts and services at a Federal Reserve Bank when available and where determined to be practical by OCC's Board to enhance its management of liquidity risk.[49] OCC proposes to maintain the proceeds of the Commercial Paper Program in U.S. dollars, the currency in which OCC conducts its settlements, held in a Federal Reserve Bank account along with other qualifying liquid resources. Accordingly, OCC believes that the proposal is consistent with Exchange Act Rules 17Ad–22(e)(7)(ii) and (iii).[50]

Exchange Act Rule 17Ad–22(e)(16) requires OCC to establish, implement, maintain, and enforce written policies and procedures reasonably designed to safeguard its own and its participants' assets, minimize the risk of loss and delay in access to these assets, and invest such assets in instruments with minimal credit, market, and liquidity risks.[51] In adopting Exchange Rule 17Ad–22(e)(16),[52] the Commission stated that in satisfying the requirements a covered clearing agency should consider, among other things: (i) whether it holds its own and its participants' assets at supervised and regulated entities that have robust accounting practices, safekeeping procedures, and internal controls that fully protect these assets; (ii) whether it has prompt access to its assets and the assets provided by participants, when required; and (iii) whether it evaluates and understands its exposures to its custodian banks, taking into account the full scope of its relationships with each.[53] As discussed above, OCC believes that the proposed changes are consistent with these considerations by requiring OCC to hold the Commercial Paper Program proceeds as qualifying liquid resources in one of its Federal Reserve Bank accounts, thereby mitigating the custody risk of maintaining such assets.

For those reasons, OCC believes that the proposal is consistent with Rule 17Ad–22(e)(7) and (e)(16) under the Exchange Act.[54]

(B) Clearing Agency's Statement on Burden on Competition

Section 17A(b)(3)(I) of the Exchange Act[55] requires that the rules of a clearing agency not impose any burden on competition not necessary or appropriate in furtherance of the purposes of the Act. OCC does not believe that the proposal would impose any burden on competition because the proposed changes would not inhibit access to OCC's services in any way and would not disadvantage or favor any particular user in relation to another user. The proposed changes to OCC's rules, including the filed frameworks and policies discussed herein, would apply equally to all users of OCC's services. Accordingly, OCC does not believe that the proposed rule changes would have any impact or impose a burden on competition.

(C) Clearing Agency's Statement on Comments on the Proposed Rule Change Received From Members, Participants or Others

Written comments were not and are not intended to be solicited with respect to the proposed change and none have been received.

III. Date of Effectiveness of the Proposed Rule Change and Timing for Commission Action

Within 45 days of the date of publication of this notice in the **Federal Register** or within such longer period up to 90 days (i) as the Commission may designate if it finds such longer period to be appropriate and publishes its reasons for so finding or (ii) as to which the selfregulatory organization consents, the Commission will:

(A) by order approve or disapprove such proposed rule change, or

(B) institute proceedings to determine whether the proposed rule change should be disapproved.

The proposal shall not take effect until all regulatory actions required with respect to the proposal are completed.

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-regulations/self-regulatory-organization-rulemaking*); or
- Send an email to *rule-comments@sec.gov.* Please include file number SR–OCC–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.

All submissions should refer to file number SR–OCC–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 of submission. The Commission will post all comments on the Commission's internet website (*https://www.sec.gov/rules-regulations/self-regulatory-organization-rulemaking*). Copies of the filing will be available for inspection and copying at the principal office of OCC and on OCC's website at *https://www.theocc.com/Company-Information/Documents-and-Archives/By-Laws-and-Rules.*

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–OCC–2026–004 and should be submitted on or before June 29, 2026.

[46] 17 CFR 240.17ad–22(e)(7).

[47] 17 CFR 240.17ad–22(e)(7)(ii).

[48] 17 CFR 240.17ad–22(a) (''Qualifying liquid resources'').

[49] 17 CFR 240.17ad–22(e)(7)(iii).

[50] 17 CFR 240.17ad–22(e)(7)(ii), (iii).

[51] 17 CFR 240.17ad–22(e)(16).

[52] *Id.*

[53] *See* Exchange Act Release No. 34–78961, 81 FR at 70786 at 70837 (Oct. 13, 2016).

[54] 17 CFR 240.17ad–22(e)(7), (16).

[55] 15 U.S.C. 78q–1(b)(e)(I).

For the Commission, by the Division of Trading and Markets, pursuant to delegated authority.[56]

Sherry R. Haywood,

Assistant Secretary.

[FR Doc. 2026–11384 Filed 6–5–26; 8:45 am]

BILLING CODE 8011–01–P

SECURITIES AND EXCHANGE COMMISSION

[OMB Control No. 3235–0707]

Agency Information Collection Activities; Proposed Collection; Comment Request; Extension: Form SF–1

Upon Written Request, Copies Available From: Securities and Exchange Commission, Office of FOIA Services, 100 F Street NE, Washington, DC 20549–2736

Notice is hereby given that, pursuant to the Paperwork Reduction Act of 1995 (44 U.S.C. 3501 *et seq.*), the Securities and Exchange Commission (''Commission'') is soliciting comments on the collection of information summarized below. The Commission plans to submit this existing collection of information to the Office of Management and Budget for extension and approval.

Form SF–1 (17 CFR 239.44) is a registration statement used by issuers of asset-backed securities to register a public offering of their securities under the Securities Act of 1933 (15 U.S.C. 77a *et seq.*). The information collected is intended to ensure the adequacy of information available to investors in connection with the offering of asset-backed securities. The information required by Form SF–1 is mandatory, and Form SF–1 is publicly available on the Commission's Electronic Data Gathering, Analysis, and Retrieval (''EDGAR'') system. We estimate that Form SF–1 takes approximately 1,381.33 hours per response and is filed once per year by approximately 7 respondents, for an estimate of 7 total responses annually. We estimate that 25% of the 1,381.33 hours per response (345.33 hours) is carried internally by the registrant for a total annual reporting burden of 2,417 hours (345.33 hours per response × 7 responses). We estimate that 75% of the 1,381.33 hours per response (1,036 hours) is carried externally by outside professionals retained by the issuer at an estimated rate of $600 per hour for a total annual cost burden of $4,351,200 ($600 per hour × 1,036 hours per response × 7 responses annually).

An agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless it displays a currently valid OMB control number.

Written comments are invited on: (a) whether this proposed collection of information is necessary for the proper performance of the functions of the agency, including whether the information will have practical utility; (b) the accuracy of the agency's estimate of the burden imposed by the collection of information; (c) ways to enhance the quality, utility, and clarity of the information collected; and (d) ways to minimize the burden of the collection of information on respondents, including through the use of automated collection techniques or other forms of information technology.

Please direct your written comments on this 60-Day Collection Notice to Austin Gerig, Director/Chief Data Officer, Securities and Exchange Commission, c/o Tanya Ruttenberg via email to *PaperworkReductionAct@sec.gov* by August 7, 2026. There will be a second opportunity to comment on this SEC request following the **Federal Register** publishing a 30-Day Submission Notice.

Dated: June 3, 2026.

Sherry R. Haywood,

Assistant Secretary.

[FR Doc. 2026–11392 Filed 6–5–26; 8:45 am]

BILLING CODE 8011–01–P

SECURITIES AND EXCHANGE COMMISSION

[OMB Control No. 3235–0547]

Agency Information Collection Activities; Submission for OMB Review; Comment Request; Extension: Investor Form

Upon Written Request, Copies Available From: Securities and Exchange Commission, Office of FOIA Services, 100 F Street NE, Washington, DC 20549–2736

Notice is hereby given that, pursuant to the Paperwork Reduction Act of 1995 (44 U.S.C. 3501 *et seq.*), the Securities and Exchange Commission (SEC or ''Commission'') is submitting to the Office of Management and Budget (OMB) this request for extension of the proposed collection of information.

Each year the Commission receives several thousand contacts from investors who have complaints or questions on a wide range of investment-related issues. To make it easier for the public to contact the agency electronically, the Commission's Office of Investor Education and Assistance (''OIEA'') created an electronic form (the Investor Form at *https://help.sec.gov/s/*) that provides drop down options to choose from in order to categorize the investor's complaint or question, and may also provide the investor with automated information about their issue. The Investor Form asks investors to provide information concerning, among other things, their names, how they can be reached, the names of the individuals or entities involved, the nature of their complaint or tip, what documents they can provide, and what, if any, actions they have taken. Use of the Investor Form is voluntary. Absent the forms, the public still has several ways to contact the agency, including telephone, facsimile, letters, and email. Investors can access the Investor Form through the consolidated Investor Complaint and Question web page (*https://help.sec.gov/s/*).

OIEA receives approximately 13,000 contacts each year through the Investor Form. Investors who choose not to use the Investor Form receive the same level of service as those who do. The dual purpose of the form is to make it easier for the public to contact the agency with complaints, questions, tips, or other feedback and to further streamline the workflow of Commission staff that record, process, and respond to investor contacts.

The Commission uses the information that investors supply on the Investor Form to review and process the contact (which may, in turn, involve responding to questions, processing complaints, or, as appropriate, initiating enforcement investigations), to maintain a record of contacts, to track the volume of investor complaints, and to analyze trends. Use of the Investor Form is voluntary. The Investor Form asks investors to provide information concerning, among other things, their names, how they can be reached, the names of the individuals or entities involved, the nature of their complaint or tip, what documents they can provide, and what, if any, actions they have taken.

The staff of the Commission estimates that the total reporting burden for using the Investor Form is 3,250 hours. The calculation of this estimate depends on the number of investors who use the forms each year and the estimated time it takes to complete the forms: 13,000 respondents × 15 minutes = 3,250 burden hours.

An agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless it displays a currently valid OMB Control Number.

[56] 17 CFR 200.30–3(a)(12).

