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

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

OFFICE OF PERSONNEL MANAGEMENT

5 CFR Parts 315 and 751

[Docket ID: OPM–2025–0013]

RIN 3206–AO96

Streamlining Probationary and Trial Period Appeals; Correction and Technical Amendment

AGENCY: Office of Personnel Management.

ACTION: Final rule; correction and technical amendment.

SUMMARY: The Office of Personnel Management (OPM) published a final rule in the **Federal Register** on August 3, 2026, streamlining probationary and trial period appeals. That document contained typographical and clerical errors in the regulatory text. This document corrects the final rule. This document also makes a technical amendment to OPM regulations to conform its appeal-rights reference to the final rule.

DATES: Effective September 2, 2026.

FOR FURTHER INFORMATION CONTACT: Aaron Gottesman, Senior Advisor to the Director, by email at *employeeaccountability@opm.gov* or by phone at (202) 606–7400.

SUPPLEMENTARY INFORMATION: OPM published a final rule on August 3, 2026 (91 FR 49104; FR Doc. 2026–15654), establishing 5 CFR part 751 and making related amendments. The document contained clerical errors, including references to ''this subpart'' in a part that contains no subparts, a doubled conjunction in § 751.102(c)(2), a misplaced paragraph structure in § 751.103(b), the use in § 751.104(c) of the term ''responsible agency,'' which is undefined in part 751 (the term is defined only in § 731.503(b)(2), for purposes of part 731, subpart E), and minor typographical errors. This document corrects those errors. The corrections are non-substantive and make no change to the rights or obligations established by the final rule.

This document also amends § 315.909(b). The final rule revised § 315.908(b) to provide that an employee who alleges that an action under subpart I of part 315 was based on partisan political reasons or marital status may appeal to OPM under new 5 CFR part 751, and § 751.101(e) establishes that the procedures in part 751 are the sole means of appealing a covered action while preserving matters within the independent jurisdiction of other bodies.

The last sentence of § 315.909(b), however, continues to state that an employee who believes an action under subpart I was based on improper discrimination or other prohibited practices under 5 U.S.C. 2302 may appeal to the Merit Systems Protection Board or the Equal Employment Opportunity Commission. That sentence is inconsistent with revised §§ 315.908(b) and 751.101(e), and this document conforms it, effective concurrently with the final rule. Pursuant to 5 U.S.C. 553(b)(B), OPM finds that good cause exists to make this technical, conforming amendment without prior notice and comment because notice and comment are unnecessary for a non-substantive change that conforms the paragraph to a rule previously promulgated; for the same reasons, and pursuant to 5 U.S.C. 553(d)(3), good cause exists for the amendment to take effect with the underlying rule on September 2, 2026.

Regulatory Review

OPM has examined this rule under Executive Orders 12866 and 13563. For the reasons discussed above, this rule is not a significant regulatory action under Executive Order 12866. This is not an E.O. 14192 regulatory action because this rule is not significant under E.O. 12866.

List of Subjects in 5 CFR Part 315

Government employees.

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.

Correction

In FR Doc. 2026–15654, appearing on page 49072 in the **Federal Register** of Monday, August 3, 2026, the following corrections are made:

PART 315 [CORRECTED]

■ 1. On page 49111, in the second column, in amendatory instruction 6, in the authority citation for part 315, remove ''Comp., p.111.'' and add in its place ''Comp., p. 111.''.

§ 751.101 [Corrected]

■ 2. On page 49112, in the first and second columns, in § 751.101:
■ a. In paragraph (b)(1), remove ''written appeal,'' and add in its place ''written appeal;'';
■ b. In paragraph (b)(2), remove ''over the appeal, and'' and add in its place ''over the appeal; and'';
■ c. In paragraph (b)(3), remove ''The agency's action was'' and add in its place ''That the agency's action was''; and
■ d. In paragraph (e), remove ''or Office of Special Counsel'' and add in its place ''or the Office of Special Counsel''.

§ 751.102 [Corrected]

■ 3. On page 49112, in the third column, in § 751.102(c)(2), remove ''unless registered as an e-filer unless exempted'' and add in its place ''unless registered as an e-filer or exempted''.

■ 4. On page 49113, in the second column, in § 751.103, paragraph (b) is corrected to read as follows:

§ 751.103 [Corrected]

(b) *Agency response.* (1) The agency response to an appeal must be filed within 30 calendar days after service of the initial appeal and contain:

(i) The name of the appellant and of the agency whose action the appellant is appealing;

(ii) A statement identifying the agency action taken against the appellant and stating the reasons for taking the action;

(iii) All documents contained in the agency record of the action;

(iv) Designation of and signature by the authorized agency representative; and

(v) Any other documents or responses requested by OPM.

(2) The agency's 30 days to respond begins upon service of the appeal.

(3) The agency record of the action shall include, at a minimum:

(i) All documents considered or relied upon by the agency in taking the action;

(ii) The notice of action and effective date;

(iii) Documents showing the appellant's appointment, service history, and probationary or trial period status;

(iv) Any written certification, noncertification, or failure-to-certify record under 5 CFR part 11;

(v) Any documents supporting the agency's basis for the action under appeal; and

(vi) A certification that the agency has produced the complete record considered by the deciding official or otherwise relied upon by the agency.

(4) The agency must produce the complete agency record to OPM. The agency must serve the appellant with the agency record, except that the agency may redact or withhold information from the copy served on the appellant to the extent necessary to comply with the Privacy Act, applicable legal privileges, classified information or national security requirements, protective orders issued by OPM, and any other applicable limitation on disclosure required by law.

§ 751.104 [Corrected]

■ 5. On page 49113, in the third column, in § 751.104(c), remove ''OPM or the responsible agency may'' and add in its place ''OPM or the agency whose action is under appeal may'', and remove ''an employee of the responsible agency or OPM'' and add in its place ''an employee of that agency or OPM''.

§ 751.105 [Corrected]

■ 6. Starting on page 49113, in the third column, in § 751.105(a) and (b), remove ''an appeal under this subpart'' and add in its place ''an appeal under this part''.

§ 751.107 [Corrected]

■ 7. On page 49114, in the third column, in § 751.107(a), remove ''issued under this subpart'' and add in its place ''issued under this part''.

§ 751.109 [Corrected]

■ 8. On page 49115, in the second column, in § 751.109(f), remove ''a proceeding under this subpart'' and add in its place ''a proceeding under this part''.

Technical Amendment

Accordingly, for the reasons stated in the preamble, OPM amends 5 CFR part 315 as follows:

PART 315—CAREER AND CAREER-CONDITIONAL EMPLOYMENT

■ 9. The authority citation for part 315 continues to read as follows:

Authority: 5 U.S.C. 1302, 3301, and 3302. E.O. 10577, 3 CFR, 1954–1958 Comp., p. 218, unless otherwise noted; E.O. 14284, 90 FR 17729. Secs. 315.601 and 315.609 also issued under 22 U.S.C. 3651 and 3652. Secs. 315.602 and 315.604 also issued under 5 U.S.C. 1104. Sec. 315.603 also issued under 5 U.S.C. 8151. Sec. 315.605 also issued under E.O. 12034, 43 FR 1917, 3 CFR, 1978 Comp., p. 111. Sec. 315.606 also issued under E.O. 11219, 30 FR 6381, 3 CFR, 1964–1965 Comp., p. 303. Sec. 315.607 also issued under 22 U.S.C. 2560. Sec. 315.608 also issued under E.O. 12721, 55 FR 31349, 3 CFR, 1990 Comp., p. 293. Sec. 315.610 also issued under 5 U.S.C. 3304(c). Sec. 315.611 also issued under 5 U.S.C. 3304(f). Sec. 315.612 also issued under E.O. 13473, 73 FR 56703, 3 CFR, 2009 Comp., p. 241. Sec. 315.613 also issued under 5 U.S.C. 9602. Sec. 315.710 also issued under E.O. 12596, 52 FR 17537, 3 CFR, 1987 Comp., p. 264.

Subpart I—Probation on Initial Appointment to a Supervisory or Managerial Position

■ 10. Amend § 315.909 by revising paragraph (b) to read as follows:

§ 315.909 Relationship to other actions.

* * * * *

(b) An action which demotes an employee to a lower grade than the one the employee left to accept the supervisory or managerial position, and an action against an employee for reasons other than supervisory or managerial performance, is governed by procedures under part 432 or 752 of this chapter, whichever is applicable. This section does not preclude an employee from filing a complaint, appeal, or other matter within the independent jurisdiction of the Equal Employment Opportunity Commission, the Merit Systems Protection Board, or the Office of Special Counsel, consistent with § 751.101(e) of this chapter.

[FR Doc. 2026–17336 Filed 8–24–26; 8:45 am]

BILLING CODE 6325–39–P

OFFICE OF PERSONNEL MANAGEMENT

5 CFR Parts 316, 330, 351, 353, and 430

[Docket ID: OPM–2026–0107]

RIN 3206–AO86

Reduction in Force; Correction

AGENCY: Office of Personnel Management.

ACTION: Final rule; correction.

SUMMARY: The Office of Personnel Management (OPM) published a final rule in the **Federal Register** on August 3, 2026, concerning reduction in force. That document contained typographical and clerical errors in amendatory instructions and in the regulatory text. This document corrects the final rule.

DATES: Effective September 2, 2026.

FOR FURTHER INFORMATION CONTACT: Aaron Gottesman, Senior Advisor to the Director, by email at *employeeaccountability@opm.gov* or by phone at (202) 606–7400.

SUPPLEMENTARY INFORMATION: OPM published a final rule on August 3, 2026 (91 FR 49178; FR Doc. 2026–15665), amending 5 CFR parts 316, 330, 351, 353, 359, 362, and 430. The document contained typographical and clerical errors, including: amendatory instructions that do not match the current text or structure of the Code of Federal Regulations (instruction 15 directs the addition of § 330.707(w), which already exists as ''[Reserved]''; instruction 36 directs revision of introductory text of § 351.802(a), which has no introductory text; and instruction 39 quotes text for removal from § 353.110(a)(1) that does not match the Code of Federal Regulations); incorrect ''of this part'' references to §§ 11.2 and 11.3 of this title, which are located in 5 CFR part 11; a defective list structure in the definition of ''Qualified'' in § 330.202 and in § 351.702(a)(4)(iv); and citation-form errors.

This document also corrects typographical and cross-reference errors in provisions of 5 CFR part 316, which the final rule likewise amended: § 316.301(c)(1) refers to a covered position ''defined in (2)'' rather than ''defined in paragraph (c)(2) of this section''; § 316.402(b)(4) reads ''30 percent of more'' rather than ''30 percent or more''; § 316.403(b)(1) cites § 316.402(b)(5) as the authority for noncompetitive temporary appointments of disabled veterans, although that paragraph concerns appointment under 31 U.S.C. 732(g) for current and former employees of the General Accounting Office and the correct citation is § 316.402(b)(4), appointment under 5 U.S.C. 3112 (veterans with compensable service-connected disability of 30 percent or more); § 316.403(b)(2) cites section 4114 of title 38, United States Code, which was repealed by Public Law 102–40 (May 7, 1991) and replaced by section 7405 of title 38, the current authority for temporary appointments of nurses in the Department of Veterans Affairs; and § 316.403(b)(3) ends with a period rather than a semicolon. This document adds

amendatory instructions to the final rule to correct these errors in part 316.

In addition, this rule and the Reduction in Force Appeals final rule published the same day (91 FR 49230) each revised the authority citation for part 351 with differing text; this document conforms instruction 16 to the version published in the Reduction in Force Appeals rule, which includes 5 U.S.C. 1103 and 1104, the provisions supporting the appeals function established in subpart I of part 351. This document corrects those errors before the rule's effective date. The corrections are non-substantive.

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.

Correction

In FR Doc. 2026–15665, appearing on page 49178 in the **Federal Register** of Monday, August 3, 2026, the following corrections are made:

■ 1. On page 49215, in the third column, after amendatory instruction 1, add amendatory instructions 1a, 1b, and 1c to read as follows:

§ 316.301 [Amended]

■ 1a. Amend § 316.301 by removing, in paragraph (c)(1), the words ''defined in (2)'' and adding in their place the words ''defined in paragraph (c)(2) of this section''.

§ 316.402 [Amended]

■ 1b. Amend § 316.402 by removing, in paragraph (b)(4), the words ''30 percent of more'' and adding in their place the words ''30 percent or more''.

§ 316.403 [Amended]

■ 1c. Amend § 316.403 by:

■ a. In paragraph (b)(1), removing the citation ''§ 316.402(b)(5)'' and adding in its place the citation ''§ 316.402(b)(4)'';

■ b. In paragraph (b)(2), removing the words ''section 4114 of title 38, United States Code'' and adding in their place the words ''section 7405 of title 38, United States Code''; and

■ c. In paragraph (b)(3), removing the period at the end of the paragraph and adding in its place a semicolon.

■ 2. On page 49216, amendatory instruction 5 is corrected to read as follows:

■ 5. Amend § 330.202, in the definition of ''Qualified'', by revising paragraph (5) and adding paragraph (6). The revision and addition read as follows:

§ 330.202 [Corrected]

■ 3. On page 49216, in § 330.202, in the definition of ''Qualified'', paragraph (5)(iv) is corrected to read as follows:

(iv) Acceptable examples of the types of assessments include: structured interviews; a work-related exercise; a custom or generic procedure for measuring an employee's employment or career-related qualifications and interests; a structured resume review; or another assessment, provided that the assessment—

(A) Demonstrates job-related technical skills, abilities, and knowledge; and

(B) Is relevant for the position for which the assessment is developed; and

§ 330.609 [Corrected]

■ 4. On page 49217, in § 330.609(hh), remove ''pursuant to § 11.2 of this part'' and add in its place ''pursuant to § 11.2 of this chapter''.

■ 5. On page 49217, amendatory instruction 15 is corrected to read as follows:

■ 15. Amend § 330.707 by revising paragraphs (v), (w), (x), and (y) to read as follows:

§ 330.707 [Corrected]

■ 6. On page 49217, in § 330.707(w), remove ''pursuant to § 11.2 of this part'' and add in its place ''pursuant to § 11.2 of this chapter''.

■ 7. On page 49218, amendatory instruction 16 is corrected to read as follows:

■ 16. Revise the authority citation for part 351 to read as follows:

Authority: 5 U.S.C. 1103, 1104, 1302, 2301, 3502, 3503, 38 U.S.C. 4331; E.O. 14284, 90 FR 17729; 5 CFR 2.2(c). Sec. 351.801 also issued under E.O. 12828, 58 FR 2965, 3 CFR, 1993 Comp., p. 569.