The public may view and comment on this information collection request at: *https://www.reginfo.gov/public/do/PRAViewICR?ref_nbr=202603-3235-005* or email comment to *MBX.OMB.OIRA.SEC_desk_officer@omb.eop.gov* within 30 days of the day after publication of this notice, by July 9, 2026.

Dated: June 4, 2026.

Sherry R. Haywood,

Assistant Secretary.

[FR Doc. 2026–11464 Filed 6–5–26; 8:45 am]

BILLING CODE 8011–01–P

SECURITIES AND EXCHANGE COMMISSION

[Investment Company Act Release No. 36204; File No. 812–15786]

Privacore PCAAM Alternative Growth Fund, et al.

June 3, 2026.

AGENCY: Securities and Exchange Commission (''Commission'' or ''SEC'').

ACTION: Notice.

Notice of application for an order under sections 17(d) and 57(i) of the Investment Company Act of 1940 (the ''Act'') and rule 17d–1 under the Act to permit certain joint transactions otherwise prohibited by sections 17(d) and 57(a)(4) of the Act and rule 17d–1 under the Act.

SUMMARY OF APPLICATION: Applicants request an order to permit certain business development companies (''BDCs''), and closed-end management investment companies, to co-invest in portfolio companies with each other and with certain affiliated investment entities.

APPLICANTS: Privacore PCAAM Alternative Growth Fund, Privacore PCAAM Alternative Income Fund, Partners Capital Investment Group, LLP, and certain of their affiliated entities as described in Schedule A to the Application.

FILING DATES: The application was filed on May 8, 2025, and amended on July 21, 2025, and March 25, 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 June 29, 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 at *Secretarys-Office@sec.gov*.

ADDRESSES: The Commission: *Secretarys-Office@sec.gov*. Applicants: Sandhya Ganapathy, Privacore Capital Advisors, LLC, *Sandhya.Ganapathy@privacorecap.com;* Nelda Kacyem, Partners Capital Investment Group, LLP, *Nelda.Kacyem@partners-cap.com;* Joshua B. Deringer, Esq. and Gwendolyn A. Williamson, Faegre Drinker Biddle & Reath LLP, *Joshua.deringer@faegredrinker.com* and *gwendolyn.williamson@faegredrinker.com.*

FOR FURTHER INFORMATION CONTACT: Thomas Ahmadifar, Branch Chief, or Asaf Barouk, Senior 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' second amended application, filed March 25, 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.

Sherry R. Haywood,

Assistant Secretary.

[FR Doc. 2026–11385 Filed 6–5–26; 8:45 am]

BILLING CODE 8011–01–P

SECURITIES AND EXCHANGE COMMISSION

[OMB Control No. 3235–0625]

Agency Information Collection Activities; Proposed Collection; Comment Request; Extension: Rule 17g–1 and Form NRSRO

Upon Written Request, Copies Available From: Securities and Exchange Commission, Office of FOIA Services, 100 F Street NE, Washington, DC 20549–2736

Notice is hereby given that, pursuant to the Paperwork Reduction Act of 1995 (44 U.S.C. 3501 *et seq.*), the Securities and Exchange Commission (SEC or ''Commission'') is soliciting comments on the proposed collection of information. Rule 17g–1 and Form NRSRO set forth a process for registration as an NRSRO and ongoing disclosure. Rule 17g–1 requires the filing of an application on Form NRSRO to register as an NRSRO or to register for an additional class of credit ratings. Form NRSRO lists the information that must be included in the application.

Currently, there are 11 credit rating agencies registered as NRSROs with the Commission. Based on staff experience, the Commission estimates that the ongoing annual burden for respondents to comply with Rule 17g–1 and Form NRSRO is 2,322 hours. In addition, the Commission estimates an industry-wide annual external cost to NRSROs of $4,840 to comply with the requirements.[1]

An agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless it displays a currently valid OMB Control Number.

Written comments are invited on: (a) whether this proposed collection of information is necessary for the proper performance of the functions of the SEC, including whether the information will have practical utility; (b) the accuracy of the SEC's estimate of the burden imposed by the proposed collection of information, including the validity of the methodology and the assumptions used; (c) ways to enhance the quality, utility, and clarity of the information to be collected; and (d) ways to minimize the burden of the collection of information on respondents, including through the use of automated, electronic collection techniques or other forms of information technology.

Please direct your written comments on this 60-Day Collection Notice to

[1] This cost has been increased by 10 percent since the last renewal of the collection of information to account for inflation.

Austin Gerig, Director/Chief Data Officer, Securities and Exchange Commission, c/o Tanya Ruttenberg via email to *PaperworkReductionAct@sec.gov* by August 7, 2026. There will be a second opportunity to comment on this SEC request following the **Federal Register** publishing a 30-Day Submission Notice.

Dated: June 4, 2026.

Sherry R. Haywood,

Assistant Secretary.

[FR Doc. 2026–11463 Filed 6–5–26; 8:45 am]

BILLING CODE 8011–01–P

SMALL BUSINESS ADMINISTRATION

Meeting of the Interagency Task Force on Veterans Small Business Development

AGENCY: U.S. Small Business Administration (SBA).

ACTION: Notice of open Federal Advisory Committee Meeting.

SUMMARY: The SBA is issuing this notice to announce the date, time, and agenda for the next meeting of the Interagency Task Force on Veterans Small Business Development (IATF).

DATES: Thursday, June 18, 2026, from 1 p.m. to 3 p.m. EDT.

ADDRESSES: The public meeting will be held virtually via Microsoft Teams.

FOR FURTHER INFORMATION CONTACT: The virtual meeting is open to the public; however advance notice of attendance is strongly encouraged. To RSVP and confirm attendance, the general public should email *veteransbusiness@sba.gov* with subject line, ''RSVP for June 18, 2026, IATF Virtual Public Meeting.'' To submit a written comment, individuals should email *veteransbusiness@sba.gov* with subject line, ''Response for June 18, 2026, IATF Virtual Public Meeting'' no later than June 12, 2026. Comments received in advance will be addressed as time allows during the public comment period. All other comments submitted will be included in the meeting record. During the live meeting, those who wish to comment will be able to do so during the public comment period. Participants can join the meeting via computer at this link: *https://bit.ly/IATFJune2026* Meeting ID: 264 424 823 103 244, or by phone. Call in (audio only): Dial: +1 202–765–1264,: Phone Conference ID: 278 345 555#. Special accommodation requests should be directed to OVBD at (202) 205–6773 or *veteransbusiness@sba.gov.* All applicable documents will be posted on the IATF website prior to the meeting: *https://www.sba.gov/about-sba/sba-locations/headquarters-offices/office-veterans-business-development.* For more information on veteran-owned small business programs, please visit *www.sba.gov/ovbd.*

SUPPLEMENTARY INFORMATION: Pursuant to section 10(a)(2) of the Federal Advisory Committee Act (5 U.S.C., Appendix 2), SBA announces the meeting of the Interagency Task Force on Veterans Small Business Development (IAFT). The IATF is established pursuant to Executive Order 13540 to coordinate the efforts of Federal agencies to improve capital, business development opportunities, and pre-established federal contracting goals for small business concerns owned and controlled by veterans and service-disabled veterans. The purpose of this meeting is to discuss efforts that support veteran-owned small businesses, updates on past and current events, and the IATF's objectives for fiscal year 2026.

Dated: June 4, 2026.

Andrienne Johnson,

Committee Manager Officer.

[FR Doc. 2026–11469 Filed 6–5–26; 8:45 am]

BILLING CODE 8026–09–P

SMALL BUSINESS ADMINISTRATION

[Disaster Declaration #21614 and #21615; NORTHERN MARIANA ISLANDS Disaster Number MP–20001]

Presidential Declaration of a Major Disaster for Public Assistance Only for the Commonwealth of the Northern Mariana Islands

AGENCY: U.S. Small Business Administration.

ACTION: Notice.

SUMMARY: This is notice of the Presidential declaration of a major disaster for Public Assistance Only for the Commonwealth of the Northern Mariana Islands (FEMA–4910–DR), dated May 28, 2026.

Incident: Super Typhoon Sinlaku.

DATES: Issued on May 28, 2026.

Incident Period: April 11, 2026 through April 18, 2026.

Physical Loan Application Deadline Date: July 27, 2026.

Economic Injury (EIDL) Loan Application Deadline Date: March 1, 2027.

ADDRESSES: *Visit the MySBA Loan Portal at https://lending.sba.gov* to apply for a disaster assistance loan.

FOR FURTHER INFORMATION CONTACT: Jennifer Talarico, Office of Disaster Recovery and Resilience, U.S. Small Business Administration, 409 3rd Street SW, Suite 6050, Washington, DC 20416, (202) 205–6734.

SUPPLEMENTARY INFORMATION: Notice is hereby given as a result of the President's major disaster declaration on May 28, 2026, Private Non-Profit organizations providing essential services of a governmental nature may file disaster loan applications online using the SBA Loan Portal *https://lending.sba.gov* or in person at other locally announced locations. For further assistance please contact the SBA disaster assistance customer service center by email at *disastercustomerservice@sba.gov* or by phone at 1–800–659–2955. If you are deaf, hard of hearing, or have a speech disability, please dial 7–1–1 to access telecommunications relay services.

The following areas have been determined to be adversely affected by the disaster:

Primary Areas: The entire Commonwealth of the Northern Mariana Islands, including Saipan, Tinian, Rota, and the Northern Islands.

The Interest Rates are:

	Percent
For Physical Damage:	
Private Non-Profit Organizations with Credit Available Elsewhere	3.625
Private Non-Profit Organizations without Credit Available Elsewhere	3.625
For Economic Injury:	
Private Non-Profit Organizations without Credit Available Elsewhere	3.625

The number assigned to this disaster for physical damage is 216148 and for economic injury is 216150.

(Catalog of Federal Domestic Assistance Number 59008)

(Authority:13 CFR 123.3(b).)