§ 351.203 [Corrected]

■ 8. On page 49219, in § 351.203:

■ a. In the definition of ''Initial probationary period'', remove ''described in § 11.2 of this part'' and add in its place ''described in § 11.2 of this chapter'';

■ b. The definition of ''Military spouse'' is corrected to read as follows:

Military spouse means a spouse of a member of the armed forces (service member), as defined in § 315.612(b)(4)(i) of this chapter.

■ c. In the definition of ''Trial period'', remove ''described in § 11.3 of this part'' and add in its place ''described in § 11.3 of this chapter''.

§ 351.402 [Corrected]

■ 9. On page 49219, in § 351.402(b)(1), remove ''Except as authorized in paragraph (b)(2),'' and add in its place ''Except as authorized in paragraph (b)(2) of this section,''.

§ 351.503 [Corrected]

■ 10. On page 49221, in § 351.503:

■ a. In paragraph (b)(2), remove ''in accordance with § 351.501 (as augmented'' and add in its place ''in accordance with paragraph (a) of this section (as augmented'';

■ b. In paragraph (d), remove ''authorized under 430.208(d) prior to the final rule prescribed at 91 FR 41521)'' and add in its place ''authorized under § 430.208(d) of this chapter, as in effect prior to the final rule published at 91 FR 41521 (July 7, 2026))''; and

■ c. In paragraph (e)(2), remove ''as authorized under 430.208(d) prior to the final rule prescribed at 91 FR 41521)'' and add in its place ''as authorized under § 430.208(d) of this chapter, as in effect prior to the final rule published at 91 FR 41521 (July 7, 2026))''.

§ 351.506 [Corrected]

■ 11. On page 49223, in § 351.506(c)(2), remove ''under § 351.701(b) and (c))'' and add in its place ''under § 351.701(b))''.

§ 351.606 [Corrected]

■ 12. On page 49224, in § 351.606:

■ a. In paragraph (a)(5)(ii), remove ''under parts 432 or 752 of this chapter'' and add in its place ''under part 432 or 752 of this chapter''; and

■ b. In paragraph (a)(5)(iii), remove ''under sections 351.606(b), 351.607, or 351.608 of this chapter'' and add in its place ''under paragraph (b) of this section or § 351.607 or § 351.608''.

§ 351.702 [Corrected]

■ 13. On page 49226, in § 351.702(a)(4), paragraph (iv) is corrected to read as follows:

(iv) Acceptable examples of the types of assessments include: structured interviews; a work-related exercise; a custom or generic procedure for measuring an employee's employment or career-related qualifications and interests; a structured resume review; or another assessment, provided that the assessment—

(A) Demonstrates job-related technical skills, abilities, and knowledge; and

(B) Is relevant for the position for which the assessment is developed.

14. On page 49226, amendatory instruction 36 is corrected to read as follows:

36. Amend § 351.802 by adding introductory text to paragraph (a) and revising paragraphs (a)(2) and (a)(3) to read as follows:

15. On page 49226, amendatory instruction 39 is corrected to read as follows:

39. Amend § 353.110 by removing, in paragraph (a)(1), the words ''Associate Director for Employment, OPM, 1900 E Street, NW, Washington, DC 20415'' and adding, in their place, the words ''Workforce Policy & Innovation by email at *wpintake@opm.gov*''.

§ 430.208 [Corrected]

■ 16. On page 49227, in § 430.208(e)(4), remove ''under § 351.503(d) and (e).'' and add in its place ''under § 351.503(d) and (e) of this chapter.''.

[FR Doc. 2026–17335 Filed 8–24–26; 8:45 am]

BILLING CODE 6325–39–P

OFFICE OF PERSONNEL MANAGEMENT

5 CFR Part 351

[Docket ID: OPM–2025–0239]

RIN 3206–AO99

Reduction in Force Appeals; Correction

AGENCY: Office of Personnel Management.

ACTION: Final rule; correction.

SUMMARY: The Office of Personnel Management (OPM) published a final rule in the **Federal Register** on August 3, 2026, concerning reduction in force appeals. That document contained typographical and citation errors in the regulatory text. This document corrects the final rule.

DATES: Effective September 2, 2026.

FOR FURTHER INFORMATION CONTACT: Aaron Gottesman, Senior Advisor to the Director, by email at *employeeaccountability@opm.gov* or by phone at (202) 606–7400.

SUPPLEMENTARY INFORMATION: OPM published a final rule on August 3, 2026 (91 FR 49230; FR Doc. 2026–15666), revising subpart I of 5 CFR part 351. The document contained clerical errors, including an imprecise cross-reference in § 351.902(b)(3); a garbled series in § 351.902(c)(6); the use in § 351.904(c) of the term ''responsible agency,'' which is undefined in part 351 (the term is defined only in § 731.503(b)(2), for purposes of part 731, subpart E); and typographical errors. This document corrects those errors before the rule's effective date. The corrections are non-substantive.

Regulatory Review

OPM has examined this rule under Executive Orders 12866 and 13563. For the reasons discussed above, this rule is not a significant regulatory action under Executive Order 12866. This is not an E.O. 14192 regulatory action because this rule is not significant under E.O. 12866.

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.

Correction

In FR Doc. 2026–15666, appearing on page 49230 in the **Federal Register** of Monday, August 3, 2026, the following corrections are made:

§ 351.901 [Corrected]

■ 1. On page 49263, in § 351.901(c)(1), remove ''The procedures in this part are'' and add in its place ''The procedures in this subpart are''.

§ 351.902 [Corrected]

■ 2. On page 49264, in § 351.902:

■ a. In paragraph (b)(3), remove ''an entity identified in § 351.901(c),'' and add in its place ''an entity identified in § 351.901(c)(3),''; and

■ b. In paragraph (c)(6), remove ''filed by a party or party's representative and OPM'' and add in its place ''filed by a party, a party's representative, or OPM''.

§ 351.904 [Corrected]

■ 3. On page 49265, in § 351.904(c), remove ''OPM or the responsible agency may'' and add in its place ''OPM or the agency whose action is under appeal may'', and remove ''an employee of the responsible agency or OPM'' and add in its place ''an employee of that agency or OPM''.

§ 351.905 [Corrected]

■ 4. On page 49265, in § 351.905(b), remove ''For the purposes of paragraph (b) of this section,'' and add in its place ''For purposes of this paragraph (b),''.

§ 351.909 [Corrected]

■ 5. On page 49267, in § 351.909(f), remove ''protected personnel information'' and add in its place ''protected personal information''.

[FR Doc. 2026–17338 Filed 8–24–26; 8:45 am]

BILLING CODE 6325–39–P

OFFICE OF PERSONNEL MANAGEMENT

5 CFR Part 575

[Docket IDs: OPM–2025–0004; OPM–2023–0027]

RIN 3206–AO80; 3206–AO36

Improving Performance, Accountability and Responsiveness in the Civil Service, and Recruitment and Relocation Incentive Waivers; Correcting Amendments

AGENCY: Office of Personnel Management.

ACTION: Final rule; correcting amendments.

SUMMARY: The Office of Personnel Management (OPM) is correcting technical and conforming errors arising from two recent final rules: ''Improving Performance, Accountability and Responsiveness in the Civil Service,'' published February 6, 2026 and effective March 9, 2026, and ''Recruitment and Relocation Incentive Waivers,'' published December 15, 2025 and effective February 13, 2026. The corrections make no substantive change to the regulations.

DATES: Effective August 25, 2026.

FOR FURTHER INFORMATION CONTACT: Aaron Gottesman, Senior Advisor to the Director, by email at *employeeaccountability@opm.gov* or by phone at (202) 606–7400.

SUPPLEMENTARY INFORMATION:

I. Background

On December 15, 2025, OPM published a final rule at 90 FR 57867 (the incentive waivers rule) amending subparts A and B of 5 CFR part 575 to expand agency authority to approve waivers of the payment limitations on recruitment and relocation incentives and to permit recruitment incentive service periods of less than 6 months. That rule became effective February 13, 2026. On February 6, 2026, OPM published a final rule at 91 FR 5580 (the Schedule Policy/Career rule) amending several parts of title 5 of the Code of Federal Regulations, including §§ 575.104, 575.204, and 575.304 and the authority citation for part 575, to address incentive payments for employees whose positions are moved into Schedule Policy/Career. That rule became effective March 9, 2026. After publication, OPM identified the technical errors in part 575 described below, each of which has been carried into the Code of Federal Regulations.

II. Need for Correction

A. Corrections Relating to the Schedule Policy/Career Rule

First, the Schedule Policy/Career rule revised and republished §§ 575.104, 575.204, and 575.304 (Ineligible categories of employees). In each section, the rule restructured former paragraphs (a) through (d) as paragraphs (a)(1) through (a)(4) in order to add a new paragraph (b) addressing incentive payments for employees whose positions are moved into Schedule Policy/Career. The rule did not, however, conform the internal cross-reference in the introductory text of newly designated paragraph (a)(4) of each section, which continues to refer to ''the exclusions in paragraphs (a), (b), and (c) of this section.'' Under the revised structure of each section, the exclusions appear in paragraphs (a)(1) through (3); paragraph (b) is not an exclusion; and there is no paragraph (c). This document conforms the cross-reference in each of the three sections.

Second, the parallel paragraphs (b) added to §§ 575.104, 575.204, and 575.304 by the Schedule Policy/Career rule contain two unintended phrasing discrepancies: § 575.104(b)(1) requires the employee to ''fulfill that term,'' while the parallel provisions at §§ 575.204(b)(1) and 575.304(b)(1) use ''fulfill that agreed-upon service period''; and the introductory text of § 575.304(b) reads ''Notwithstanding any provision in this subpart,'' while §§ 575.104(b) and 575.204(b) read ''Notwithstanding any other provision in this subpart.'' This document harmonizes the phrasing of these parallel provisions. No difference in meaning was intended or results.

Third, the Schedule Policy/Career rule revised the authority citation for part 575, setting out the citation as it existed before the incentive waivers rule. Because the Schedule Policy/Career rule became effective March 9, 2026, its revision superseded, without discussion, the revised authority citation for part 575 that the incentive waivers rule had made effective February 13, 2026. This document revises the authority citation for part 575 to restore the formulation adopted in the incentive waivers rule. The authorities cited are identical in substance under either formulation.

B. Correction Relating to the Incentive Waivers Rule

The incentive waivers rule revised § 575.110(a) to remove the requirement that a recruitment incentive service period be at least 6 months, permitting agencies to establish service periods of less than 6 months but not more than 4 years. The rule did not make the conforming amendment to the definition of ''Service agreement'' in § 575.102, which continues to describe ''a specified period of employment of not less than 6 months or more than 4 years.'' This document conforms the definition to § 575.110(a) as revised, consistent with the parallel definition in § 575.202.

C. Pre-Existing Typographical Error

In § 575.109(a), the introductory text joins the phrase ''An agency may pay a recruitment incentive'' to paragraph (a)(1) with a hyphen rather than an em dash. The error predates the two rules described above and appears in the official annual edition of the Code of Federal Regulations. This document replaces the hyphen with an em dash, consistent with the parallel provision at § 575.209(a).

III. Procedural Requirements

OPM finds good cause under 5 U.S.C. 553(b)(B) to issue these correcting amendments without prior notice and opportunity for comment, because the amendments merely conform cross-references, definitions, parallel phrasing, and punctuation to regulatory text previously adopted after notice and comment, and make no substantive change to the regulations; notice and comment are therefore unnecessary. For the same reason, OPM finds good cause under 5 U.S.C. 553(d)(3) to make these corrections effective upon publication.

Regulatory Review

OPM has examined this rule under Executive Orders 12866 and 13563. For the reasons discussed above, this rule is not a significant regulatory action under Executive Order 12866. This is not an E.O. 14192 regulatory action because this rule is not significant under E.O. 12866.

List of Subjects in 5 CFR Part 575

Government employees, Wages.

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.

Accordingly, OPM corrects 5 CFR part 575 by making the following correcting amendments:

PART 575—RECRUITMENT, RELOCATION, AND RETENTION INCENTIVES; SUPERVISORY DIFFERENTIALS; AND EXTENDED ASSIGNMENT INCENTIVES

■ 1. The authority citation for part 575 is revised to read as follows:

Authority: 5 U.S.C. 1104(a)(2), 5307. Subparts A and B also issued under 5 U.S.C. 5753. Subpart C also issued under 5 U.S.C. 5754. Subpart D also issued under 5 U.S.C. 5755. Subpart E also issued under 5 U.S.C. 5757; sec. 207, Pub. L. 107–273, 116 Stat. 1780 (5 U.S.C. 5307 note).

Subpart A—Recruitment Incentives

§ 575.102 [Amended]

■ 2. In § 575.102, amend the definition of ''Service agreement'' by removing ''of not less than 6 months or more than 4 years'' and adding in its place ''of not more than 4 years''.

§ 575.104 [Amended]

■ 3. In § 575.104:

■ a. Amend paragraph (a)(4) introductory text by removing ''paragraphs (a), (b), and (c)'' and adding in its place ''paragraphs (a)(1) through (3)''; and

■ b. Amend paragraph (b)(1) by removing ''fulfill that term'' and adding in its place ''fulfill that agreed-upon service period''.

§ 575.109 [Amended]

■ 4. In § 575.109, amend paragraph (a) introductory text by removing in the second sentence ''recruitment incentive-'' and adding in its place ''recruitment incentive—''.

Subpart B—Relocation Incentives

§ 575.204 [Amended]

■ 5. In § 575.204, amend paragraph (a)(4) introductory text by removing ''paragraphs (a), (b), and (c)'' and adding in its place ''paragraphs (a)(1) through (3)''.

Subpart C—Retention Incentives

§ 575.304 [Amended]

■ 6. In § 575.304:

■ a. Amend paragraph (a)(4) introductory text by removing ''paragraphs (a), (b), and (c)'' and adding in its place ''paragraphs (a)(1) through (3)''; and

■ b. Amend paragraph (b) introductory text by removing ''Notwithstanding any provision'' and adding in its place ''Notwithstanding any other provision''.

[FR Doc. 2026–17334 Filed 8–24–26; 8:45 am]

BILLING CODE 6325–39–P

OFFICE OF PERSONNEL MANAGEMENT

5 CFR Part 731

[Docket ID: OPM–2025–0173]

RIN 3206–AO97

Suitability Action Appeals; Correction

AGENCY: Office of Personnel Management.