James Stallings,

Associate Administrator, Office of Disaster Recovery & Resilience.

[FR Doc. 2026–11423 Filed 6–5–26; 8:45 am]

BILLING CODE 8026–09–P

SMALL BUSINESS ADMINISTRATION

[Disaster Declaration #21616 and #21617; San Carlos Apache Tribe Disaster Number AZ–20019]

Presidential Declaration of a Major Disaster for the San Carlos Apache Tribe

AGENCY: U.S. Small Business Administration.

ACTION: Notice.

SUMMARY: This is notice of the Presidential declaration of a major disaster for the San Carlos Apache Tribe (FEMA–4911–DR), dated May 29, 2026.

Incident: Severe Storms and Flooding.

DATES: Issued on May 29, 2026.

Incident Period: October 10, 2025 through October 13, 2025.

Physical Loan Application Deadline Date: August 1, 2026.

Economic Injury (EIDL) Loan Application Deadline Date: March 1, 2027.

ADDRESSES: *Visit the SBA Loan Portal at https://lending.sba.gov* to apply for a disaster assistance loan.

FOR FURTHER INFORMATION CONTACT: Sharon Henderson, Office of Disaster Recovery and Resilience, U.S. Small Business Administration, 409 3rd Street SW, Suite 6050, Washington, DC 20416, (202) 205–6734.

SUPPLEMENTARY INFORMATION: Notice is hereby given as a result of the President's major disaster declaration on May 29, 2026, applications for disaster loans may be submitted online using the SBA Loan Portal *https://lending.sba.gov* or in person at other locally announced locations. For further assistance please contact the SBA disaster assistance customer service center by email at *disastercustomerservice@sba.gov* or by phone at 1–800–659–2955. If you are deaf, hard of hearing or have a speech disability, please dial 7–1–1 to access telecommunications relay services.

The following areas have been determined to be adversely affected by the disaster:

Primary Area (Physical Damage and Economic Injury Loans): San Carlos Apache Tribe.

Contiguous Counties (Economic Injury Loans Only): Arizona: Apache, Gila, Graham, Greenlee, Navajo, Pinal.

The Interest Rates are:

	Percent
For Physical Damage:	
Homeowners with Credit Available Elsewhere	6.000
Homeowners without Credit Available Elsewhere	3.000
Businesses with Credit Available Elsewhere	8.000
Businesses without Credit Available Elsewhere	4.000
Private Non-Profit Organizations with Credit Available Elsewhere	3.625
Private Non-Profit Organizations without Credit Available Elsewhere	3.625
For Economic Injury:	
Business and Small Agricultural Cooperatives without Credit Available Elsewhere	4.000
Private Non-Profit Organizations without Credit Available Elsewhere	3.625

The number assigned to this disaster for physical damage is 216166 and for economic injury is 216170.

(Catalog of Federal Domestic Assistance Number 59008)

(Authority: 13 CFR 123.3(b).)

James Stallings,

Associate Administrator, Office of Disaster Recovery & Resilience.

[FR Doc. 2026–11372 Filed 6–5–26; 8:45 am]

BILLING CODE 8026–09–P

SMALL BUSINESS ADMINISTRATION

[Disaster Declaration #21626 and #21627; Montana Disaster Number MT–20034]

Presidential Declaration of a Major Disaster for the Crow Tribe of Montana

AGENCY: U.S. Small Business Administration.

ACTION: Notice.

SUMMARY: This is notice of the Presidential declaration of a major disaster for the Crow Tribe of Montana (FEMA–4915–DR), dated May 29, 2026.

Incident: Severe Winter Storm and Straight-line Winds.

DATES: Issued on May 29, 2026.

Incident Period: December 17, 2025 through December 19, 2025.

Physical Loan Application Deadline Date: August 1, 2026.

Economic Injury (EIDL) Loan Application Deadline Date: March 1, 2027.

ADDRESSES: *Visit the SBA Loan Portal at https://lending.sba.gov* to apply for a disaster assistance loan.

FOR FURTHER INFORMATION CONTACT: Jennifer Talarico, Office of Disaster Recovery and Resilience, U.S. Small Business Administration, 409 3rd Street SW, Suite 6050, Washington, DC 20416, (202) 205–6734.

SUPPLEMENTARY INFORMATION: Notice is hereby given as a result of the President's major disaster declaration on May 29, 2026, applications for disaster loans may be submitted online using the SBA Loan Portal *https://lending.sba.gov* or in person at other locally announced locations. For further assistance please contact the SBA disaster assistance customer service center by email at *disastercustomerservice@sba.gov* or by phone at 1–800–659–2955. If you are deaf, hard of hearing or have a speech disability, please dial 7–1–1 to access telecommunications relay services.

The following areas have been determined to be adversely affected by the disaster:

Primary Area (Physical Damage and Economic Injury Loans): Crow Tribe of Montana.

Contiguous Counties (Economic Injury Loans Only):

Montana: Big Horn, Carbon, Yellowstone.

The Interest Rates are:

	Percent
For Physical Damage:	
Homeowners with Credit Available Elsewhere	5.750
Homeowners without Credit Available Elsewhere	2.875
Businesses with Credit Available Elsewhere	8.000
Businesses without Credit Available Elsewhere	4.000
Private Non-Profit Organizations with Credit Available Elsewhere	3.625
Private Non-Profit Organizations without Credit Available Elsewhere	3.625
For Economic Injury:	
Business and Small Agricultural Cooperatives without Credit Available Elsewhere	4.000
Private Non-Profit Organizations without Credit Available Elsewhere	3.625

The number assigned to this disaster for physical damage is 21626B and for economic injury is 216270.

(Catalog of Federal Domestic Assistance Number 59008)

(Authority: 13 CFR 123.3(b).)

James Stallings,

Associate Administrator, Office of Disaster Recovery & Resilience.

[FR Doc. 2026–11421 Filed 6–5–26; 8:45 am]

BILLING CODE 8026–09–P

SMALL BUSINESS ADMINISTRATION

[Disaster Declaration #21618 and #21619; SAN CARLOS APACHE TRIBE Disaster Number AZ–20021]

Presidential Declaration of a Major Disaster for Public Assistance Only for the San Carlos Apache Tribe

AGENCY: U.S. Small Business Administration.

ACTION: Notice.

SUMMARY: This is notice of the Presidential declaration of a major disaster for Public Assistance Only for the San Carlos Apache Tribe (FEMA–4911–DR), dated May 29, 2026.

Incident: Severe Storms and Flooding.

DATES: Issued on May 29, 2026.

Incident Period: October 10, 2025 through October 13, 2025.

Physical Loan Application Deadline Date: August 1, 2026.

Economic Injury (EIDL) Loan Application Deadline Date: March 1, 2027.

ADDRESSES: *Visit the SBA Loan Portal at https://lending.sba.gov* to apply for a disaster assistance loan.

FOR FURTHER INFORMATION CONTACT: Sharon Henderson, Office of Disaster Recovery and Resilience, U.S. Small Business Administration, 409 3rd Street SW, Suite 6050, Washington, DC 20416, (202) 205–6734.

SUPPLEMENTARY INFORMATION: Notice is hereby given as a result of the President's major disaster declaration on May 29, 2026, Private Non-Profit organizations providing essential services of a governmental nature may file disaster loan applications online using the SBA Loan Portal *https://lending.sba.gov* or in person at other locally announced locations. For further assistance please contact the SBA disaster assistance customer service center by email at *disastercustomerservice@sba.gov* or by phone at 1–800–659–2955. If you are deaf, hard of hearing, or have a speech disability, please dial 7–1–1 to access telecommunications relay services.

The following areas have been determined to be adversely affected by the disaster:

San Carlos Apache Tribe.

The Interest Rates are:

	Percent
For Physical Damage:	
Private Non-Profit Organizations with Credit Available Elsewhere	3.625
Private Non-Profit Organizations without Credit Available Elsewhere	3.625
For Economic Injury:	
Private Non-Profit Organizations without Credit Available Elsewhere	3.625

The number assigned to this disaster for physical damage is 216186 and for economic injury is 216190.

(Catalog of Federal Domestic Assistance Number 59008)

(Authority:13 CFR 123.3(b).)

James Stallings,

Associate Administrator, Office of Disaster Recovery & Resilience.

[FR Doc. 2026–11373 Filed 6–5–26; 8:45 am]

BILLING CODE 8026–09–P

SMALL BUSINESS ADMINISTRATION

[Disaster Declaration #21624 and #21625; Montana Disaster Number MT–20032]

Presidential Declaration of a Major Disaster for the Fort Peck Assiniboine and Sioux Tribes

AGENCY: U.S. Small Business Administration.

ACTION: Notice.

SUMMARY: This is notice of the Presidential declaration of a major disaster for the Fort Peck Assiniboine and Sioux Tribes (FEMA–4914–DR), dated May 29, 2026.

Incident: Severe Winter Storm and Straight-line Winds.

DATES: Issued on May 29, 2026.

Incident Period: December 17, 2025 through December 18, 2025.

Physical Loan Application Deadline Date: August 1, 2026.

Economic Injury (EIDL) Loan Application Deadline Date: March 1, 2027.

ADDRESSES: *Visit the SBA Loan Portal at https://lending.sba.gov* to apply for a disaster assistance loan.

FOR FURTHER INFORMATION CONTACT: Jennifer Talarico, Office of Disaster Recovery and Resilience, U.S. Small Business Administration, 409 3rd Street SW, Suite 6050, Washington, DC 20416, (202) 205–6734.

SUPPLEMENTARY INFORMATION: Notice is hereby given as a result of the President's major disaster declaration on May 29, 2026, applications for disaster loans may be submitted online using the SBA Loan Portal *https://lending.sba.gov* or in person at other locally announced locations. For further assistance please contact the SBA disaster assistance customer service center by email at *disastercustomerservice@sba.gov* or by phone at 1–800–659–2955. If you are deaf, hard of hearing or have a speech disability, please dial 7–1–1 to access telecommunications relay services.

The following areas have been determined to be adversely affected by the disaster:

Primary Area (Physical Damage and Economic Injury Loans): Fort Peck Assiniboine and Sioux Tribes.

Contiguous Counties (Economic Injury Loans Only):

Montana: Daniels, McCone, Richland, Roosevelt, Sheridan, Valley.

The Interest Rates are:

	Percent
For Physical Damage:	
Homeowners with Credit Available Elsewhere	5.750
Homeowners without Credit Available Elsewhere	2.875
Businesses with Credit Available Elsewhere	8.000
Businesses without Credit Available Elsewhere	4.000
Private Non-Profit Organizations with Credit Available Elsewhere	3.625
Private Non-Profit Organizations without Credit Available Elsewhere	3.625
For Economic Injury:	
Business and Small Agricultural Cooperatives without Credit Available Elsewhere	4.000
Private Non-Profit Organizations without Credit Available Elsewhere	3.625

The number assigned to this disaster for physical damage is 21624B and for economic injury is 216250.

(Catalog of Federal Domestic Assistance Number 59008)

(Authority: 13 CFR 123.3(b).)

James Stallings,

Associate Administrator, Office of Disaster Recovery & Resilience.

[FR Doc. 2026–11419 Filed 6–5–26; 8:45 am]

BILLING CODE 8026–09–P

SMALL BUSINESS ADMINISTRATION

[Disaster Declaration #21622 and #21623; Alaska Disaster Number AK–20021]

Presidential Declaration of a Major Disaster for Public Assistance Only for the Native Village of Kipnuk

AGENCY: U.S. Small Business Administration.

ACTION: Notice.

SUMMARY: This is notice of the Presidential declaration of a major disaster for Public Assistance Only for the Native Village of Kipnuk (FEMA–4912–DR), dated May 29, 2026.

Incident: Severe Storms, Flooding, and Remnants of Typhoon Halong.

DATES: Issued on May 29, 2026.

Incident Period: October 8, 2025 through October 13, 2025.

Physical Loan Application Deadline Date: July 28, 2026.

Economic Injury (EIDL) Loan Application Deadline Date: March 1, 2027.

ADDRESSES: *Visit the SBA Loan Portal at https://lending.sba.gov* to apply for a disaster assistance loan.

FOR FURTHER INFORMATION CONTACT: Jennifer Talarico, Office of Disaster Recovery and Resilience, U.S. Small Business Administration, 409 3rd Street

SW, Suite 6050, Washington, DC 20416, (202) 205–6734.

SUPPLEMENTARY INFORMATION: Notice is hereby given as a result of the President's major disaster declaration on

May 29, 2026, Private Non-Profit organizations providing essential services of a governmental nature may file disaster loan applications online using the SBA Loan Portal *https://lending.sba.gov* or in person at other locally announced locations. For further assistance please contact the SBA disaster assistance customer service center by email at *disastercustomerservice@sba.gov* or by phone at 1–800–659–2955. If you are deaf, hard of hearing, or have a speech disability, please dial 7–1–1 to access telecommunications relay services.

The following areas have been determined to be adversely affected by the disaster:

Primary Area: Native Village of Kipnuk.

The Interest Rates are:

	Percent
For Physical Damage:	
Private Non-Profit Organizations with Credit Available Elsewhere	3.625
Private Non-Profit Organizations without Credit Available Elsewhere	3.625
For Economic Injury:	
Private Non-Profit Organizations without Credit Available Elsewhere	3.625

The number assigned to this disaster for physical damage is 216226 and for economic injury is 216230.

(Catalog of Federal Domestic Assistance Number 59008)

(Authority:13 CFR 123.3(b).)

James Stallings,

Associate Administrator, Office of Disaster Recovery & Resilience.

[FR Doc. 2026–11426 Filed 6–5–26; 8:45 am]

BILLING CODE 8026–09–P

SMALL BUSINESS ADMINISTRATION

[Disaster Declaration #21620 and #21621; KENTUCKY Disaster Number KY–20034]

Presidential Declaration of a Major Disaster for Public Assistance Only for the Commonwealth of Kentucky

AGENCY: U.S. Small Business Administration.

ACTION: Notice.

SUMMARY: This is notice of the Presidential declaration of a major disaster for Public Assistance Only for the commonwealth of Kentucky (FEMA–4913–DR), dated May 29, 2026.

Incident: Severe Winter Storm.

DATES: Issued on May 29, 2026.

Incident Period: January 23, 2026 through January 27, 2026.

Physical Loan Application Deadline Date: July 28, 2026.

Economic Injury (EIDL) Loan Application Deadline Date: March 1, 2027.

ADDRESSES: *Visit the SBA Loan Portal at https://lending.sba.gov* to apply for a disaster assistance loan.

FOR FURTHER INFORMATION CONTACT: Jennifer Talarico, Office of Disaster Recovery and Resilience, U.S. Small Business Administration, 409 3rd Street SW, Suite 6050, Washington, DC 20416, (202) 205–6734.

SUPPLEMENTARY INFORMATION: Notice is hereby given as a result of the President's major disaster declaration on May 29, 2026, Private Non-Profit organizations providing essential services of a governmental nature may file disaster loan applications online using the SBA Loan Portal *https://lending.sba.gov* or in person at other locally announced locations. For further assistance please contact the SBA disaster assistance customer service center by email at *disastercustomerservice@sba.gov* or by phone at 1–800–659–2955. If you are deaf, hard of hearing, or have a speech disability, please dial 7–1–1 to access telecommunications relay services.

The following areas have been determined to be adversely affected by the disaster:

Primary Counties: Allen, Barren, Clay, Clinton, Cumberland, Jackson, Laurel, Lee, McCreary, Menifee, Metcalfe, Monroe, Owsley, Pulaski, Rockcastle, Russell, Wayne, Whitley.

The Interest Rates are:

	Percent
For Physical Damage:	
Private Non-Profit Organizations with Credit Available Elsewhere	3.625
Private Non-Profit Organizations without Credit Available Elsewhere	3.625
For Economic Injury:	
Private Non-Profit Organizations without Credit Available Elsewhere	3.625

The number assigned to this disaster for physical damage is 21620B and for economic injury is 216210.

(Catalog of Federal Domestic Assistance Number 59008)

(Authority:13 CFR 123.3(b).)

James Stallings,

Associate Administrator, Office of Disaster Recovery & Resilience.

[FR Doc. 2026–11424 Filed 6–5–26; 8:45 am]

BILLING CODE 8026–09–P

SMALL BUSINESS ADMINISTRATION

Fiscal Year List of Requests From States or Tribes for a Small Business Administration Disaster Declaration

AGENCY: U.S. Small Business Administration.

ACTION: Notice.

SUMMARY: This notice provides an updated monthly summary of requests received by the U. S. Small Business Administration to make a disaster declaration for a state, territory, or tribe. The published list complies with a directive in the explanatory statement of the Consolidated Appropriations Act, 2026, Public Law 119–75.

DATES: Issued on June 4, 2026.

ADDRESSES: For further information contact: Eric Wall, Office of Disaster Recovery and Resilience, U.S. Small Business Administration, 409 3rd Street SW, Suite 6050, Washington, DC 20416, (202) 205–6739.

SUPPLEMENTARY INFORMATION: Notice is hereby given as of May 31, 2026, the following requests have been made to the U.S. Small Business Administration in Fiscal Year 2026 to declare a disaster.

State	Disaster date(s)	Disaster description	Date of state request to SBA	Approval status	Date of declaration
Arizona	September 25–27, 2025.	Gila County Flooding Event	October 9, 2025	Approved	October 10, 2025.

State	Disaster date(s)	Disaster description	Date of state request to SBA	Approval status	Date of declaration
Illinois	July 10–August 1, 2025.	Algal Bloom Water Contamination	November 4, 2025	Approved	November 6, 2025.
Arizona	October 10–13, 2025.	Remnants of Hurricane Priscilla and Tropical Storm Raymond.	November 4, 2025	Approved	November 14, 2025.
Florida	October 26, 2025	Severe Storms and Flooding	November 7, 2025	Approved	November 7, 2025.
New York	September 17, 2025	Red Hook Five-Alarm Fire	November 13, 2025	Approved	November 14, 2025.
Kentucky	November 4, 2025	Louisville Airplane Crash	November 14, 2025	Approved	November 15, 2025.
Colorado	August 2–29, 2025	Lee and Elk Fires, Mudslides, and Debris Flows.	November 17, 2025	Approved	November 18, 2025.
California	November 13–December 4, 2025.	Pack Fire	December 4, 2025	Approved	December 9, 2025.
New York	November 23, 2025	Cottage Avenue Apartment Building Fire	December 12, 2025	Approved	December 16, 2025.
Minnesota	October 26, 2025	Skyline Tower Apartment Complex Fire and Severe Water Damage.	December 19, 2025	Approved	December 22, 2025.
California	December 16–26, 2025.	2025 Late December Storm	January 28, 2026	Approved	February 3, 2026.
California	December 31, 2025–January 5, 2026.	2026 Early January Storm, Tidal Flooding, and King Tides.	January 28, 2026	Approved	February 3, 2026.
Louisiana	January 23–27, 2026.	2026 Severe Winter Storm	January 30, 2026	Approved	February 2, 2026.
California	December 16–26, 2025.	2025 Late December Storms	January 30, 2026	Approved	February 6, 2026.
California	January 19, 2026	Oakland Apartment Fire	February 4, 2026	Approved	February 10, 2026.
Washington	December 5–22, 2025.	Severe Winter Storms, 2025	February 11, 2026	Approved	February 24, 2026.
New Mexico	June 23–August 5, 2025.	Mescalero Apache Tribe—Rural Area—Severe Storms, Flooding and Landslides.	February 17, 2026	Approved	February 23, 2026.
Pennsylvania	February 20, 2026	Hotel Hampton Fire	March 3, 2026	Approved	March 4, 2026.
Illinois	August 16–19, 2025	Severe Storms, Straight-Line Winds, and Flash Flooding.	March 12, 2026	Approved	March 16, 2026.
Tennessee	January 22–27, 2026.	2026 Severe Winter Storm Fern	March 23, 2026	Approved	April 7, 2026.
Hawaii	November 30, 2025	Downtown Hilo Fire	April 1, 2026	Approved	April 3, 2026.
Louisiana	January 23–27, 2026.	Louisiana Severe Winter Storm	April 2, 2026	Approved	April 8, 2026.
Illinois	March 10, 2026	Severe Storm and Tornado	April 7, 2026	Approved	April 9, 2026.
Indiana	March 10–11, 2026	Severe Storms and Tornado	April 7, 2026	Approved	April 9, 2026.
Alaska	October 8–13, 2025	Severe Storms, Flooding and Remnants of Typhoon Halong.	April 13, 2026	Approved	April 15, 2026.
Arkansas	January 23–26, 2026.	Severe Winter Weather	April 14, 2026	Approved	April 29, 2026.
Illinois	July 25–28, 2025	Severe Storms and Flash Flooding	April 22, 2026	Approved	April 23, 2026.
Michigan	March 6, 2026	Tornadoes	April 27, 2026	Approved	April 28, 2026.
Oklahoma	April 2, 2026	Severe Weather, Tornadoes, and Straight-line Winds.	May 1, 2026	Approved	May 1, 2026.
Texas	April 24–May 1, 2026.	Severe Storms and Tornadoes	May 5, 2026	Approved	May 7, 2026.
Illinois	April 17, 2026	Severe Storm and Tornado	May 15, 2026	Approved	May 18, 2026.
Georgia	April 20, 2026	Wildfires	May 26, 2026	Approved	May 27, 2026.