ACTION: Final rule; correction.

SUMMARY: The Office of Personnel Management (OPM) published a final rule in the **Federal Register** on August 3, 2026, concerning suitability action appeals. That document contained typographical and structural errors in the regulatory text. This document corrects the final rule.

DATES: Effective September 2, 2026.

FOR FURTHER INFORMATION CONTACT: Aaron Gottesman, Senior Advisor to the Director, by email at *employeeaccountability@opm.gov* or by phone at (202) 606–7400.

SUPPLEMENTARY INFORMATION: OPM published a final rule on August 3, 2026 (91 FR 49034; FR Doc. 2026–15650), revising subpart E of 5 CFR part 731. The document contained clerical errors, including missing spaces in § 731.504(c); a limiting principle miscast as an item in the list of sanctions in § 731.506(b); a cross-reference in § 731.505(b) that erroneously included paragraph (d) of that section, which provides for the assignment of an administrative judge rather than an administrative law judge; and citation-form and capitalization errors. In addition, the preamble relies on 5 U.S.C. 3302, which was inadvertently omitted from the revised authority citation for part 731. This document corrects those errors before the rule's effective date. The corrections are non-substantive.

Regulatory Review

OPM has examined this rule under Executive Orders 12866 and 13563. For the reasons discussed above, this rule is not a significant regulatory action under Executive Order 12866. This is not an E.O. 14192 regulatory action because this rule is not significant under E.O. 12866.

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.

Correction

In FR Doc. 2026–15650, appearing on page 49034 in the **Federal Register** of Monday, August 3, 2026, the following corrections are made:

PART 731 [CORRECTED]

■ 1. On page 49065, in the third column, in amendatory instruction 1, in the authority citation for part 731, remove ''5 U.S.C. 1103, 1302, 2301, 2302, 3301, 7301.'' and add in its place ''5 U.S.C. 1103, 1302, 2301, 2302, 3301, 3302, 7301.''.

§ 731.503 [Corrected]

■ 2. On page 49067, starting in the second column, in § 731.503:
■ a. In paragraph (c)(1), remove ''documents establishing'' and add in its place ''Documents establishing'';
■ b. In paragraph (c)(2), remove ''all investigative'' and add in its place ''All investigative'';
■ c. In paragraph (c)(3), remove ''the charge-by-charge'' and add in its place ''The charge-by-charge'';
■ d. In paragraph (c)(4), remove ''the written final decision'' and add in its place ''The written final decision'';
■ e. In paragraph (c)(5), remove ''any direction from OPM'' and add in its place ''Any direction from OPM'';
■ f. In paragraph (c)(6), remove ''a certification'' and add in its place ''A certification'';
■ g. In the paragraph (f) subject heading, remove ''Service of Documents.'' and add in its place ''Service of documents.''; and
■ h. In the paragraph (g) subject heading, remove ''Untimely Filings.'' and add in its place ''Untimely filings.''.

§ 731.504 [Corrected]

■ 3. On page 49068, in the first column, in § 731.504(c), remove ''an employee ofthe responsibleagency or OPMand'' and add in its place ''an employee of the responsible agency or OPM and''.

§ 731.505 [Corrected]

■ 4. On page 49068, starting in the second column, in § 731.505:
■ a. In paragraph (b), remove ''under this paragraph or paragraphs (a) or (d) of this section'' and add in its place ''under this paragraph (b) or paragraph (a) of this section''; and
■ b. In paragraph (e), remove ''pursuant to paragraph (d),'' and add in its place ''pursuant to paragraph (d) of this section,''.

■ 5. On page 49069, in the first column, in § 731.506, paragraph (b)(4) is redesignated as paragraph (c) and corrected to read as follows:

§ 731.506 [Corrected]

(c) *Scope of sanctions.* Any sanction issued under paragraph (b) of this section must be proportionate, causally related to the violation, and no broader than necessary to protect the adjudicatory process.

[FR Doc. 2026–17337 Filed 8–24–26; 8:45 am]

BILLING CODE 6325–39–P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 73

[Docket No. FAA–2026–10430; Airspace Docket No. 25–AWP–168]

RIN 2120–AA66

Amendment of Restricted Areas R–2505, R–2524, R–2508, and R–2515 in California

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Final rule.

SUMMARY: This action amends multiple coordinates used to describe restricted areas R–2505, R–2524, R–2508, and R–2515 in California. The amendments are administrative in nature and do not expand any outer boundaries, altitudes, times of designation, or activities conducted within the restricted areas.

DATES: Effective date 0901 UTC, October 29, 2026.

ADDRESSES: A copy of 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.*

FOR FURTHER INFORMATION CONTACT: Steven Roff, Rules and Regulations Group, Policy Directorate, Federal Aviation Administration, 800 Independence Avenue SW, Washington, DC 20591; telephone: (202) 267–8783.

SUPPLEMENTARY INFORMATION:

Authority for This Rulemaking

The FAA's authority to issue rules regarding aviation safety is found in Title 49 of the United States Code. Subtitle I, Section 106 describes the authority of the FAA Administrator. Subtitle VII, Aviation Programs, describes in more detail the scope of the

agency's authority. This rulemaking is promulgated under the authority described in Subtitle VII, Part A, Subpart I, Section 40103. Under that section, the FAA is charged with prescribing regulations to assign the use of the airspace necessary to ensure the safety of aircraft and the efficient use of airspace. This regulation is within the scope of that authority as it updates the coordinates listed for restricted areas R–2505, R–2524, R–2508, and R–2515 in California.

Good Cause for Bypassing Notice and Comment

The Administrative Procedure Act (APA) authorizes agencies to dispense with ordinary notice and comment requirements for rules when the agency for ''good cause'' finds that those procedures are ''unnecessary.'' 5 U.S.C. 553(b)(B). This action amends multiple coordinates used to describe restricted areas R–2505, R–2524, R–2508, and R–2515 in California. The amendments are administrative in nature and do not expand any outer boundaries, altitudes, times of designation, or activities conducted within the restricted areas. This action will not impose any additional substantive restrictions or requirements on the persons affected by these regulations as it does not change any outer boundaries, altitudes, times of designation, or activities conducted within the restricted areas. The updated coordinates only impact inner boundaries of subdivided areas. The action constitutes ''a routine determination, insignificant in nature and impact, and inconsequential to the industry and to the public.'' *Mack Trucks, Inc.* v. *EPA,* 682 F.3d 87, 94 (D.C. Cir. 2012). Therefore, the FAA finds good cause that notice and public procedure under 5 U.S.C. 553(b) is unnecessary.

The Rule

This action amends 14 CFR part 73 by modifying the coordinates used to describe restricted areas R–2505, R–2524, R–2508, and R–2515 in California.

R–2505: Prior to this final rule, the R–2505 boundaries were defined as beginning at lat. 36°14′00″ N, long. 117°53′03″ W; to lat. 36°14′00″ N, long. 117°25′03″ W; to lat. 35°40′30″ N, long. 117°25′03″ W; to lat. 35°37′30″ N, long. 117°35′33″ W; to lat. 35°37′30″ N, long. 117°47′33″ W; to lat. 35°54′00″ N, long. 117°53′03″ W; to the point of beginning. As amended, the R–2505 boundaries are defined as beginning at lat. 36°14′00″ N, long. 117°53′03″ W; to lat. 36°14′00″ N, long. 117°36′03″ W; to lat. 36°14′00″ N, long. 117°25′03″ W; to lat. 35°40′30″ N, long. 117°25′03″ W; to lat. 35°39′15″ N, long. 117°29′26″ W; to lat. 35°37′30″ N, long. 117°35′33″ W; to lat. 35°37′30″ N, long. 117°47′33″ W; to lat. 35°54′00″ N, long. 117°53′03″ W; to lat. 36°08′00″ N, long. 117°53′03″ W; to the point of beginning.

R–2524: Prior to this final rule, the R–2524 boundaries were defined as beginning at lat. 35°47′46″ N, long. 116°55′23″ W; to lat. 35°15′56″ N, long. 116°55′23″ W; to lat. 35°15′56″ N, long. 117°26′03″ W; to lat. 35°36′00″ N, long. 117°26′03″ W; to lat. 35°36′00″ N, long. 117°16′55″ W; to lat. 35°47′46″ N, long. 117°16′55″ W; to the point of beginning. As amended, the R–2524 boundaries are defined as beginning at lat. 35°36′00″ N, long. 117°26′03″ W; to lat. 35°36′00″ N, long. 117°16′55″ W; to lat. 35°47′46″ N, long. 117°16′55″ W; to lat. 35°47′46″ N, long. 116°55′23″ W; to lat. 35°37′45″ N, long. 116°55′23″ W; to lat. 35°19′00″ N, long. 116°55′23″ W; to lat. 35°15′56″ N, long. 116°55′23″ W; to lat. 35°15′56″ N, long. 117°26′03″ W; to lat. 35°27′40″ N, long. 117°26′03″ W; to the point of beginning.

R–2508: Prior to this final rule, the R–2508 boundaries were defined as beginning at lat. 37°12′00″ N, long. 117°20′03″ W; to lat. 35°34′00″ N, long. 116°23′03″ W; to lat. 35°28′35″ N, long. 116°18′48″ W; to lat. 35°18′45″ N, long.116°18′48″ W; to lat. 35°07′00″ N, long. 116°34′03″ W; to lat. 35°07′00″ N, long. 116°47′48″ W; to lat. 35°08′50″ N, long. 116°48′43″ W; to lat. 35°06′30″ N, long. 116°58′43″ W; to lat. 34°53′30″ N, long. 117°11′53″ W; to lat. 34°50′20″ N, long. 117°32′03″ W; to lat. 34°48′30″ N, long. 117°32′03″ W; to lat. 34°48′00″ N, long. 117°35′03″ W; to lat. 34°48′00″ N, long.118°01′03″ W; to lat. 34°49′40″ N, long. 118°05′48″ W; to lat. 34°51′30″ N, long. 118°05′48″ W; to lat. 34°56′00″ N, long. 118°21′03″ W; to lat. 35°15′00″ N, long. 118°35′03″ W; to lat. 37°12′00″ N, long. 118°35′03″ W; to the point of beginning. As amended, the R–2508 boundaries are defined as beginning at lat. 37°12′00″ N, long. 118°35′03″ W; to lat. 37°12′00″ N, long. 118°26′03″ W; to lat. 37°12′00″ N, long. 118°00′03″ W; to lat. 37°12′00″ N, long. 117°20′03″ W; to lat. 36°30′00″ N, long. 116°55′18″ W; to lat. 35°34′30″ N, long. 116°23′33″ W; to lat. 35°28′35″ N, long. 116°18′48″ W; to lat. 35°25′48″ N, long. 116°18′48″ W; to lat. 35°18′45″ N, long. 116°18′48″ W; to lat. 35°07′00″ N, long. 116°34′03″ W; to lat. 35°07′00″ N, long. 116°47′48″ W; to lat. 35°08′50″ N, long. 116°48′43″ W; to lat. 35°06′30″ N, long. 116°58′43″ W; to lat. 34°56′20″ N, long. 117°09′02″ W; to lat. 34°53′30″ N, long. 117°11′53″ W; to lat. 34°51′17″ N, long. 117°26′03″ W; to lat. 34°50′20″ N, long. 117°32′03″ W; to lat. 34°48′30″ N, long. 117°32′03″ W; to lat. 34°48′00″ N, long. 117°35′03″ W; to lat. 34°48′00″ N, long. 118°01′03″ W; to lat. 34°49′40″ N, long. 118°01′03″ W; to lat. 34°49′40″ N, long. 118°05′48″ W; to lat. 34°51′30″ N, long. 118°05′48″ W; to lat. 34°56′00″ N, long. 118°21′03″ W; to lat. 35°15′00″ N, long. 118°35′03″ W; to lat. 35°40′00″ N, long. 118°35′03″ W; to lat. 36°08′00″ N, long. 118°35′03″ W; to lat. 36°35′50″ N, long. 118°35′03″ W; to lat. 37°04′50″ N, long. 118°35′03″ W; to the point of beginning. Additionally, prior to this final rule, the name of R–2508 was ''R–2508 Complex, CA'', as amended, the name is ''R–2508 China Lake, CA''.

R–2515: Prior to this final rule, the R–2515 boundaries were defined as beginning at lat. 35°19′00″ N, long. 116°49′03″ W; to lat. 35°10′00″ N, long. 116°49′03″ W; to lat. 35°08′50″ N, long. 116°48′43″ W; to lat. 35°06′30″ N, long.116°58′43″ W; to lat. 34°53′30″ N, long. 117°11′53″ W; to lat. 34°50′20″ N, long. 117°32′03″ W; to lat. 34°48′30″ N, long. 117°32′03″ W; to lat. 34°48′00″ N, long. 117°35′03″ W; to lat. 34°48′00″ N, long. 118°01′03″ W; to lat. 34°49′40″ N, long. 118°05′48″ W; to lat. 35°01′00″ N, long. 118°05′48″ W; to lat. 35°27′40″ N, long. 117°26′03″ W; to lat. 35°15′56″ N, long. 117°26′03″ W; to lat. 35°15′56″ N, long. 116°55′23″ W; to lat. 35°19′00″ N, long. 116°55′23″ W; to the point of beginning. As amended, the R–2515 boundaries are defined as beginning at lat. 35°01′00″ N, long. 118°05′48″ W; to lat. 35°19′20″ N, long. 117°38′33″ W; to lat. 35°27′40″ N, long. 117°26′03″ W; to lat. 35°15′56″ N, long. 117°26′03″ W; to lat. 35°15′56″ N, long. 116°55′23″W; to lat. 35°19′00″ N, long. 116°55′23″ W; to lat. 35°19′00″ N, long. 116°49′03″ W; to lat. 35°10′00″ N, long. 116°49′03″ W; to lat. 35°08′50″ N, long. 116°48′43″W; to lat. 35°06′30″ N, long. 116°58′43″ W; to lat. 34°56′20″ N, long. 117°09′02″ W; to lat. 34°53′30″ N, long. 117°11′53″ W; to lat. 34°51′17″ N, long. 117°26′03″ W; to lat. 34°50′20″ N, long. 117°32′03″ W; to lat. 34°48′30″ N, long. 117°32′03″ W; to lat. 34°48′00″ N, long. 117°35′03″ W; to lat. 34°48′00″ N, long. 118°01′03″ W; to lat. 34°49′40″ N, long. 118°05′48″ W; to lat. 34°51′30″ N, long. 118°05′48″ W; to the point of beginning.