(Catalog of Federal Domestic Assistance Number 59008)

Authority: 13 CFR 123.3(b).

James Stallings,

Associate Administrator, Office of Disaster Recovery & Resilience.

[FR Doc. 2026–11468 Filed 6–5–26; 8:45 am]

BILLING CODE 8026–09–P

SURFACE TRANSPORTATION BOARD

[Docket No. EP 682 (Sub-No. 17)]

2025 Tax Information for Use in the Revenue Shortfall Allocation Method

The Board is publishing, and providing the public an opportunity to comment on, the 2025 weighted average state tax rates for each Class I railroad, as calculated by the Association of American Railroads (AAR), for use in the Revenue Shortfall Allocation Method (RSAM).

The RSAM figure is one of three benchmarks that together are used to determine the reasonableness of a challenged rate under the Board's *Simplified Standards for Rail Rate Cases,* EP 646 (Sub-No. 1), slip op. at 10 (STB served Sept. 5, 2007),[1] as further revised in *Simplified Standards for Rail Rate Cases—Taxes in Revenue Shortfall Allocation Method* (*Simplified Standards—Taxes in RSAM*), EP 646 (Sub-No. 2) (STB served Nov. 21, 2008). RSAM is intended to measure the average markup that the railroad would need to collect from all of its ''potentially captive traffic'' (traffic with

[1] *Aff'd sub nom. CSX Transp., Inc.* v. *STB,* 568 F.3d 236 (D.C. Cir. 2009), *vacated in part on reh'g,* 584 F.3d 1076 (D.C. Cir. 2009).

a revenue-to-variable-cost ratio above 180%) to earn adequate revenues as measured by the Board under 49 U.S.C. 10704(a)(2) (*i.e.,* earn a return on investment equal to the railroad industry cost of capital). *Simplified Standards—Taxes in RSAM,* EP 646 (Sub-No. 2), slip op. at 1. In *Simplified Standards—Taxes in RSAM,* EP 646 (Sub-No. 2), slip op. at 3, 5, the Board modified its RSAM formula to account for taxes, as the prior formula mistakenly compared pre-tax and after-tax revenues. In that decision, the Board stated that it would institute a separate proceeding in which Class I railroads would be required to submit the annual tax information necessary for the Board's annual RSAM calculation. *Id.* at 5–6.

Pursuant to 49 CFR 1135.2, AAR is required to annually calculate and submit to the Board the weighted average state tax rate for each Class I railroad for the previous year. On May 29, 2026, AAR filed its calculation of the weighted average state tax rates for 2025, listed below for each Class I railroad:

WEIGHTED AVERAGE STATE TAX RATES

Railroad	2025 (%)	2024 (%)	% Change
BNSF Railway Company	4.687	4.739	−0.052
CSX Transportation, Inc	5.055	5.118	−0.063
Grand Trunk Corporation	7.464	7.575	−0.111
Canadian Pacific Kansas City	5.991	6.178	−0.187
Norfolk Southern Combined Railroad Subsidiaries	5.198	5.265	−0.067
Union Pacific Railroad Company	4.925	5.035	−0.110

Pursuant to 49 CFR 1135.2(b), notice of AAR's submission will be published in the **Federal Register**. Any party wishing to comment on AAR's calculation of the 2025 weighted average state tax rates should file a comment by July 8, 2026. *See* 49 CFR 1135.2(c). If any comments opposing AAR's calculations are filed, AAR's reply will be due within 20 days of the filing date of the comments. *Id.* If any comments are filed, the Board will review AAR's submission, together with the comments, and serve a decision within 60 days of the close of the record that either accepts, rejects, or modifies AAR's railroad-specific tax information. *Id.* If no comments are filed by July 8, 2026, AAR's submitted weighted average state tax rates will be automatically adopted by the Board, effective July 9, 2026. *Id.*

It is ordered:

1. Comments on AAR's calculation of the 2025 weighted average state tax rates for the Class I railroads are due by July 8, 2026. If any comments opposing AAR's calculations are filed, AAR's reply is due within 20 days of the filing of the comments.

2. If no comments are filed, AAR's calculation of the 2025 weighted average state tax rates for each Class I railroad will be automatically adopted by the Board, effective July 9, 2026.

3. Notice will be published in the **Federal Register**.

Decided: June 2, 2026.

By the Board, Anika S. Cooper, Chief Counsel, Office of Chief Counsel.

Aretha Laws-Byrum,

Clearance Clerk.

[FR Doc. 2026–11395 Filed 6–5–26; 8:45 am]

BILLING CODE 4915–01–P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

RIN 2120–AA64

Surrendered Supplemental Type Certificate

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Notice of surrendered supplemental type certificate.

SUMMARY: This notice announces that B/E Aerospace, Inc. has surrendered its supplemental type certificates (STC) ST01796WI to the FAA. This action is intended to inform all aircraft owners who may possess a product affected by these surrendered certificates.

FOR FURTHER INFORMATION CONTACT: Aourolia Kristianti, Aviation Safety Specialist, FAA, Central Certification Branch, 1801 South Airport Rd., Wichita, KS 67209; telephone: (316) 946–4121; email: *9-AVS-CCB-Correspondence@faa.gov.*

SUPPLEMENTARY INFORMATION: B/E Aerospace, Inc. notified the FAA by letter received on February 26, 2026 that it is voluntarily surrendering the following STC:

STC No.	Description of type design change	Associated type certificate No.
ST01796WI	Installation of an AV201 series Portable Oxygen Unit in accordance with B/E Aerospace Master Drawing List, Document No. 4407169–MDL–AV201, Rev A, dated September 17, 2015, or later FAA Approved revisions.	A16WE, A2NM, A1NM, T00001SE, A28NM, A46NM.

Surrender of an STC is a final action. These STCs cannot be reissued to B/E Aerospace, Inc. or any third party. Completion of the surrender process terminates all of the design approval holder's privileges and responsibilities associated with these STCs. However, the surrender of these STCs does not affect the airworthiness certificates of existing airplanes with these STCs installed.

Authority: 49 U.S.C. 106(g), 44701–44702, 44704.

Issued on June 3, 2026.

Paul R. Bernado,

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

[FR Doc. 2026–11458 Filed 6–5–26; 8:45 am]

BILLING CODE 4910–13–P

DEPARTMENT OF TRANSPORTATION

National Highway Traffic Safety Administration

[Docket No. NHTSA–2025–0128]

Agency Information Collection Activities; Submission to the Office of Management and Budget for Review and Approval; Request for Comment; Drive-Mode Design Best Practices

AGENCY: National Highway Traffic Safety Administration (NHTSA), Department of Transportation (DOT).

ACTION: Notice and request for comments on a request for approval of a new information collection.

SUMMARY: In compliance with the Paperwork Reduction Act of 1995 (PRA), this notice announces that the Information Collection Request (ICR) summarized below will be submitted to the Office of Management and Budget (OMB) for review and approval. The ICR describes the nature of the information collection and its expected burden. This is a new collection of information for which NHTSA intends to seek OMB approval for a one-time voluntary experiment which will examine how different drive-mode implementations affect driver attention and performance compared to standard interfaces. A **Federal Register** Notice with a 60-day comment period soliciting comments on the following information collection was published on February 11, 2026. NHTSA received two comments.

DATES: Comments must be submitted on or before July 8, 2026.

ADDRESSES: Written comments and recommendations for the proposed information collection, including suggestions for reducing burden, should be submitted to the Office of Management and Budget at *www.reginfo.gov/public/do/PRAMain.* To find this particular information collection, select ''Currently under Review—Open for Public Comment'' or use the search function.

FOR FURTHER INFORMATION CONTACT: For additional information or access to background documents, contact Starla Weaver, Office of Vehicle Crash Avoidance and Electronic Controls Research, Human Factors Division (NSR–310), W46–424, 202–366–7409, National Highway Traffic Safety Administration, U.S. Department of Transportation, 1200 New Jersey Avenue SE, Washington, DC 20590,

SUPPLEMENTARY INFORMATION: Under the PRA (44 U.S.C. 3501 *et seq.*), a Federal agency must receive approval from the Office of Management and Budget (OMB) before it collects certain information from the public and a person is not required to respond to a collection of information by a Federal agency unless the collection displays a valid OMB control number. In compliance with these requirements, this notice announces that the following information collection request will be submitted OMB.

Title: Drive-Mode Design Best Practices.

OMB Control Number: New.

Form Number: NHTSA Form 2112, 2113, 2114, and 2115.

Type of Request: Approval of a new information collection request.

Type of Review Requested: Regular.

Length of Approval Requested: Three years from date of approval.

Summary of the Collection of Information: The National Highway Traffic Safety Administration (NHTSA) of the U.S. Department of Transportation is seeking approval for a one-time voluntary information collection from 96 licensed drivers of various ages for a research study which will examine how drive-mode implementations (*i.e.,* the simplified user interfaces for mobile phone applications designed to make operating the phone more safe when driving) affect driver attention and performance compared to standard interfaces. NHTSA expects to provide screening questionnaires to 300 potential participants in the greater Phoenix area to determine their eligibility for this experiment. Recruiting participants for this study has an estimated burden of approximately 75 hours for the screening questions. The data collection will include a test track component and a cones course component, in which 36 participants are estimated to be eligible and interested in each. (While the goal is 36 final participants per experiment, the research team will ensure eligibility and interest of up to 96 participants total to account for potential attrition and replacement). The test track experiment has a total expected burden of 128 hours, and the cones course experiment has a total expected burden of 104 hours. In the test track experiment, participants will perform tasks on a mobile phone in a stationary vehicle, while wearing occlusion glasses, and then perform tasks while driving around a test track. In the cones course experiment, participants will perform tasks while driving through a cones course. Across both experiments, data will be collected by the experimenter who will provide instructions to the participant and will observe participant performance; using GoPro cameras that will monitor the participant and the driving environment; and using the Ergoneers Dikablis Glasses X eye-tracking system, which will record gaze position, pupil diameter, and blink behavior. The total expected burden for this collection is 331 hours. NHTSA will use this information to produce a technical report that will provide summary figures and tables, as well as the results of statistical analysis of the information. No identifying information or individual responses will be reported. The technical report will be shared with NHTSA and the Department of Transportation. Members of the general public would have access to the aggregated information when written reports are published. This project involves approval by an institutional review board, which the contractor will obtain before contacting potential participants. This collection will be used to generate evidence-based best practices for the design of future drive-mode applications and functionalities for mobile phones operating independently of in-vehicle systems.

Description of the Need for the Information and Proposed Use of the Information: Driver distraction remains a significant safety threat, claiming thousands of lives annually, according to the latest data from NHTSA.[1] NHTSA has implemented a multi-faceted approach to combat this issue, including public awareness campaigns like ''Put the Phone Away or Pay,'' increased law enforcement visibility [2], and the development of Driver Distraction Guidelines for in-vehicle electronic device design.[3]

A key focus of the NHTSA Distraction Guidelines has been addressing visual-manual distractions, which are a major safety concern with in-vehicle systems.[4]

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[1] National Center for Statistics and Analysis. (2024). *Distracted driving in 2022* (Report No. DOT HS 813 559). National Highway Traffic Safety Administration.

[2] Chaudhary, N.K., Connolly, J., Tison, J., Solomon, M., & Elliott, K. (2015). *Evaluation of the NHTSA distracted driving high-visibility enforcement demonstration projects in California and Delaware.* (Report No. DOT HS 812 108). National Highway Traffic Safety Administration.

[3] National Highway Traffic Safety Administration. (2013). *Visual-manual NHTSA driver distraction guidelines for in-vehicle electronic devices* (**Federal Register** Vol. 78, No. 81). Washington, DC.

National Highway Traffic Safety Administration. (2014). *Visual-manual NHTSA driver distraction guidelines for in-vehicle electronic devices* (**Federal Register** Vol. 79, No. 179). Washington, DC.

[4] Fitch, G.A., Soccolich, S.A., Guo, F., McClafferty, J., Fang, Y., Olson, R.L., Perez, M.A., Hanowski, R.J., Hankey, J.M., & Dingus, T.A. (2013). *The impact of hand-held and hands-free cell phone use on driving performance and safety-critical event risk.* (Report No. DOT HS 811 757). National Highway Traffic Safety Administration.

Klauer, S.G., Dingus, T.A., Neale, V.L., Sudweeks, J.D., & Ramsey, D.J. (2006). *The impact of driver*

The Guidelines established test protocols and acceptance criteria for measuring this type of distraction.[5] In 2016, NHTSA proposed expanding these Guidelines to include portable and aftermarket devices.[6] This proposal advocated for pairing smartphones with vehicle systems, contributing to the widespread adoption of platforms like Apple CarPlay and Android Auto. NHTSA also promoted ''drive-mode'' for unpaired mobile phones, defining it as a simplified user interface designed for safe driving.[7] To further refine its research agenda, NHTSA convened a Distraction Action Forum in August 2024.

Drive-mode limits phone functionality and simplifies the human-machine interface (HMI).

This collection will provide answers to NHTSA's objectives for this task order, which include determining how the interface of cell phones and electronic devices differ when operating in drive-mode relative to their standard operations, determining what changes in functionality occur when drive-mode is enabled, determining how much variability exists across different drive-mode implementations, determining how well drive-mode interfaces and functionality comply with the recommendations in the NHTSA Driver Distraction Guidelines, and identifying what factors influence user acceptance and use of drive-mode. This collection will be used to investigate how drive-mode implementations impact driver attention and performance as compared to their standard interfaces. NHTSA will use the information gathered to produce a technical report that presents the results of the study. The technical report will provide summary statistics and tables, as well as the results of data analysis of the information, but it will not include any personally identifiable information. The technical report will be published to the National Transportation Library and available to the general public. The report may also be of interest to a variety of stakeholders, including automotive manufacturers, suppliers, researchers, safety advocates, and regulators. The study results will provide NHTSA with valuable information to support initiatives to generate evidence-based best practices for the design of future drive-mode applications and functionalities for mobile phones operating independently of in-vehicle systems. The results support the agency's mission to reduce the number of deaths, injuries, and economic losses resulting from motor vehicle crashes related to driver distraction on U.S. roads.

60-Day Notice: A **Federal Register** notice with a 60-day comment period soliciting public comments on the information collection was published on 02/11/2026 (91 FR 6284). Two comments were received during the comment period, one from Consumer Reports and one from The Alliance for Automative Innovation. NHTSA appreciates the input from these organizations and their support for the research.

Consumer Reports asked the agency to specify whether the current research will be able to identify which drive-mode elements trigger drivers to circumvent drive-mode and which result in task deferral. While determining the factors that lead drivers to circumvent drive-mode is not the primary purpose of this study, participants will perform tasks in various apps both with and without drive-mode while driving on the test track and then be asked about the likelihood that they would perform that task when driving in the real world. This subjective data would not be sufficient to provide a full understanding of the specific drive-mode elements that lead drivers to abandon drive mode or delay task engagement. However, a comparison of the responses to this question for drive-mode and standard versions of the app could help assess which version (standard or drive-mode) participants feel they would be more likely to use while driving. Additionally, this data, when combined with the information in the practice review conducted as background for this data collection effort, could begin to uncover common factors or elements of apps that participants report they are or are not likely to use while driving. However, it must be noted that the practice review indicates that there is limited element variability across drive-mode apps, and this lack of variability may limit the ability of the data to uncover the impact of individual elements that influence app use.

Consumer reports also noted the value of determining which drive-mode implementations affect long off-road glances. NHTSA agrees and has included eye tracking within this study to assess drive-mode implementations and characteristics that lead to long off-road glances.

The Alliance for Automotive Innovation requested more information about the drive-mode applications being evaluated. They inquired about the driver performance metrics that will be used in the study and suggested lateral position and car following headway as potential metrics. They requested additional information on the planned driving conditions, noting that the complexity of the driving environment may influence driver performance. Clarification was requested on the purpose of the test track evaluation using occlusion goggles and the importance of eye tracking and baseline data were espoused. It was suggested that a post-study drive questionnaire could be used to identify the factors that influence user acceptance and use of drive-mode applications and to understand whether the driver's responses during testing are representative of their real-world driving behavior. Use of a priori power analyses to select sample sizes for the study was also suggested along with use of appropriate correction methods to account for tests with multiple comparisons. More information was also requested regarding the cone course scenario.

In response to these comments, NHTSA explains that many of the specifics about test conditions and test approach will be determined in the test planning phase of this effort. The information collection approval request process typically must be initiated well prior to the start of detailed study planning. The details of testing approach(es) will also be determined during detailed test plan development. Existing implementations of drive-mode will be reviewed and considered during detailed test plan development and specific implementations will be determined at that time. However, some responses based on current information are provided below.

The study will evaluate both standard and drive-mode applications on both Apple and android devices. Applications will be selected based on the types of activities that drivers most frequently engage in (*e.g.,* navigation, listening to music/audio books etc.). To ensure the study is considering all applications available at the time of testing, application selection will be finalized just prior to data collection.

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inattention on near-crash/crash risk: An analysis using the 100-car naturalistic driving study data. (Report No. DOT HS 810 594). National Highway Traffic Safety Administration.

[5] National Highway Traffic Safety Administration. (2013). *Visual-manual NHTSA driver distraction guidelines for in-vehicle electronic devices* (**Federal Register** Vol. 78, No. 81). Washington, DC.

[6] National Highway Traffic Safety Administration. (2016). *Visual-manual NHTSA driver distraction guidelines for portable and aftermarket devices—Notice for Comment* (**Federal Register** Vo. 81, No. 233). Washington, DC.