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 anticipated to have a minimal economic impact, as it only affects air traffic

procedures and air navigation, resulting in at most de minimis costs from minor rerouting of flights. Since this is a routine matter that only affects air traffic procedures with de minimis impact on operators, it is certified that this rule, when promulgated, does not have a significant economic impact on a substantial number of small entities under the criteria of the Regulatory Flexibility Act.

Environmental Review

The FAA has determined that this action of amending multiple coordinates used to describe restricted areas R–2505, R–2524, R–2508, and R–2515 in California qualifies for categorical exclusion under the National Environmental Policy Act (42 U.S.C. 4321, *et seq.*), and in accordance with FAA Order 1050.1G, FAA National Environmental Policy Act Implementing Procedures, paragraph B–2.5(d), which categorically excludes from further environmental impact review modification of the technical description of special use airspace (SUA) that does not alter the dimensions, altitudes, or times of designation of the airspace (such as changes in designation of the controlling or using agency, or correction of typographical errors). As such, this action is not expected to result in any potentially significant environmental impacts. In accordance with the FAA's NEPA implementation policy and procedures regarding extraordinary circumstances, the FAA has reviewed this action for factors and circumstances in which a normally categorically excluded action may have a significant environmental impact requiring further analysis. The FAA has determined that no extraordinary circumstances exist that warrant preparation of an environmental assessment or environmental impact statement.

Lists of Subjects in 14 CFR Part 73

Airspace, Prohibited areas, Restricted areas.

The Amendment

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

PART 73—SPECIAL USE AIRSPACE

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

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

§ 73.25 California (CA) [Amended]

■ 2. Section 73.25 is amended as follows:

* * * * *

R–2505 China Lake, CA [Amended]

Boundaries. Beginning at lat. 36°14′00″ N, long. 117°53′03″ W; to lat. 36°14′00″ N, long. 117°36′03″ W; to lat. 36°14′00″ N, long. 117°25′03″ W; to lat. 35°40′30″ N, long. 117°25′03″ W; to lat. 35°39′15″ N, long. 117°29′26″ W; to lat. 35°37′30″ N, long. 117°35′33″ W; to lat. 35°37′30″ N, long. 117°47′33″ W; to lat. 35°54′00″ N, long. 117°53′03″ W; to lat. 36°08′00″ N, long. 117°53′03″ W; to the point of beginning.

Designated altitudes. Unlimited.

Time of designation. Continuous.

Controlling agency. FAA, Joshua Control Facility, Edwards AFB, CA.

Using agency. U.S. Navy, Naval Air Warfare Center Weapons Division, China Lake, CA.

* * * * *

R–2524 Trona, CA [Amended]

Boundaries. Beginning at lat. 35°36′00″ N, long. 117°26′03″ W; to lat. 35°36′00″ N, long. 117°16′55″ W; to lat. 35°47′46″ N, long. 117°16′55″ W; to lat. 35°47′46″ N, long. 116°55′23″ W; to lat. 35°37′45″ N, long. 116°55′23″ W; to lat. 35°19′00″ N, long. 116°55′23″ W; to lat. 35°15′56″ N, long. 116°55′23″ W; to lat. 35°15′56″ N, long. 117°26′03″ W; to lat. 35°27′40″ N, long. 117°26′03″ W; to the point of beginning.

Designated altitudes. Unlimited.

Time of designation. Continuous.

Controlling agency. FAA, Joshua Control Facility, Edwards AFB, CA.

Using agency. U.S. Navy, Naval Air Warfare Center Weapons Division, China Lake, CA.

* * * * *

R–2508 China Lake, CA [Amended]

Boundaries. Beginning at lat. 37°12′00″ N, long. 118°35′03″ W; to lat. 37°12′00″ N, long. 118°26′03″ W; to lat. 37°12′00″ N, long. 118°00′03″ W; to lat. 37°12′00″ N, long. 117°20′03″ W; to lat. 36°30′00″ N, long. 116°55′18″ W; to lat. 35°34′30″ N, long. 116°23′33″ W; to lat. 35°28′35″ N, long. 116°18′48″ W; to lat. 35°25′48″ N, long. 116°18′48″ W; to lat. 35°18′45″ N, long. 116°18′48″ W; to lat. 35°07′00″ N, long. 116°34′03″ W; to lat. 35°07′00″ N, long. 116°47′48″ W; to lat. 35°08′50″ N, long. 116°48′43″ W; to lat. 35°06′30″ N, long. 116°58′43″ W; to lat. 34°56′20″ N, long. 117°09′02″ W; to lat. 34°53′30″ N, long. 117°11′53″ W; to lat. 34°51′17″ N, long. 117°26′03″ W; to lat. 34°50′20″ N, long. 117°32′03″ W; to lat. 34°48′30″ N, long. 117°32′03″ W; to lat. 34°48′00″ N, long. 117°35′03″ W; to lat. 34°48′00″ N, long. 118°01′03″ W; to lat. 34°49′40″ N, long. 118°05′48″ W; to lat. 34°51′30″ N, long. 118°05′48″ W; to lat. 34°56′00″ N, long. 118°21′03″ W; to lat. 35°15′00″ N, long. 118°35′03″ W; to lat. 35°40′00″ N, long. 118°35′03″ W; to lat. 36°08′00″ N, long. 118°35′03″ W; to lat. 36°35′50″ N, long. 118°35′03″ W; to lat. 37°04′50″ N, long. 118°35′03″ W; to the point of beginning.

Designated altitudes. 20,000 feet MSL to unlimited.

Time of designation. Continuous.

Controlling agency. FAA, Joshua Control Facility, Edwards AFB, CA.

Using agency. U.S. Navy, Naval Air Warfare Center Weapons Division, China Lake, CA.

* * * * *

R–2515 Muroc Lake, CA [Amended]

Boundaries. Beginning at lat. 35°01′00″ N, long. 118°05′48″ W; to lat. 35°19′20″ N, long. 117°38′33″ W; to lat. 35°27′40″ N, long. 117°26′03″ W; to lat. 35°15′56″ N, long. 117°26′03″ W; to lat. 35°15′56″ N, long. 116°55′23″ W; to lat. 35°19′00″ N, long. 116°55′23″ W; to lat. 35°19′00″ N, long. 116°49′03″ W; to lat. 35°10′00″ N, long. 116°49′03″ W; to lat. 35°08′50″ N, long. 116°48′43″ W; to lat. 35°06′30″ N, long. 116°58′43″ W; to lat. 34°56′20″ N, long. 117°09′02″ W; to lat. 34°53′30″ N, long. 117°11′53″ W; to lat. 34°51′17″ N, long. 117°26′03″ W; to lat. 34°50′20″ N, long. 117°32′03″ W; to lat. 34°48′30″ N, long. 117°32′03″ W; to lat. 34°48′00″ N, long. 117°35′03″ W; to lat. 34°48′00″ N, long. 118°01′03″ W; to lat. 34°49′40″ N, long. 118°05′48″ W; to lat. 34°51′30″ N, long. 118°05′48″ W; to the point of beginning.

Designated altitudes. Unlimited.

Time of designation. Continuous.

Controlling agency. FAA, Joshua Control Facility, Edwards AFB, CA.

Using agency. Commander, 412 Test Wing (412 TW), Edwards AFB, CA.

* * * * *

Issued in Washington, DC, on August 21, 2026.

Brian Eric Konie,

Acting Manager, Rules and Regulations Group.

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BILLING CODE 4910–13–P

DEPARTMENT OF HOMELAND SECURITY

U.S. Customs and Border Protection

19 CFR Chapter I

[CBP Dec. No. 26–17]

Establishment of Four Customs-Enforcement Areas

AGENCY: U.S. Customs and Border Protection; DHS.

ACTION: Establishment of Customs-Enforcement Areas.

SUMMARY: This document sets forth the Commissioner of U.S. Customs and Border Protection's (CBP) declaration establishing four Customs-Enforcement Areas (CEA) in the near shore waters of South Florida, Central/Southern California, Puerto Rico, and the Gulf Coast of Texas. This action will further CBP efforts to interdict hovering vessels

utilized for smuggling illegal cargoes into or out of the United States specifically within the CEAs. Additionally, this action authorizes customs officers and agents to enforce applicable U.S. laws, including the authorization to board vessels, examine vessels, merchandise and persons on board, bring the same into port, and pursue, seize, and arrest individuals, within the CEAs.

DATES: The Customs-Enforcement Areas described herein are established as of August 25, 2026.

FOR FURTHER INFORMATION CONTACT: Scott Leach, Director of Marine Operations at (202) 325–2114 or at *CEA@cbp.dhs.gov.*

SUPPLEMENTARY INFORMATION: This document establishes four Customs-Enforcement Areas (CEAs) in the near shore waters of South Florida, Central/Southern California, Puerto Rico, and the Gulf Coast of Texas. The establishment of these CEAs is necessary to respond to the continuous and active threats presented by hovering vessels in those areas. The underlying legal authority, the need for the CEAs, and a detailed description of the CEA boundaries are described below.

I. Legal Authority

The establishment of CEAs is authorized pursuant to section 1 of the Anti-Smuggling Act of 1935, as amended (49 Stat. 517) (19 U.S.C. 1701) (Anti-Smuggling Act). In general, CEAs can be designated for an area on the high seas (within specified limits) that is outside of, but adjacent to, U.S. customs waters and is in close proximity to where vessels hover to engage in smuggling. *See* Anti-Smuggling Act sec. 1(a) (19 U.S.C. 1701(a)). Designation of a CEA authorizes customs officers and agents to enforce applicable U.S. laws within the CEA to prevent the illegal entry or exit of merchandise or people. *See* Anti-Smuggling Act sec. 1(b) (19 U.S.C. 1701(b)); section 581(a) of the Tariff Act of 1930, as amended (19 U.S.C. 1581(a)); 19 CFR 162.3.

A. Anti-Smuggling Act and Establishment of CEAs

Section 1(a) of the Anti-Smuggling Act states that ''whenever the President of the United States finds and declares that at any place or within any area on the high seas adjacent to but outside customs waters any vessel or vessels hover or are being kept off the coast of the United States and that, by virtue of the presence of any such vessel or vessels at such place or within such area, the unlawful introduction or removal into or from the United States of any merchandise or person is being or may be occasioned, promoted, or threatened, the place or area so found and declared shall constitute a customs-enforcement area.'' 19 U.S.C. 1701(a).[1] The statute further clarifies that ''[o]nly such waters on the high seas shall be within a customs-enforcement area as the President finds and declares are in such proximity to such vessel or vessels that such unlawful introduction or removal of merchandise or persons may be carried on by or to or from such vessel or vessels.'' Anti-Smuggling Act sec. 1(a) (19 U.S.C. 1701(a)).

The statute limits the boundaries of CEAs, stating that ''[n]o customs-enforcement area shall include any waters more than one hundred nautical miles from the place or immediate area where the President declares such vessel or vessels are hovering or are being kept, and notwithstanding the foregoing provision, shall not include any waters more than fifty nautical miles outwards from the outer limit of customs waters.'' Anti-Smuggling Act sec. 1(a) (19 U.S.C. 1701(a)). In other words, the CEA may extend not more than 100 nautical miles (NM) in either direction up and down the coast from the place or immediate area where hovering vessels are present, and not more than 50 NM out to sea beyond the customs waters.

B. Delegation of Authority To Establish CEAs

Although section 1 of the Anti-Smuggling Act vests the authority to establish CEAs in the President, that authority is now vested in the Commissioner of CBP. Executive Order 10289 delegated the President's authority to establish CEAs to the Secretary of the Treasury. E.O. 10289, § 1(b), 16 FR 9499 (published Sept. 19, 1951). With certain exceptions not applicable herein, section 403(1) of the Homeland Security Act of 2002 (Pub. L. 107–296, 116 Stat. 2135) (6 U.S.C. 203(1)) transferred all functions, personnel, assets, and liabilities of the United States Customs Service of the Department of the Treasury, including the functions of the Secretary of the Treasury relating thereto, to the Secretary of Homeland Security. The Secretary of Homeland Security further delegated the authority to establish CEAs to the Commissioner of CBP. *See* DHS, Delegation No. 07010.3, Delegation of Authority to the Commissioner of U.S. Customs and Border Protection, II.A (Rev. No. 03.2, Incorporating Change 2) (Dec. 11, 2024).

C. Authority To Enforce U.S. Laws Within CEAs

Upon the establishment of a CEA pursuant to the Anti-Smuggling Act, customs officers and agents are authorized to enforce applicable U.S. laws within the CEA. Specifically, within the CEA, CBP officers and agents ''may go on board of any vessel and examine the vessel and any merchandise or person on board, and bring the same into port.'' Anti-Smuggling Act sec. 1(b) (19 U.S.C. 1701(b)). Customs officers and agents may pursue and seize or arrest and otherwise enforce upon any vessel, merchandise, or person in the CEA in accordance with applicable U.S. laws and regulations in the same manner as customs officers and agents are authorized to do at any place in the United States. Anti-Smuggling Act sec. 1(b) (19 U.S.C. 1701(b)). Specifically, within a CEA, customs officers and agents are authorized to enforce 18 U.S.C. 2237, which provides for criminal sanctions against a master, operator, or person in charge of a vessel for various offenses, including failure to heave to, obstruction of boarding, or providing materially false information.

Additionally, section 581(a) of the Tariff Act of 1930, as amended (19 U.S.C. 1581(a)), permits customs officers and agents ''at any time to go on board of any vessel . . . at any place in the United States or within the customs waters or, as he may be authorized, within a customs-enforcement area . . . and examine the manifest and other documents and papers and examine, inspect, and search the vessel . . . and every part thereof and any person, trunk, package, or cargo on board, and to this end may hail and stop such vessel . . . and use all necessary force to compel compliance.'' *See also* 19 CFR 162.3(a)(3). However, customs officers and agents are not authorized to, for

[1] The term ''customs waters'' means, in the case of a foreign vessel subject to a treaty or other arrangement between a foreign government and the United States enabling or permitting the authorities of the United States to board, examine, search, seize, or otherwise to enforce upon such vessel upon the high seas the laws of the United States, the waters within such distance of the coast of the United States as the said authorities are or may be so enabled or permitted by such treaty or arrangement and, in the case of every other vessel, the waters within four leagues of the coast of the United States. Anti-Smuggling Act sec. 401(c) (19 U.S.C. 1709(c)).