[7] National Highway Traffic Safety Administration. (2016). *Visual-manual NHTSA driver distraction guidelines for portable and aftermarket devices—Notice for Comment* (**Federal Register** Vo. 81, No. 233). Washington, DC.

NHTSA acknowledges the importance of having baseline data and the value of collecting driving performance metrics and eye tracking data. Within the current study, participants will engage in both standard and drive-mode app task performance first in a static vehicle to establish baseline task performance and response time. This baseline will be compared to task performance when vision is occluded (using the occlusion goggles) and when driving on the test track were driving performance metrics, such as lane position and speed will be measured. Driver eye glance behavior will be recorded using an eye tracking system during the test track drive to record visual attention metrics such as mean glance duration and total eyes-off-road time. The proposed sample sizes were selected based on a priori power analyses, which account for the use of within-subject comparisons within the study. As suggested, appropriate correction methods will be employed to account for tests with multiple comparisons. While initial study ideas encompassed static, test track, and cone course data collections, the full details of the test approach will be determined during detailed test planning.

NHTSA agrees that there is value in understanding user acceptance and use of drive-mode. As part of the study, experimenters will be seeking subjective feedback from participants about each task immediately after completing that task on the test track, including information on perceived task demand, task acceptance, and how likely the driver would be to engage in this task while driving in the real world.

Affected Public: Study volunteers in the Phoenix, Arizona area between the ages of 18 and 60. Of the selected participants, equal numbers of males and females will be recruited.

Estimated Number of Respondents: The study anticipates screening 300 potential participants to obtain 96 individuals who meet the inclusion criteria. It is estimated that approximately 35% of those who begin the screening questionnaire will be eligible and will agree to participate in the study. While the goal is 36 final participants per experiment, (72 participants total) the research team will ensure eligibility and interest of up to 96 participants total to account for potential attrition and data loss.

Frequency: This is a one-time information collection, and there will be no recurrence.

Estimated Number of Responses: 492

Each respondent participant responds to each form once.

Estimated Total Annual Burden Hours: 111

The annual estimated burned is 111 hours. This estimate includes 25 hours for 100 potential participants to complete the initial screening. The annual burden estimate also includes 8 hours for 32 participants to review the consent form. An additional 43 hours are estimated for the 16 annual participants in the test track experiment and 35 hours for the 16 annual participants in the cones course experiment. The total burden is the sum of the burden across screening, consenting, and completing the test track or cones course drive. The details are presented in Table 1 and Table 2 below:

TABLE 1—TOTAL STUDY BURDEN HOURS

Form No.	Information collection	Number of respondents	Time per response (minutes)	Frequency of response	Total burden hours	Total opportunity costs
NHTSA 2112	Screening Questionnaire	300	15	1	75	$3,082
NHTSA 2113 & 2115	Informed Consent	96	15	1	24	986
NHTSA 2114	Study Drive (Test Track)	48	160	1	128	5260
NHTSA 2114	Study Drive (Cones Course)	48	130	1	104	4273
Total					331	13,901

TABLE 2—ANNUAL BURDEN ESTIMATES

Form No.	Information collection	Number of respondents	Time per response (minutes)	Opportunity cost per response	Frequency of response	Total burden hours	Total opportunity costs
NHTSA 2112	Screening Questionnaire.	100	15	$10.27	1	25	$1,027
NHTSA 2113 & 2115	Informed Consent.	32	15	10.27	1	8	329
NHTSA 2114	Study Drive (Test Track).	16	160	109.57	1	43	1,753
NHTSA 2114	Study Drive (Cones Course).	16	130	89.03	1	35	1,424
Annual Estimates						111	4,533

Estimated Total Annual Burden Cost: Participation in this study is voluntary, and there are no costs to respondents beyond the time spent completing the questionnaires and visits to the study facility. Further, there is no preparation of data required or expected of respondents, thus there are no record keeping costs to the respondents. Participants do not incur capital and start-up costs, nor do they incur fuel costs as the vehicles being driven are not the participants' vehicles. Individuals will complete one study drive, either the test track drive or the cones course drive. For individuals who participate in the test track study, they will be offered $375 as compensation for their participation. For individuals who participate in the cones course study, participants will be offered $300 as compensation for completing the study requirements. Our experience indicates that anything less than the rate of $150

per hour for total compensation would likely result in failure to recruit enough participants to provide adequate statistical power. This level of compensation is in line with past, similar efforts given the activities it requires of participants.

Public Comments Invited: You are asked to comment on any aspects of this information collection, including (a) whether the proposed collection of information is necessary for the proper performance of the functions of the Department, including whether the information will have practical utility; (b) the accuracy of the Department's estimate of the burden of the proposed information collection; (c) ways to enhance the quality, utility and clarity of the information to be collected; and (d) ways to minimize the burden of the collection of information on respondents, including the use of automated collection techniques or other forms of information technology.

Authority: The Paperwork Reduction Act of 1995; 44 U.S.C. Chapter 35, as amended; 49 CFR 1.49; and DOT Order 1351.29A.

Cem Hatipoglu,

Associate Administrator, Vehicle Safety Research.

[FR Doc. 2026–11456 Filed 6–5–26; 8:45 am]

BILLING CODE 4910–59–P

DEPARTMENT OF THE TREASURY

Office of Foreign Assets Control

Notice of OFAC Sanctions Action

AGENCY: Office of Foreign Assets Control, Treasury.

ACTION: Notice.

SUMMARY: The U.S. Department of the Treasury's Office of Foreign Assets Control (OFAC) is publishing the names of one or more persons that have been placed on OFAC's Specially Designated Nationals and Blocked Persons List (SDN List) based on OFAC's determination that one or more applicable legal criteria were satisfied. All property and interests in property subject to U.S. jurisdiction of these persons are blocked, and U.S. persons are generally prohibited from engaging in transactions with them. OFAC is also publishing the names of one or more persons whose property and interests in property have been unblocked and who have been removed from the SDN List.

DATES: This action was issued on June 2, 2026. See Supplementary Information for relevant dates.

FOR FURTHER INFORMATION CONTACT: OFAC: Associate Director for Global Targeting, 202–622–2420; Assistant Director for Licensing, 202–622–2480; Assistant Director for Sanctions Compliance, 202–622–2490 or *https://ofac.treasury.gov/contact-ofac.*

SUPPLEMENTARY INFORMATION:

Electronic Availability

The SDN List and additional information concerning OFAC sanctions programs are available on OFAC's website: *https://ofac.treasury.gov.*

Notice of OFAC Actions

On June 2, 2026, OFAC determined that the property and interests in property subject to U.S. jurisdiction of the following persons are blocked under the relevant sanctions authorities listed below.

Individuals

1. RAD, Amir Hossein (a.k.a. RAD, Amir; a.k.a. RAD, Amirhossein), Qazvin, Iran; DOB 21 Mar 1986; nationality Iran; Email Address *radamir@gmail.com;* alt. Email Address *arad@nobitex.ir;* Additional Sanctions Information—Subject to Secondary Sanctions; Gender Male; Secondary sanctions risk: section 1(b) of Executive Order 13224, as amended by Executive Order 13886; Phone Number 989121810513; National ID No. 4324461872 (Iran) (individual) [SDGT] [IRAN–EO13902].

Designated pursuant to section 1(a)(iii)(E) of Executive Order 13224 of September 23, 2001, ''Blocking Property and Prohibiting Transactions With Persons Who Commit, Threaten to Commit, or Support Terrorism,'' 66 FR 49079, as amended by Executive Order 13886 of September 9, 2019, ''Modernizing Sanctions To Combat Terrorism,'' 84 FR 48041 (E.O. 13224, as amended), for being a leader or official of NOBITEX, a person whose property and interests in property are blocked pursuant to E.O. 13224, as amended.

Also designated pursuant to section 1(a)(i) of Executive Order 13902 of January 10, 2020, ''Imposing Sanctions With Respect to Additional Sectors of Iran,'' 85 FR 2003, 3 CFR, 2020 Comp., p. 299 (E.O. 13902), for operating in the financial sector of the Iranian economy.

2. KHOEE, Seyed Ali (a.k.a. KHOUEI, Ali), Iran; DOB 02 May 1989; nationality Iran; Gender Male; Secondary sanctions risk: section 1(b) of Executive Order 13224, as amended by Executive Order 13886 (individual) [SDGT] (Linked To: NOBITEX).

Designated pursuant to section 1(a)(iii)(E) of E.O. 13224, as amended, for being a leader or official of NOBITEX, a person whose property and interests in property are blocked pursuant to E.O. 13224, as amended.

3. AGHAMIR MOHAMMAD ALI, Seyed Mohammad (a.k.a. AGHAMIR, Mohammad; a.k.a. KHARRAZI, Mohammad), Tehran, Iran; DOB 1992; nationality Iran; Gender Male; Secondary sanctions risk: section 1(b) of Executive Order 13224, as amended by Executive Order 13886 (individual) [SDGT] (Linked To: NOBITEX).

Designated pursuant to section 1(a)(iii)(E) of E.O. 13224, as amended, for being a leader or official of NOBITEX, a person whose property and interests in property are blocked pursuant to E.O. 13224, as amended.

4. AGHAMIR MOHAMMAD ALI, Seyed Mohammad Ali (a.k.a. AGHAMIR, Ali; a.k.a. AHMAD HOSSEIN, Ali; a.k.a. KHARRAZI, Ali), Iran; DOB 23 Aug 1986; nationality Iran; Gender Male; Secondary sanctions risk: section 1(b) of Executive Order 13224, as amended by Executive Order 13886 (individual) [SDGT] (Linked To: NOBITEX).

Designated pursuant to section 1(a)(iii)(C) of E.O. 13224, as amended, for having materially assisted, sponsored, or provided financial, material, or technological support for, or goods or services to or in support of, NOBITEX, a person whose property and interests in property are blocked pursuant to E.O. 13224, as amended.