The term ''hovering vessel'' means any vessel which is found or kept off the coast of the United States within or without the customs waters, if, from the history, conduct, character, or location of the vessel, it is reasonable to believe that such vessel is being used or may be used to introduce or promote or facilitate the introduction or attempted introduction of merchandise into the United States in violation of the laws respecting the revenue. Anti-Smuggling Act sec. 401(d) (19 U.S.C. 1709(d)).

instance, enforce any U.S. law upon the high seas upon a foreign vessel in contravention of any treaty with a foreign government, except as such authorities are or may otherwise be enabled or permitted under special arrangement with such foreign government. Anti-Smuggling Act sec. 1(b) (19 U.S.C. 1701(b)); *see also* Tariff Act of 1930, as amended, sec. 581(h) (19 U.S.C. 1581(h)); 19 CFR 162.3(a)(3).

II. Need for the Customs-Enforcement Areas (CEAs)

In the last five years and within the areas designated as CEAs identified below, CBP's Air and Marine Operations (AMO) has conducted numerous enforcement actions against hovering vessels. With regard to the areas specifically being designated as a CEA in South Florida alone, AMO seized nearly 77,000 pounds of illegal narcotics; conducted 26,000 apprehensions of illegal aliens and smugglers; and performed 324 search and rescue operations.[2] In Puerto Rico, AMO seized nearly 860,000 pounds of cocaine and conducted well over 15,000 apprehensions and 172 search and rescue operations. On the Gulf Coast of Texas, AMO seized 3,700 pounds of drugs and conducted over 17,000 apprehensions. In Southern California, AMO seized nearly 1,500 pounds of methamphetamines and a total of 5,145 pounds of other drugs. Additionally, during this time, 488 vessels were seized in the above-described areas to be designated as CEAs. Most of this maritime smuggling is accomplished with vessels that travel for great distances outside of, or paralleling, current U.S. jurisdiction to avoid detection. These vessels land on remote shorelines, transfer illegal cargo to separate vessels, and travel without navigation lights. This behavior is consistent with the definition of ''Hovering Vessel,'' as defined in section 401(d) of the Anti-Smuggling Act (19 U.S.C. 1709(d)).

The establishment of these CEAs is necessary to respond to the continuous and active threats presented by hovering vessels in those areas. The four CEAs established here would extend the authority of customs officers and agents to enforce applicable U.S. laws from 12 NM to 24 NM from the baseline within the designated CEAs.[3] The extension to 24 NM aligns with the U.S. contiguous zone, which is a zone that borders the territorial sea of the United States in which the United States may exercise the control necessary to prevent infringement of its customs, fiscal, immigration, or sanitary laws and regulations within its territory or territorial sea, and to punish infringement of the above laws and regulations committed within its territory or territorial sea. *See* Proclamation No. 7219, 64 FR 48701 (published Aug. 8, 1999) (establishing the contiguous zone of the United States to 24 NM from baseline). Without the CEAs, CBP's enforcement of applicable U.S. laws is generally limited to operations within the U.S. territorial and customs waters, which collectively extend 12 NM from baseline and to more limited operations beyond 12 NM when authorized by statute.[4] *See* Proclamation No. 5928, 103 Stat. 2981 (Dec. 27, 1988) (extending U.S. territorial waters from 3 NM to 12 NM from baseline).

The establishment of a CEA that extends enforcement authorities to 24 NM greatly improves CBP's law enforcement effectiveness in CEAs, which are located within critical maritime approaches to the United States. The performance, speed, and technology of modern smuggling vessels limit CBP's ability to respond to illegal activity detected in these areas. The limited distance and fast speeds of these vessels often inhibit the ability to interdict threats to the United States. Expanding the authorities for customs officers and agents to operate 24 NM from baseline within the designated areas, combined with enhanced detection capabilities enabled by new technology, will significantly increase the probability of interdiction and facilitate prosecution of individuals, particularly those using hovering vessels consistent with applicable U.S. law. Authority to interdict vessels 24 NM from baseline will decrease border incursions and more effectively enforce applicable U.S. laws within such designated areas. By extending jurisdiction into high threat areas, CBP can enhance enforcement of applicable U.S. laws as they relate to combatting hovering vessels in the areas defined below.

Additionally, the establishment of CEAs reinforces Executive Order 14165, *Securing Our Borders,* 90 FR 8467 (published Jan. 30, 2025), by bolstering operational control of U.S. borders and interests in these specific areas given the ongoing smuggling threats by hovering vessels. The establishment of CEAs in these areas will provide CBP with the ability to enforce applicable U.S. laws in the critical maritime approaches to the United States. The establishment of these CEAs is also consistent with Executive Order 14411, *Strengthening Customs Enforcement,* 91 FR 35125 (published June 10, 2026). Section 4 of E.O. 14411 directs the Secretary of Homeland Security, to the maximum extent permitted by applicable law, to take any action he deems necessary to bolster the enforcement of U.S. laws. The establishment of these CEAs will enable CBP to improve its enforcement of applicable laws against vessels engaged in smuggling by extending the area of enforcement.

The establishment of the CEAs also supports the 2026 National Drug Control Strategy.[5] The CEAs will deny transnational criminal organizations and foreign terrorist organizations the use of waters near the U.S. coastal waters as a permissive transit zone by establishing and maintaining U.S. enforcement operations. Transnational criminal organizations (TCOs), including foreign terrorist organizations, primarily exploit coastal waters and permissive maritime transit zones to facilitate alien smuggling and the trafficking of illicit narcotics, including cocaine, fentanyl, methamphetamine, and marijuana, into the United States. These same maritime routes may also be used by TCOs to smuggle weapons, potentially to include components for weapons of mass destruction, into the United States. Expanding the enforcement area to allow CBP to use its authorities to combat violations of U.S. laws will directly curb illicit activity by U.S. adversaries.

By establishing the four CEAs, CBP will increase maritime domain awareness and further disrupt maritime smuggling attempts before they make landfall. Expanded detection and interdiction capabilities will reduce the number of maritime border incursions and allow U.S. Border Patrol to reallocate resources to other focus areas.

[2] For detailed data relating to drug seizures by AMO, see CBP, Public Data Portal: *AMO Drug Seizures,* available at *https://www.cbp.gov/document/stats/amo-drug-seizures.*

[3] Maritime zones and boundaries are measured from a country's ''baseline,'' which generally refers to the low-water line along the coast as marked on officially recognized, large-scale nautical charts. *See, e.g.,* 33 CFR 2.20. This declaration does not alter any U.S. baselines.

[4] Although customs officers' enforcement of applicable U.S. laws is generally limited to 12 NM from baseline, there are various exceptions. Those exceptions include, but are not limited to, CBP's authorities related to U.S.-flagged vessels, hovering vessel and pursuit authority under 19 U.S.C. 1581, 1587, and specific drug-related scenarios under the Maritime Drug Law Enforcement Act (Pub. L. 109–304, 120 Stat. 1685 (2006)).

[5] For more information on the 2026 National Drug Control Strategy, see *https://www.whitehouse.gov/releases/2026/05/2026-national-drug-control-strategy-released/.*

With the reduction of near-coastal vulnerabilities, U.S. Border Patrol can focus on land-based interdiction.

Establishing the four CEAs does not close any waters to navigation, impose new reporting or permitting requirements, or require vessels to alter otherwise lawful routes or operations. Vessels operating within the CEAs, however, may be subject to the enforcement authorities made applicable under the Anti-Smuggling Act, including being hailed, stopped, boarded, examined, searched, or brought into port as authorized by law. CBP recognizes that such enforcement activity may in individual cases result in limited operational impacts, including delay, to vessel owners, operators, passengers, and cargo interests. CBP has determined that the possibility of impacts is justified by the need to address the threats described above.

III. Establishment of Four Customs-Enforcement Areas

Pursuant to the authority contained in section 1 of the Anti-Smuggling Act of 1935, as amended (49 Stat. 517) (19 U.S.C. 1701) (Anti-Smuggling Act), I, Rodney S. Scott, Commissioner of U.S. Customs and Border Protection, do hereby find and declare:

1. That vessels hover or are being kept off the coast of the United States on the high seas adjacent to but outside customs waters within the areas described as follows:

a. *South Florida:* The area of water that extends seaward from 28°48′00″ N/80°44′19.7″ W (northeast corner of Brevard County), following an irregular arc along the coastline of South Florida, including the Florida Keys, to 28°26′01″ N/82°40′35.8″ W (northwest corner of Pasco County), out to 24 NM from baseline.

b. *Texas:* The area of water that extends from 29°40′44.0″ N/93°50′16.0″ W (Mouth of the Sabine River), following an irregular arc along the Gulf Coast, extending south to the maritime boundary line with Mexico, out to 24 NM from baseline.

c. *Central/Southern California:* The area of water that extends from 37°06′28.00″ N/122°20′08.5″ W (Año Nuevo Lighthouse), following an irregular arc along the coast, south to the maritime boundary line with Mexico, out to 24 NM from baseline, including the eight islands off the coast—the five islands of Channel Islands National Park, San Clemente Island, Santa Catalina Island, and San Nicolas Island.

d. *Puerto Rico:* The area of water that encircles the Island of Puerto Rico, to include the nearby islands of Mona, Desecheo, Vieques, and Culebra, out to 24 NM from baseline, but in no instance beyond a recognized international boundary line.

2. That the areas described in paragraph 1 do not include any waters more than 100 NM from the place or immediate area where such vessels are found or kept off the coast of the United States and are hereby declared to be hovering or kept, and do not include any waters more than 50 NM outwards from the outer limit of the customs waters.

3. That, by virtue of the presence of such vessels within the areas described in paragraph 1, the unlawful introduction or removal into or from the United States of merchandise or persons is being or may be occasioned, promoted, or threatened.

4. That all the waters within the areas described in paragraph 1 are in such proximity to such vessels that such unlawful introduction or removal of merchandise or persons may be carried on by or to or from such vessels.

And I do hereby proclaim that under the terms of the Anti-Smuggling Act, the areas described in paragraph 1 constitute customs-enforcement areas, and the provisions of law applying to the high seas adjacent to customs waters shall be enforced in such areas upon any vessel, merchandise, or person found therein, including the Anti-Smuggling Act of 1935 (19 U.S.C. 1701); section 581 of the Tariff Act of 1930, as amended (19 U.S.C. 1581); and 18 U.S.C. 2237.

The establishment of each customs-enforcement area described in this document is intended to operate independently. If any customs-enforcement area, provision, boundary, or application of this document is held invalid or is stayed, enjoined, or otherwise made unenforceable, the remainder of this document is intended to remain in effect to the fullest extent permitted by law. For example, if a court enjoins the establishment of one customs-enforcement area, CBP intends that the other customs-enforcement areas remain established and enforceable. Similarly, if a court invalidates a portion of a boundary or a specific application within one customs-enforcement area, CBP intends that the remaining portions and applications remain in effect.

IV. Signing Authority

This document is being issued in accordance with DHS Delegation 07010.3, Revision 03.2.

Rodney S. Scott,

Commissioner, U.S. Customs and Border Protection.

[FR Doc. 2026–17354 Filed 8–24–26; 8:45 am]

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DEPARTMENT OF THE INTERIOR

Office of Surface Mining Reclamation and Enforcement

30 CFR Part 926

[SATS No. MT–043–FOR; Docket No. OSM–2023–0008; S1D1S SS08011000 SX064A000 256S180110; S2D2S SS08011000 SX064A000 25XS501520]

Montana Regulatory Program

AGENCY: Office of Surface Mining Reclamation and Enforcement, Interior.

ACTION: Final rule; denying.

SUMMARY: We, the Office of Surface Mining Reclamation and Enforcement (OSM), are denying an amendment to the Montana regulatory program under the Surface Mining Control and Reclamation Act of 1977 (SMCRA). Montana submitted this proposed amendment to OSM on its own initiative in response to a State law passed by the Montana Legislature (Senate Bill (SB) 392). The proposed amendment would have added a provision requiring equal application of court costs to the prevailing party in contested case proceedings by a court or administrative agency that issues a decision. The proposal would have also amended the Montana Code Annotated (MCA) to refer to the proposed equal application of court costs rule. Finally, SB 392 includes contingencies that apply to the proposed amendment but are not codified into the MCA: codification instructions, a severability clause, an effective date clause, and an applicability statement.

DATES: The effective date is September 24, 2026.

FOR FURTHER INFORMATION CONTACT: Attn: Jeffrey Fleischman, Field Office Director, Office of Surface Mining Reclamation and Enforcement, 100 East B Street, Casper, Wyoming 82602, Telephone: (307) 261–6550, Email: *jfleischman@osmre.gov*.

SUPPLEMENTARY INFORMATION:

I. Background on the Montana Program
II. Submission of the Amendment
III. OSM's Findings

A. Changes to §§ 82–4–251, 252, and 255 of the MCA
B. Contingencies to SB 392
IV. Summary and Disposition of Comments
V. OSM's Decision
VI. Procedural Determinations

I. Background on the Montana Program

Section 503(a) of SMCRA permits a State to assume primacy for the regulation of surface coal mining and reclamation operations on non-Federal and non-Indian lands within its borders by demonstrating that its program includes, among other things, State laws and regulations that govern surface coal mining and reclamation operations in accordance with SMCRA and consistent with the Federal implementing regulations. *See* 30 U.S.C. 1253(a)(1) and (7); 30 CFR 730.5 and 732.15(a). On the basis of these criteria, the Secretary of the Interior conditionally approved the Montana program on April 1, 1980. You can find background information on the Montana program, including the Secretary's findings, the disposition of comments, and conditions of approval of the Montana program in the April 1, 1980, **Federal Register** (45 FR 21560). You can also find later actions concerning the Montana program and program amendments at 30 CFR 926.15.

II. Submission of the Amendment

By letter dated June 22, 2023 (Administrative Record No. MT–043–01), Montana sent us a proposed amendment to its program under SMCRA (30 U.S.C. 1201 *et seq.*). We found Montana's proposed amendment to be administratively complete on June 27, 2023. Montana submitted the proposed amendment to us, on its own volition, after the Montana legislature passed SB 392 during the 2023 legislative session. SB 392 amends the Montana Strip and Underground Mine Reclamation Act (MSUMRA) as well as sections 82–4–251, 252, and 255 of the MCA.

Specifically, Montana proposes a new section to MCA at § 82–4–255, which requires the equal application of court costs in contested case proceedings by a court or administrative agency that issues a decision pursuant to § 82–4–2. This proposed section states that a court or administrative agency may award the prevailing party reasonable costs of litigation, including filing fees, attorney fees, and witness costs, but the court or administrative agency may not consider the identities of the parties involved when determining the award. The parties that may be awarded attorney fees include the permittee, permit applicant, agency, public interest litigant, or any other party to the action. The proposal applies equally to all parties in an action and places the burden of proof and persuasion for awarding court costs on the requesting party.

At § 82–4–251(7) of the MCA, Montana proposes that new § 82–4–255 applies to an order issued or administrative proceedings under 82–4–251. And at § 82–4–252(5) of the MCA, Montana proposes any court issuing a final order may award court costs in line with new § 82–4–255.

Finally, SB 392 adds four contingencies to the proposed changes of §§ 82–4–251, 82–4–252, and 82–4–255 that are not codified into the MCA but apply to the sections amended by the legislation. Section 4 of SB 392 states its newly proposed section for equal application of court costs will be codified within Title 82, chapter 4, part 2. Montana later changed this to § 82–4–255 of the MCA. Section 5 of SB 392 states that if any part of SB 392 is invalid, all valid parts are severable and may remain in effect. Section 6 of SB 392 states that the bill is effective upon passage and approval in the Montana legislature. Section 7 of SB 392 states that the bill applies to court actions filed on or after the effective date of SB 392.

We announced receipt of the proposed amendment in the August 7, 2023, **Federal Register** (88 FR 52086). In the same document, we opened the public comment period and provided an opportunity for a public hearing or meeting on the adequacy of the amendment. After a request from several public interest groups, we announced a 60-day extension of the comment period until November 6, 2024. *See* 88 FR 64855 (Sept. 20, 2023). We held a public hearing on November 1, 2023, in Billings, MT, where we received testimony from 23 individuals. (Administrative Record No. MT–043–19). We also received 219 written comments on the proposed rule. On April 30, 2025, OSM sent a letter to the Montana Department of Environmental Quality (MDEQ) detailing concerns that OSM had with the proposed amendment (Administrative Record No. MT–043–28). The letter offered two options for MDEQ: suspend the amendment to allow MDEQ to make necessary changes or proceed to the final rule stage with no changes. MDEQ responded on May 8, 2025, that, because the proposed amendments were the result of legislative action, MDEQ is unable to submit further modifications to address OSM's concerns. (Administrative Record No. MT–043–29).

III. OSM's Findings

OSM reviewed Montana's submittal according to the requirements of SMCRA and the Federal regulations at 30 CFR 730.5, 732.15, and 732.17. As described below, we are disapproving Montana's submittal.

A. Changes to §§ 82–4–251, 252, and 255 of the MCA

Montana's proposed changes under §§ 82–4–251, 82–4–252, and 82–4–255 of the MCA are not in accordance with SMCRA and are inconsistent with the Federal regulations. Through SB 392, Montana proposes to amend MCA §§ 82–4–251, 252, and 255 to require an equal application of court costs when a court or administrative agency issues a final order in an action pursuant to Title 82, chapter 4, part 2 of the MCA. Proposed § 82–4–255 of the MCA states that: (1) a court or administrative agency may award the prevailing party reasonable costs of litigation; (2) the court or administrative agency may not consider the identity of any party, including but not limited to a permittee, permit applicant, agency, public interest litigant, or other party to an action; (3) this section supersedes prior rulings pursuant to private attorney general doctrine; and (4) the provisions apply equally to all parties in an action. Proposed amendments to MCA §§ 82–4–251 and 82–4–252 would require those sections to adhere to MCA § 82–4–255. While we are generally supportive of Montana's attempts to rein in frivolous lawsuits that slow down energy production, following our review, OSM has determined that there are several issues with the proposed amendment when compared to SMCRA and the Federal regulations.

First, proposed § 82–4–255 MCA is inconsistent with SMCRA and the Federal regulations. Because § 82–4–255 covers proceedings by a court or administrative agency that issues a decision pursuant to the Montana coal program, both citizen suits and applications for review of an order or notice, investigation, or hearing are covered under § 82–4–255. Under SMCRA, the fees shifting provision for citizen suits, including attorneys fees and court costs, are within section 520(d), and the fee shifting provision for applications for review of an order are contained within section 525(e). Proposed § 82–4–255 MCA limits who can receive awards of court costs to ''prevailing parties,'' prohibits a judge from considering the identity of any party in its decision, supersedes prior rulings pursuant to private attorney

general doctrine, and must be applied equally to all parties in an action.

In contrast to Montana's proposed changes to its fee shifting provision, sections 520(d) and 525(e) of SMCRA do not use the ''prevailing parties'' standard; instead, they provide for attorney fees whenever the tribunal deems that fees are proper, which is often referred to as the ''whenever appropriate'' standard. 30 U.S.C. 1276. The House Committee Report that first contained the provision that ultimately became section 525(e) stated the ''intention that this subsection not be interpreted or applied in a manner that would discourage good faith actions on the part of interested citizens.'' H.R. Rep. No. 218, at 131 (1977). Likewise, the Senate Committee on Energy and Natural Resources further explained: ''In many, if not most, cases in both the administrative and judicial forum, the citizen who sues to enforce the law, or participates in administrative proceedings to enforce the law, will have little or no money with which to hire a lawyer. . . . *Attorneys' fees may be awarded to the permittee or government when the suit or participation is brought in bad faith.*'' S. Rep. No. 95–128, at 59 (1977) (emphasis added).

To implement this statutory direction, after *Ruckelshaus* v. *Sierra Club,* 463 U.S. 680 (1983), the Federal regulations at 43 CFR 4.1294 do not treat all parties as equal; instead, the Federal regulations separate the types of parties that can receive and award into three groups: ''any person,'' ''permittee,'' and ''OSM,'' and details how a court should award court costs in multiple situations depending on the types of parties involved. For example, for a person other than a permittee to receive fees from OSM, that person must ''acheiv[e] at least some degree of success on the merits, assuming that they made a substantial contribution to the determination of the issues.'' 43 CFR 4.1294(b). In contrast, OSM or a permittee can recover fees only from a person in instances of bad faith or harassment. 43 CFR 4.1294(d) and (e); *see also M.L. Johnson Family Props.* v. *Bernhardt,* 2020 U.S. Dist. Lexis 192103, *15 (E.D. Ky. 2020) (citing the House Committee report and holding that it was not proper to allow the permittee to recover fees against a landowner).

Montana's proposed rule, which would award costs only to prevailing parties, directly conflicts with SMCRA, which uses the ''whenever appropriate'' rather than the ''prevailing party'' standard and the Federal regulations, which do not treat all parties equally when it comes to recovery of attorney fees. Under Montana's proposed amendment, a party that has a reasonable, good-faith claim may choose not to bring forward their claim because they could potentially lose and be responsible for both their legal fees as well as the legal fees accrued by the permittee or MDEQ. SMCRA was written to encourage public participation, so the court costs provisions cannot be written or enforced to stifle that participation, unless the party was determined to have acted in bad faith. Montana's proposed regulation expands who must pay court costs beyond ''bad faith,'' as it would make any party who loses eligible to pay court costs regardless of the circumstances. Thus, Montana's proposed requirement that any prevailing party may receive court costs is inconsistent with SMCRA and the Federal regulations.

Next, proposed changes to §§ 82–4–251 and 82–4–252 MCA are not in accordance with SMCRA and are inconsistent with the Federal regulations. Both proposed changes to §§ 82–4–251(7) and 82–4–252(5) MCA require those sections of the MCA to adhere to section 1 of SB 392. As discussed above, section 1 of SB 392 is inconsistent with the Federal regulations. Therefore, Montana's proposed changes to §§ 82–4–251(7) and 82–4–252(5) MCA must be denied.

Lastly, we note that this proposed amendment has only been interpreted in terms of whether it is in accordance with SMCRA and consistent with the Federal regulations. There has been no official determination as to conflicts with other Federal laws.

B. Contingencies to SB 392

SB 392 also added contingencies that are not codified into the MCA but that affect the amended parts of the MCA.

1. Section 4. Codification Instruction

Section 4 of SB 392 states what is now new § 82–4–255 is intended to be codified as an integral part of Title 82, chapter 4, part 2 of the MCA, and the provisions of § s 82–4–2 will apply to the new section. Codification is a matter left to the states and OSM has no comment on this section.

2. Section 5. Severability

Section 5 of SB 392 states that if any part of SB 392 is found invalid, the remainder of the bill that is found valid will be severable from the invalid part and remain in effect. While this is legislative language and not part of Montana's surface mining program, the Federal regulations at 30 CFR 732.17(h)(7) require the Director to consider all relevant information, using the criteria set forth in 30 CFR 732.15, to approve or disapprove the amendment. The Director may approve all or parts of an amendment that are in accordance with SMCRA and consistent with the Federal regulations. Here, notwithstanding section 5 of SB 392, OSM has disapproved the entire amendment.

3. Section 6: Effective Date

Section 6 of SB 392 states that its provisions are effective on passage and approval of the bill. This provision is contrary to SMCRA and the Federal regulations that state that no change to law or programs can take effect for purposes of a State program until the amendment is approved by the Director. 30 CFR 732.17(g).

4. Section 7: Applicability

Section 7 of SB 392 states that its provisions apply to court action filed on or after the effective date of SB 392. This provision is contrary to SMCRA and the Federal regulations as it forces the changes to be effective before OSM reviews and approves the amendment, as required by 30 CFR 732.17(g), and section 723.17(i)(12) states that all decisions of the Secretary to approve or disapprove a program amendments must be published in the **Federal Register**. The Administrative Procedure Act generally requires a 30-day delay before a rule becomes effective. 5 U.S.C. 553(d).

IV. Summary and Disposition of Comments

We asked for initial public comments on the amendment during a public comment period that ended on November 6, 2023. We received 219 written comments during our initial comment period, and we received testimony from 23 individuals at a public hearing held in Billings, MT on November 1, 2023. (Administrative Record No. MT–043–19).

Due to the large number of comments, we have consolidated substantially similar comments to avoid redundancy. Over 200 commenters were opposed to the approval of this amendment and raised similar concerns, which are discussed below. Comments expressing generalized support for or opposition to the proposed amendment, generalized concerns about environmental impacts from mining operations, concerns about the mining industry, fossil fuel use, and the need for the United States to transition to renewable energy, general statements about the public's opposition to SB 392 and prior legislative efforts, comments about HB 576 and the

definition of ''material damage to the hydrologic balance'' and hydrologic information requirements (which was discussed in a separate final rule (MT–042–FOR, published at 90 FR 3673 (Jan. 15, 2025))), and other non-responsive comments are beyond the scope of this amendment and no response is necessary. To view comments in full, visit *https://www.regulations.gov/.*

Public Comment 1: There was consensus among a group of over 190 commenters in opposition to the proposed amendment that the ''loser pays'' provision of SB 392 would create a major financial burden for communities and landowners if their land or water is harmed by mining activity because it would limit court access to only wealthy individuals who can assume the financial risk of covering the legal fees of a coal company or regulatory agency.

OSM Response: OSM is disapproving Montana's proposed amendment. Please see OSM's discussion of the proposed changes to § 82–4–255 MCA in Section III(A).

Public Comment 2: This large group of commenters also stated that SB 392 is in direct violation of 43 CFR 4.1294 because this Federal regulation requires a judge to consider a party's identity and can only obligate a plaintiff to pay the defendants' attorney's fees if the plaintiff acted in bad faith.

OSM Response: OSM is disapproving Montana's proposed amendment and agrees that SB 392 is not in accordance with SMCRA and is inconsistent with the Federal regulations at 43 CFR 4.1294. Please see OSM's discussion of the proposed changes to §§ 82–4–251, 82–4–252, and 82–4–255 MCA in Section III(A).

Public Comment 3: These commenters also opined that OSM has previously denied program amendments similar to Montana's proposed amendment; these commenters specifically referenced similar attempts in Alaska and Utah.

OSM Response: For the reasons described above, OSM is disapproving Montana's proposed amendment. As for the mentioned Alaska rule, on April 21, 2014, OSM sent a letter to Alaska under 30 CFR 732.17(e)(2) finding that Alaska House Bill 145 (2003) resulted in significant changes to how state courts authorize award fees under the Alaska program in civil actions brought to compel compliance with the program. We found that the changes were not in accordance with section 520(d) of SMCRA (30 U.S.C. 1270(d)), and requested that Alaska file a program amendment to correct the issue. In response, Alaska did not file an amendment to its program, but Alaska assured OSM that it ''would not seek to or obtain or object to attorney's fees awards in citizen suits under [Alaska House Bill 145] in a manner that is not in accordance with the federal SMCRA statute.'' And that the Alaska Supreme Court had previously found the Alaska program ''should be construed to be consistent with SMCRA.'' In Utah, a State Board reiterated that only the ''bad faith'' standard that had been approved by OSM as part of the Utah State Program could be used regardless of any inadvertent omission from the State compilation of regulations.

Public Comment 4: Multiple commenters opposed to the proposed amendment raised concerns that SB 392 would silence public participation because most landowners and communities would not risk going to court and potentially paying for a mining corporation's legal fees.

OSM Response: OSM is disapproving Montana's proposed amendment and agrees that SB 392 is contrary to public participation principles of SMCRA and the Federal regulations. Please see OSM's discussion of the proposed changes to §§ 82–4–251, 82–4–252, and 82–4–255 MCA in Section III(A).

Public Comment 5: Another set of commenters opposed the proposed amendment, arguing that SB 392 seeks to supplant the decision of the judge by restricting the judge's ability to consider a party's identity when awarding court costs. These commenters noted that 30 U.S.C. 1270(d) and 1275(e) shows SMCRA's intentions that the judicial branch is the most appropriate entity to determine attorney fees, as the judge of the case is in the best position to determine whether a plaintiff should be liable for all legal fees and the judge is bound to follow the law at 43 CFR 4.1294.

OSM Response: OSM is disapproving Montana's proposed amendment and agrees that the judge must award court costs when deemed proper in line with SMCRA and 43 CFR 4.1294 or OSM-approved state counterpart laws and regulations. Please see OSM's discussion of the proposed changes to §§ 82–4–251, 82–4–252, and 82–4–255 MCA in Section III(A).