Entities

1. NOBITEX (a.k.a. RAHKAR FANAVARI NOOYAN), Unit 1002, Floor 10, Sharif Technology Tower, Akbari Corner, Salehi Boulevard, Tarasht, Tehran, Iran; website nobitex.ir; Additional Sanctions Information—Subject to Secondary Sanctions; Secondary sanctions risk: section 1(b) of Executive Order 13224, as amended by Executive Order 13886; Organization Type: Financial and Insurance Activities; Company Number 1400769571 (Iran) [IRAN] [SDGT] [IRAN–EO13902].

Designated pursuant to section 1(a)(iii)(C) of E.O. 13224, as amended, for having materially assisted, sponsored, or provided financial, material, or technological support for, or goods or services to or in support of, ISLAMIC REVOLUTIONARY GUARD CORPS, a person whose property and interests in property are blocked pursuant to E.O. 13224, as amended.

Also designated pursuant to section 1(a)(i) of E.O. 13902 for operating in the financial sector of the Iranian economy.

2. WALLEX (a.k.a. KHALGH SARVAT SARZAMIN PARSEH; a.k.a. KHALQ THARWAT SARZAMIN PARSEH COMPANY), North Unit, Fourth Floor, No. 231, Mirzai Shirazi Street, Shahoda Street, Abbasabad-Andisheh, Tehran

1586753411, Iran; website *https://wallex.ir/;* Additional Sanctions Information—Subject to Secondary Sanctions; Organization Established Date 2019; Organization Type: Financial and Insurance Activities; Company Number 14010030821 (Iran) [IRAN] [IRAN–EO13902].

Designated pursuant to section 1(a)(i) of E.O. 13902 for operating in the financial sector of the Iranian economy.

3. BITPIN (a.k.a. SANA AYMAN MUBADALA), Unit 2, Floor 1, Viana (Alizadeh) Trade Complex Building No. 42, Shahid Fatehi Blvd., Sharghayegh Alley, Anzali Free Zone, Bandar Anzali, Gilan 4333155170, Iran; website bitpin.ir; Additional Sanctions Information—Subject to Secondary Sanctions; Organization Established Date 2020; Organization Type: Financial and Insurance Activities; Company Number 14009960142 (Iran) [IRAN] [IRAN–EO13902].

Designated pursuant to section 1(a)(i) of E.O. 13902 for operating in the financial sector of the Iranian economy.

4. RAMZINEX (a.k.a. RAMZINEH ELECTRONIC COMMERCE INNOVATION COMPANY), Unit 901, 9th Floor, Sharif Technology Tower, No. 28, Shahid Hamid Salahi Blvd., Azadeh Street, Timori, Tehran, Iran; website *https://ramzinex.com/;* Additional Sanctions Information—Subject to Secondary Sanctions; Organization Established Date 2018; Organization Type: Financial and Insurance Activities; Company Number 14009372096 (Iran) [IRAN] [IRAN–EO13902].

Designated pursuant to section 1(a)(i) of E.O. 13902 for operating in the financial sector of the Iranian economy.

(Authority: E.O. 13224, as amended; E.O. 13902)

Bradley T. Smith,

Director, Office of Foreign Assets Control.

[FR Doc. 2026–11417 Filed 6–5–26; 8:45 am]

BILLING CODE 4810–AL–P

DEPARTMENT OF THE TREASURY

Internal Revenue Service

Agency Information Collection Activities; Comment Request on IRS E-File Provider Participation and Compliance Collections

AGENCY: Internal Revenue Service (IRS), Treasury.

ACTION: Notice of information collection; request for comments.

SUMMARY: In accordance with the Paperwork Reduction Act of 1995, the IRS is inviting comments on the information collection request outlined in this notice.

DATES: Written comments should be received on or before August 7, 2026 to be assured of consideration.

ADDRESSES: Direct all written comments to Andres Garcia, Internal Revenue Service, Room 6526, 1111 Constitution Avenue NW, Washington, DC 20224, or by email to *pra.comments@irs.gov.* Include ''OMB Control No. 1545–1708'' in the subject line of the message.

FOR FURTHER INFORMATION CONTACT: Requests for additional information or copies of this collection should be directed to Marcus W. McCrary, 470–769–2001.

SUPPLEMENTARY INFORMATION: The IRS, in accordance with the Paperwork Reduction Act of 1995 (PRA) (44 U.S.C. 3506(c)(2)(A)), provides the general public and Federal agencies with an opportunity to comment on proposed, revised, and continuing collections of information. This helps the IRS assess the impact and minimize the burden of its information collection requirements. Comments submitted in response to this notice will be summarized and/or included in the request for OMB approval. All comments will become a matter of public record, and viewable on relevant websites. For this reason, please do not include in your comments information of a confidential nature, such as sensitive personal information. Comments are invited on: (a) Whether the collection of information is necessary for the proper performance of the functions of the agency, including whether the information shall have practical utility; (b) the accuracy of the agency's estimate of the burden of the collection of information; (c) ways to enhance the quality, utility, and clarity of the information to be collected; (d) ways to minimize the burden of the collection of information on respondents, including through the use of automated collection techniques or other forms of information technology; and (e) estimates of capital or start-up costs and costs of operation, maintenance, and purchase of services to provide information.

Title: IRS e-file Provider Participation and Compliance Requirements.

OMB Control Number: 1545–1708.

Publication Number: 1345, 3112, 4163, and Automated Enrollment Guide.

Abstract: The information collections include reporting, recordkeeping, and third-party disclosure requirements associated with IRS e-file provider participation and operational compliance. These requirements are described in Publication 3112, IRS e-file Application and Participation; Publication 1345, Authorized IRS e-file Providers of Individual Income Tax Returns; Publication 4163, Modernized e-File (MeF) Information for Authorized IRS e-file Providers for Business Returns; and related IRS e-file guidance, such as the Automated Enrollment Guide.

Publication 3112 provides information for applicants and Authorized IRS e-file Providers regarding applying to and participating in IRS e-file. Publication 1345 provides rules and requirements for Authorized IRS e-file Providers participating in IRS e-file of individual income tax returns and related forms and schedules. Publication 4163 provides MeF information and requirements for Authorized IRS e-file Providers and Large Taxpayers filing business returns through MeF. The Automated Enrollment Guide explains enrollment and maintenance of A2A client application systems for access to IRS e-file functionality. The IRS uses the collected information to administer IRS e-file program, ensure compliance with e-file participation requirements, safeguard taxpayer information, support electronic transmission of returns, and identify persons and entities participating in the filing of electronic returns.

Current Actions: The IRS is not making substantive changes to the e-file collection requirements. The purpose of this **Federal Register** notice is to renew the OMB approval and make an administrative clarification to the scope of the collection requirements covered under OMB Control Number 1545–1708.

Type of Review: Revision of a currently approved collection.

Affected Public: Business or other for-profit organizations; Not-for-profit institutions; State, local, or tribal governments.

Estimated Number of Responses: 151,451,972.

Estimated Time per Response: 1 hour.

Estimated Total Annual Burden Hours: 151,451,972.

Dated: June 4, 2026.

Marcus W. McCrary,

Tax Analyst.

[FR Doc. 2026–11408 Filed 6–5–26; 8:45 am]

BILLING CODE 4831–GV–P

DEPARTMENT OF VETERANS AFFAIRS

[OMB Control No. 2900–NEW]

Agency Information Collection Activity Under OMB Review: Priority Processing Request

AGENCY: Veterans Benefits Administration, Department of Veterans Affairs.

ACTION: Notice.

SUMMARY: In compliance with the Paperwork Reduction Act (PRA) of 1995, this notice announces that the Veterans Benefits Administration (VBA), Department of Veterans Affairs, will submit the collection of information abstracted below to the Office of Management and Budget (OMB) for review and comment. The PRA submission describes the nature of the information collection and its expected cost and burden, and it includes the actual data collection instrument.

DATES: Comments and recommendations for the proposed information collection should be sent by July 8, 2026.

ADDRESSES: To submit comments and recommendations for the proposed information collection, please type the following link into your browser: *www.reginfo.gov/public/do/PRAMain,* select ''Currently under Review—Open for Public Comments'', then search the list for the information collection by Title or ''OMB Control No. 2900–NEW.''

FOR FURTHER INFORMATION CONTACT: VA PRA information: Dorothy Glasgow, 202–461–1084, *VAPRA@va.gov.*

SUPPLEMENTARY INFORMATION:

Title: Priority Processing Request (VA Form 20–10207).

OMB Control Number: 2900–NEW *https://www.reginfo.gov/public/do/PRASearch.*

Type of Review: New collection.

Abstract: VA Form 20–10207 is used by VA to gather the necessary information to determine priority processing of a claim due to special circumstances or status. Without this information, VA would not be able to identify claims for priority processing for those claimants who are in urgent or immediate need due to changed circumstances. VA would also utilize this information collection for reporting purposes and for outreach efforts for those claimants. VA Form 20–10207 was previously under 2900–0877 and due to a program office change, a new control number is requested to be assigned.

An agency may not conduct or sponsor, and a person is not required to respond to a collection of information unless it displays a currently valid OMB control number. The **Federal Register** Notice with a 60-day comment period soliciting comments on this collection of information was published at insert citation date: 90 FR 53065, November 24, 2025.

Affected Public: Individuals or Households.

Estimated Annual Burden: 6,380 hours.

Estimated Average Burden per Respondent: 7 minutes.

Frequency of Response: One time.

Estimated Number of Respondents: 54,685 per year.

Authority: 4 U.S.C. 3501 *et seq.*

Shunda Willis,

Alternate, VA PRA Clearance Officer, Office of Information Technology/Data Governance Analytics, Department of Veterans Affairs.

[FR Doc. 2026–11422 Filed 6–5–26; 8:45 am]

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