Public Comment 6: Another set of commenters opposed the proposed amendment; they claimed that SB 392 could potentially put them and other irrigators, farmers, and ranchers out of business because coal pollution may damage the land and water that they depend on to make a living, and they will not be able to take the financial risk of bringing a coal company to court to rectify the issue.

OSM Response: OSM is disapproving Montana's proposed amendment. Please see OSM's discussion of the proposed changes to §§ 82–4–251, 82–4–252, and 82–4–255 MCA in Section III(A).

Public Comment 7: Another set of commenters disagreed with the proponents of SB 392's argument that the proposed amendment would stop frivolous lawsuits; instead, these commenters argued that people with limited financial resources use litigation only as a last resort when other paths to justice have failed.

OSM Response: OSM is disapproving Montana's proposed amendment. Please see OSM's discussion of the proposed changes to §§ 82–4–251, 82–4–252, and 82–4–255 MCA in Section III(A).

Public Comment 8: Another commenter opposed to the proposed amendment alleged that SB 392 would negatively affect a local government's ability to seek justice. Under proposed SB 392, a local government entity is very unlikely to pursue any civil action for harms caused by mining because it would potentially lose substantial taxpayer money if they were made to pay the regulatory authority or mining companies' attorney fees. This prevents local governments from pursuing good faith civil actions to protect their constituents from damage to land and water caused by mining.

OSM Response: OSM is disapproving Montana's proposed amendment. Please see OSM's discussion of the proposed changes to §§ 82–4–251, 82–4–252, and 82–4–255 MCA in Section III(A).

Public Comment 9: Another commenter stated that SB 392 is directly contrary to section 520(d) of SMCRA (30 U.S.C. 1270(d)), which intended for the public to be protected from adverse fee awards unless their claims were deemed frivolous and made in bad faith.

OSM Response: Please note that sections 520(d) and 525(e) of SMCRA have the same fee shifting standards, but section 520(d) covers awards for citizen suits and section 525(e) covers awards for applications for review of an order or notice, investigation, or hearing. Montana's proposed changes at §§ 82–4–255 covers both types of actions. As stated above in OSM's discussion of the proposed changes to §§ 82–4–251, 82–4–252, and 82–4–255 MCA in Section III(A), OSM is disapproving Montana's proposed amendment because it is not in accordance with SMCRA and is inconsistent with the Federal regulations.

Public Comment 10: Another commenter opposed the proposed amendment and stated that SB 392 discourages citizens access to court to such a degree that it violates the equal

protection clause of the U.S. Constitution. U.S. Const. amend. XIV § 1.

OSM Response: Because OSM is disapproving Montana's proposed amendment on the basis of SMCRA and the Federal regulations (*see* OSM's discussion of the proposed changes to §§ 82–4–251, 82–4–252, and 82–4–255 MCA in Section III(A)), it is unnecessary for us to respond to the alleged constitutional issue raised by this commenter.

Public Comment 11: Other commenters opposed to the bill stated that citizen participation was intentionally built into SMCRA, and the legislative history confirms that SMCRA was intended to provide ongoing protection to coalfield citizens through SMCRA. Furthermore, they claimed that Congress intended citizens to be a key enforcement and accountability tool for coal operations; therefore, SB 392 is in conflict with these intentions.

OSM Response: OSM notes the legislative history of SMCRA recognizes the importance of public participation in SMCRA proceedings. As stated in OSM's discussion of the proposed changes to §§ 82–4–251, 82–4–252, and 82–4–255 MCA in Section III(A), OSM is disapproving Montana's proposed amendment, and we agree that citizen participation is a fundamental aspect of SMCRA.

Public Comment 12: Several commenters stated that the immediate effective date and applicability of SB 392 are inconsistent with the Federal regulations, citing 30 CFR 732.17(g), which requires that no State coal regulations go into effect until approved by OSM, and 30 U.S.C. 1202(i), which requires that all appropriate procedures are followed for public participation in the revision of a State's program.

OSM Response: We agree with these commenters on the proposed immediate effective date and applicability provisions; please see OSM's full discussion in Section III(B).

Public Comment 13: Multiple commenters stated that SMCRA and the Federal regulations require an asymmetrical fee regime. They noted that this is further evidenced by how, in the 1980s, OSM only conditionally approved Montana's program in part because the Montana program did not establish an asymmetrical fee regime in line with 30 U.S.C. 1270 and 1275 of SMCRA. *See* 47 FR 6266, 6266 (Feb. 11, 1982).

OSM Response: OSM conditionally approved Montana's program February 11, 1982, and required Montana to establish a fee award system in line with SMCRA and the Federal regulations before the State could achieve full approval of its coal regulatory program. 47 FR 6266, 6266 (Feb. 11, 1982). OSM is now disapproving Montana's proposed amendment related to fee recovery because, as proposed, it is inconsistent with the Federal regulations at 43 CFR 4.1294.

Industry Comment 1: A couple of commenters in favor of the proposed amendment claimed that SB 392 evens the playing field for all parties involved in litigation and that it will deter costly and meritless administrative and judicial litigation.

OSM Response: While we support the general proposition that meritless administrative and judicial litigation should be deterred, OSM is disapproving Montana's proposed amendment because it is plainly inconsistent with the Federal regulations. The Federal regulations and Montana's existing program already deter meritless lawsuits by allowing judges to award attorney fees to a permittee if the lawsuit is found to have been brought in bad faith. Please see OSM's discussion of the proposed changes to §§ 82–4–251, 82–4–252, and 82–4–255 MCA in Section III(A).

Industry Comment 2: A commenter in favor of the proposed amendment stated that SB 392 adheres to 30 U.S.C. 1270(d) and 1275(e) of SMCRA. The commenter stated that those sections of SMCRA deem the appropriateness of an attorney fees award on the merits and nature or the proceedings, not the identity of the parties; thus, SB 392 is in line with these sections of SMCRA by not allowing a judge to consider the identities of the parties involved when awarding attorney fees.

OSM Response: In order to approve program amendment, OSM must determine that the proposal is both in accordance with SMCRA and consistent with the Federal regulations. 30 CFR 730.5, 732.15(a), and 732.17(h)(10). While we understand that this commenter argues that the program amendment is in accordance with SMCRA, even if that were true, the Montana program is plainly not consistent with 43 CFR 4.1294. On that basis alone, we must deny the program amendment. Please see OSM's discussion of the proposed changes to §§ 82–4–251, 82–4–252, and 82–4–255 MCA in Section III(A).

Industry Comment 3: A couple of commenters in favor of the proposed amendments stated that for citizen suits in particular, 30 U.S.C. 1270(d), requirements for granting attorney fees do not purport to govern a state court's award of attorney fees; thus, for citizen suits, these comments allege that SB 392 is consistent with SMCRA and Federal law and should be approved.

OSM Response: OSM disagrees with the commenters. SMCRA at 30 U.S.C. 1253(a) requires that each State that wishes to assume exclusive jurisdiction over the regulation of surface coal mining and reclamation operation must submit a program demonstrating that such State has the capability of carrying out the provisions of SMCRA. This includes the provisions of 30 U.S.C. 1270, SMCRA's citizen suit provision. Montana must have provisions carrying out 30 U.S.C. 1270 at the State level, which would include requiring a State court to award attorney's fees for citizen suits in accordance with 30 U.S.C. 1270(d) and 43 CFR 4.1294.

Industry Comment 4: A commenter in favor of the proposed amendment stated that 43 CFR 4.1294 is inconsistent with SMCRA. They stated that 30 U.S.C. 1275(e) allows a judge to grant awards to either party whenever proper, but the counterpart Federal regulations at 43 CFR 4.1294 has an asymmetrical structure where upon a third party can receive an award in any situation where it can prove it made substantial contribution to the full and fair determination of the issues, but a permittee can only be awarded by a third-party if the third-party is found to have acted in ''bad-faith.'' Thus, according to the commenter, 43 CFR 4.1294 is invalid, and SB 392 should only need to be consistent with 30 U.S.C. 1275(e).

OSM Response: To the extent the commenter considered 43 CFR 4.1294 unlawful, any challenge to that Federal regulation needed to be brought within 60 days of the promulgation of the regulation. *See* 30 U.S.C. 1276(a). OSM first enacted this provision in 1978, and, at that time, OSM thoroughly considered comments that disagreed with this approach. 43 FR 34376 (Aug. 3, 1978). At that time, OSM found that the public participation aspect of SMCRA, when read as a whole and in conjunction with the legislative history, is key to the interpretation of the provision. 43 FR 34376, 34386 (Aug. 3, 1978). The provision was later revised in 1985 in response to the *Ruckelshaus* decision. 50 FR 47222 (Nov. 15, 1985). Because 43 CFR 4.1294 is still a current Federal regulation that is in effect, we cannot approve this program amendment, which is inconsistent with that Federal regulation. The State program amendment process is not the vehicle to collaterally challenge a duly promulgated Federal regulation. To the extent that the commenter continues to think that 43 CFR 4.1294 should be amended or repealed, SMCRA provides

a process for persons to petition OSM to initiate a rulemaking. *See* 30 U.S.C. 1211(g) and 30 CFR 700.12.

Industry Comment 5: A commenter stated that the immediate effective date in SB 392 was a valid exercise of the State's sovereignty. The commenter stated that OSM's regulations at 30 CFR 732.17(g) are contrary to the principle of federalism and violate SMCRA. They also maintain that 30 U.S.C. 1255(a), which states that ''no State law or regulation . . . shall be superseded by any provisions of SMCRA or its implementing regulations . . . except insofar as such State law or regulation is inconsistent with the provisions of this act[,]'' supports their position. The commenter alleged that under SMCRA, a State's regulation may remain in place until it is found to be inconsistent with SMCRA. In support of this comment, the commenter cited to *Bragg* v. *W.VA. Coal Ass'n,* 248 F.3d 275, 295 (4th Cir. 2001), the ''major questions doctrine,'' and the Tenth Amendment to the U.S. Constitution.

OSM Response: Please see Section III(B) for our discussion on the issue of the effective date. In addition, the U.S. District Court for the District of Montana recently held that ''the 'immediately effective' provisions of [SB] 392 conflict with the federal review process required by the SMCRA'' and entered a consent decree, agreed to by MDEQ, that stated that MDEQ would not ''apply, effectuate, or enforce any provision of HB 576 or SB 392 unless and until it is reviewed and approved by the Director of OSM, pursuant to the provisions of 30 CFR 732.17 and the Montana cooperative agreement.'' *Mont. Env't Ctr.* v. *Mont. Dep't of Env't Quality,* 2025 U.S. Dist. LEXIS 11470, *3–*5 (D. Mont. Jan. 22, 2025).

We do not agree with the commenter that the Federal regulation at 30 CFR 732.17(g) violates SMCRA or that 30 CFR 732.17(g) violates the principles of cooperative federalism as set forth in SMCRA. The Supreme Court of the United States found that SMCRA does not violate the Tenth Amendment. *See Hodel* v. *VA. Surface Mining and Reclamation Ass'n,* 452 U.S. 264 (1981). SMCRA clearly does not allow proposed changes to an approved State program to go into effect before OSM reviews those changes to determine whether a State law or regulation is consistent with the provisions of SMCRA. 30 U.S.C. 1255(a) (''No State law or regulation . . . which *may* become effective thereafter, shall be superseded by any provision of this Act or any regulation issued pursuant thereto, *except insofar as such State law or regulation is inconsistent with the provisions of this act.*'' (emphasis added)). Despite this plain language, as noted in the previous comment response, to the extent the comment considers a Federal regulation to be unlawful, 30 CFR 732.17(g) in this case, the commenter must follow the procedures to either challenge the Federal regulation (30 U.S.C. 1276(a)) or seek to have us amend or repeal the regulation via a petition for a rulemaking (30 U.S.C. 1211(g) and 30 CFR 700.12). The State program amendment process is not the vehicle to collaterally challenge a valid Federal regulation.

Industry Comment 6: The same commenter also stated that, even if ''immediately effective'' provision is not allowed, OSM must complete and publish its review of SB 392 within seven months of receipt pursuant to 30 CFR 732.17(h)(13). For SB 392, the seventh-month date was January 22, 2024. Otherwise, OSM is indefinitely delaying SB 392's effectiveness by failing to act.

OSM Response: OSM strives to meet the deadlines it established in its regulations; however, when OSM promulgated 30 CFR 732.17(h)(13), it acknowledged that ''[f]or processing times specified in the regulations, the general rule is that a statutory or regulatory time period is not mandatory unless it both expressly requires an agency to act within a particular time period and also specifies a consequence for failure to comply. . . . Where no such consequence is specified, the time period is regarded as directory only, intended to guide the agency procedures but not to set inflexible requirements.'' 70 FR 61194, 61204 (Oct. 20, 2005). Given the nature of the legal issues raised by this proposed program amendment and our attempt to work with the State to resolve our concerns, this program amendment has taken longer to process.

Industry Comment 7: A commenter in favor of the proposed amendment stated that administrative and judicial litigation is a significant cost to agencies and, thus, to taxpayers. The commenter opined that SB 392 will deter frivolous litigation, which will give agencies more time and money to effectively protect the environment.

OSM Response: We agree that frivolous litigation is a drain on taxpayer resources and should be discouraged. However, we are charged with reviewing program amendments to determine if they are in accordance with SMCRA and consistent with the Federal regulations. As discussed above, this proposed program amendment is not consistent with the Federal regulations and is disapproved. To the extent that litigation has no sound basis (*i.e.,* frivolous), it is likely that a permittee or regulatory authority can still recover legal fees even under the bad faith standard.

Industry Comment 8: A commenter in favor of the proposed amendment stated that OSM has approved provisions similar to SB 392 in other State programs and, thus, SB 392 should be approved to be consistent with these decisions. These include amendments in Wyoming where the commenter stated that OSM approved an amendment that allows fees to be assessed against any party to litigation before Wyoming's Environmental Quality Council. 59 FR 53094 (Oct. 21, 1994); in Ohio where the commenter states OSM approved an amendment giving the Ohio Reclamation Board of Review or Chief the authority to award attorney fees for that party's participation in the enforcement proceedings. 62 FR 1668 (Jan. 13, 1997); and in New Mexico where the commenter stated OSM approved a rule allowing a permittee to be awarded by any party if the permittee initiated the proceedings, prevailed in whole or part, and achieves some degree of success in the case. 71 FR 69192 (Nov. 30, 2006).

OSM Response: For the 1994 Wyoming amendment, OSM disagrees that the Wyoming amendment allows fees to be assessed against any party in litigation before the Wyoming Environmental Quality Council. In the preamble to the 1994 amendment, a commenter stated they were concerned that the language in W.S. 35–11–437(f) was too broad by allowing an award to ''be assessed against either party as the court or council deems proper,'' and instead Wyoming should add language stating ''and shall include all classes of actions in which participants would be eligible for an award of costs and expenses under 43 CFR 4.1290 through 4.1295.'' OSM disagreed that such language needed to be added because, in 59 FR 3513 (Jan. 24, 1994), OSM had approved Wyoming regulations that are counterparts to 43 CFR 4.1290 through 4.1295. 59 FR 53094, 53096 (Oct. 21, 1994). These other provisions had not been amended, and, thus, Wyoming still has the necessary party classifications in its rules as required by 43 CFR 4.1294.

For the 1997 Ohio amendment, OSM agrees with the commenters assertion that the Ohio amendment allows the Ohio Reclamation Board of Review to award attorney fees for a party's participation, but OSM disagrees that a party's participation allows any party under any circumstance to be awarded attorney fees. The Ohio amendment and regulations, in line with 43 CFR 4.1294,

categorizes acceptable awards by party type and circumstance. The State regulations at ORC 1513.13(E)(1)(b), for example, only allows a permittee to receive an award if the other party who initiated or participated in the appeal did so in bad faith. OSM discussed these findings in our acceptance of this amendment. 62 FR 1668, 1670 (Jan. 13, 1997).

For the 2006 New Mexico amendment, OSM disagrees with the commenters assertion that New Mexico's approved amendment allows a permittee to be awarded by any party if the permittee initiated the proceedings, prevailed in whole or part, and achieves some degree of success in the case. New Mexico Administrative Code 19.8.12.1204(E)(4) only allows a permittee to be awarded attorney costs when the regulatory authority or person acted in bad faith.

Federal Agency Comments

On June 27, 2023, under 30 CFR 732.17(h)(11)(i) and section 503(b) of SMCRA, we requested comments on the amendment from various Federal agencies that have an actual or potential interest in the Montana program (Administrative Record No. MT–043–05). On August 28, 2023, following the extension of the comment period for a further 60 days, we sent an additional request for comments on the amendment (Administrative Record No. MT–043–11). We did not receive any comments.

U.S. Environmental Protection Agency (EPA) Concurrence and Comments

Under 30 CFR 732.17(h)(11)(ii), we are required to get a written concurrence from EPA for those provisions of the program amendment that relate to air or water quality standards issued under the authority of the Clean Water Act (33 U.S.C. 1251 *et seq.*) or the Clean Air Act (43 U.S.C. 7401 *et seq.*). This amendment does not relate to air or water quality standards and, thus, does not require a written concurrence from the EPA. Even so, on June 27, 2023, under 30 CFR 732.17(h)(11)(i), we sent a letter requesting comments from the EPA on the amendment (Administrative Record No. MT–043–05). On August 28, 2023, following the extension of the comment period for a further 60 days, we sent another request for comments on the Amendment (Administrative Record No. MT–043–11). The EPA did not provide any comments for this amendment.

State Historical Preservation Officer (SHPO) and the Advisory Council on Historic Preservation (ACHP)

Under 30 CFR 732.17(h)(4), we are required to request comments from the SHPO and ACHP on amendments that may have an effect on historic properties. On June 27, 2023, we requested comments on the amendment (Administrative Record No. MT–043–03, and MT–043–04). On August 28, 2023, following the extension of the comment period for a further 60 days, we sent another request for comments on the amendment (Administrative Record No. MT–043–09, and MT–043–10). Montana SHPO and ACHP did not provide a comment.

V. OSM's Decision

Based on the above findings, we are disapproving Montana's proposed amendment (MT–043–FOR) sent to us on June 22, 2023 (Administrative Record No. MT–043–01).

To implement this decision, we are amending the Federal regulations, at 30 CFR part 926, that codify disapproval decisions concerning the Montana program. In accordance with the Administrative Procedure Act, this rule will take effect 30 days after the date of publication. Section 503(a) of SMCRA requires that the State's program demonstrate that the State has the capability of carrying out the provisions of the Act and meeting its purposes. SMCRA requires that a State program must have rules and regulations that are in accordance with SMCRA and consistent with Federal regulations.

VI. Procedural Determinations

Executive Order 12630—Governmental Actions and Interference With Constitutionally Protected Property Rights

This rule would not effect a taking of private property or otherwise have taking implications that would result in public property being taken for government use without just compensation under the law. Therefore, a takings implication assessment is not required. This determination is based on an analysis of the corresponding Federal regulations.

Executive Orders 12866—Regulatory Planning and Review and 13563—Improving Regulation and Regulatory Review

Executive Order 12866 provides that the Office of Information and Regulatory Affairs in the Office of Management and Budget (OMB) will review all significant rules. Pursuant to OMB guidance, dated October 12, 1993, the approval of State program amendments are exempted from OMB review under Executive Order 12866. Executive Order 13563, which reaffirms and supplements Executive Order 12866, retains this exemption.

Executive Order 12988—Civil Justice Reform

The Department of the Interior has reviewed this rule as required by Section 3 of Executive Order 12988. The Department determined that this **Federal Register** document meets the criteria of section 3 of Executive Order 12988, which is intended to ensure that the agency review proposed regulations to eliminate drafting errors and ambiguity; that the agency write its regulations to minimize litigation; and that the agency's regulations provide a clear legal standard for affected conduct rather than a general standard, and promote simplification and burden reduction. Because Section 3 focuses on the quality of Federal regulations, the Department limited its review under this Executive Order to the quality of this **Federal Register** document and to changes to the Federal regulations. The review under this Executive Order did not extend to the language of the State regulatory program amendment that Montana drafted.

Executive Order 13132—Federalism

This rule has potential Federalism implications, as defined under section 1(a) of Executive Order 13132. Executive Order 13132 directs agencies to ''grant the States the maximum administrative discretion possible'' with respect to Federal statutes and regulations administered by the States. Montana, through its approved regulatory program, implements and administers SMCRA and its implementing regulations at the state level. This rule disapproves an amendment to the Montana program submitted and drafted by the State to ensure that the State program is ''in accordance with'' the requirements of SMCRA and ''consistent with'' the regulations issued by the Secretary pursuant to SMCRA.

Executive Order 13175—Consultation and Coordination With Indian Tribal Governments

The Department of the Interior strives to strengthen its government-to-government relationship with Tribes through a commitment to consultation with Tribes and recognition of their right to self-governance and tribal sovereignty. We have evaluated this rule under the Department's consultation policy and under the criteria in

Executive Order 13175 and have determined that it has no substantial direct effects on Federally recognized Tribes or on the distribution of power and responsibilities between the Federal government and Tribes. Therefore, consultation under the Department's tribal consultation policy is not required. The basis for this determination is that our decision is on the Montana State program that does not include the regulation of Indian lands or regulation of activities on Indian lands as that term is defined in 30 U.S.C. 1291(9). Indian lands are regulated independently under the applicable, approved Federal Indian lands program, with the exception of the Crow Tribe's ''Ceded Strip'' in Montana, which represents a unique and special situation because under the terms of the memorandum of understanding, the Department of the Interior and Montana agreed to coordinate the administration of applicable surface mining requirements in the Crow Ceded Strip. However, as we are disapproving the majority of the substantive changes made by this proposed amendment, our action will not have any significant effects on the regulation of surface coal mining operations within the Crow Ceded Strip. The Department's consultation policy also acknowledges that our rules may have Tribal implications where the State proposing the amendment encompasses ancestral lands in areas with mineable coal. We are currently working to identify and engage appropriate Tribal stakeholders to devise a constructive approach for consulting on these amendments.

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

Executive Order 13211 requires agencies to prepare a Statement of Energy Effects for a rulemaking that is (1) considered significant under Executive Order 12866, and (2) likely to have a significant adverse effect on the supply, distribution, or use of energy. Because this rule is exempt from review under Executive Order 12866 and is not a significant energy action under the definition in Executive Order 13211, a Statement of Energy Effects is not required.

National Environmental Policy Act

Consistent with sections 501(a) and 702(d) of SMCRA (30 U.S.C. 1251(a) and 1292(d), respectively) and the U.S. Department of the Interior Departmental Manual, part 516, section 13.5(A), a State program amendment is not a major Federal action within the meaning of section 102(2)(C) of the National Environmental Policy Act (43 U.S.C. 4332(2)(C).

Paperwork Reduction Act

This rule does not include requests and requirements of an individual, partnership, or corporation to obtain information and report it to a Federal agency. As this rule does not contain information collection requirements, a submission to OMB under the Paperwork Reduction Act (44 U.S.C. 3501 *et seq.*) is not required.

Regulatory Flexibility Act

This rule will not have a significant economic impact on a substantial number of small entities under the Regulatory Flexibility Act (5 U.S.C. 601 *et seq.*). The State submittal, which is the subject of this rule, is based on corresponding Federal regulations for which an economic analysis was prepared, and certification made that such regulations would not have a significant economic effect upon a substantial number of small entities. In making the determination as to whether this rule would have a significant economic impact, the Department relied upon the data and assumptions for the corresponding Federal regulations.

Congressional Review Act

This rule is not a major rule under 5 U.S.C. 804(2), the Small Business Regulatory Enforcement Fairness Act. This rule: (a) does not have an annual effect on the economy of $100 million; (b) will not cause a major increase in costs or prices for consumers, individual industries, Federal, State, or local government agencies, or geographic regions; and (c) does not have significant adverse effects on competition, employment, investment, productivity, innovation, or the ability of U.S.-based enterprises to compete with foreign-based enterprises. This determination is based on an analysis of the corresponding Federal regulations, which were determined not to constitute a major rule.

Unfunded Mandates Reform Act

This rule does not impose an unfunded mandate on State, local, or Tribal governments, or the private sector of more than $100 million per year. The rule does not have a significant or unique effect on State, local, or Tribal governments or the private sector. This determination is based on an analysis of the corresponding federal regulations, which were determined not to impose an unfunded mandate. Therefore, a statement containing the information required by the Unfunded Mandates Reform Act (2 U.S.C. 1531 *et seq.*) is not required.

List of Subjects in 30 CFR Part 926

Intergovernmental relations, Surface mining, Underground mining.

Marcelo Calle,

Acting Regional Director, Unified Regions, 5, 7–11.

For the reasons set out in the preamble, 30 CFR part 926 is amended as set forth below:

PART 926—MONTANA

■ 1. The authority citation for part 926 continues to read as follows:

Authority: 30 U.S.C. 1201 *et seq.*

■ 2. Amend § 926.12 by adding paragraph (b) to read as follows:

§ 926.12 State program provisions and amendments not approved.

* * * * *

(b) The following amendment submitted by letter dated June 22, 2023, Administrative Record No. MT–043–01, which proposed changes to the Montana approved program at sections 82–4–251, 82–4–252, and 82–4–255 MCA, as a result of the Montana Legislature's 2023 passage of a Senate Bill (SB 392) relating to the awarding of attorney's fees, is not approved.

* * * * *

[FR Doc. 2026–17333 Filed 8–24–26; 8:45 am]

BILLING CODE 4310–05–P

DEPARTMENT OF HOMELAND SECURITY

Coast Guard

33 CFR Part 100

[Docket Number USCG–2026–1060]

RIN 1625–AA08

Special Local Regulation; Choptank River, Cambridge, MD

AGENCY: Coast Guard, Department of Homeland Security.

ACTION: Temporary final rule.

SUMMARY: The Coast Guard is establishing a temporary special local regulation (SLR) for certain waters of the Choptank River, near Cambridge, MD. This action is necessary to provide for the safety of life on these navigable waters during a power boat racing event on August 29, 2026 and August 30, 2026. This regulation prohibits persons and vessels from entering the regulated area unless specifically authorized by the Captain of the Port (COTP) Sector

Maryland-National Capital Region or their designated representative.

DATES: This rule is effective from 9 a.m. on August 29, 2026, through 7 p.m. on August 30, 2026. It will only be subject to enforcement, however, from 10 a.m. to 6:00 p.m. on each of those two days.

ADDRESSES: To view available documents go to *https://www.regulations.gov* and search for USCG–2026–1060.

FOR FURTHER INFORMATION CONTACT: If you have questions about this rule, contact MST1 Zachary Rudy, Sector Maryland NCR Waterways Management Division, U.S. Coast Guard; telephone (410) 576–2693, or email *Zachary.S.Rudy@uscg.mil.*

SUPPLEMENTARY INFORMATION:

I. Table of Abbreviations

CFR Code of Federal Regulations
COTP Captain of the Port, Sector Maryland-National Capital Region
DHS Department of Homeland Security
NAD North American Datum 83
FR Federal Register
NPRM Notice of proposed rulemaking
§ Section
SLR Special Local Regulation
U.S.C. United States Code

II. Background and Authority

The Coast Guard received a request under 33 CFR 100.15 from the Kent Narrows Racing Association for a Marine Event Permit to host ''Thunder on the Choptank,'' a power boat race. The event will be held from 10 a.m. to 6:00 p.m. on August 29, 2026 and August 30, 2026, in and around Cambridge, MD. The power boat race will be competing on a designated, marked course.

The COTP, Sector Maryland-National Capital Region is issuing this (SLR) under the authority in 46 U.S.C. 70041. The COTP has determined that potential hazards associated with the power boat race, such as the risk of collisions, would be a safety concern for anyone intending to participate in this event and for vessels that operate within the specified waters of the Choptank River. The purpose of this rule is to protect event participants, non-participants, and transiting vessels before, during, and after the scheduled event.

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 to publish an NPRM, consider and respond to comments, and publish a final rule by August 29, 2026, to protect personnel, vessels, and the marine environment. For the same reasons, the Coast Guard finds that under 5 U.S.C. 553(d)(3), good cause exists for making this rule effective less than 30 days after publication in the **Federal Register**.

III. Discussion of the Rule

This rule establishes a temporary SLR which will be subject to enforcement from 10 a.m. through 6:00 p.m. on August 29, 2026 and from 10 a.m. through 6:00 p.m. on August 30, 2026. The SLR will cover certain waters of the Choptank River, near Cambridge, MD. The coordinates of these waters are provided in the rule text, at the end of this document. No vessel or person other than those that are registered with the host as participants will be permitted to enter the regulated area without obtaining permission from the COTP or their designated representative.

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 special local regulation. It is categorically excluded from further review under paragraph L61 of Appendix A, Table 1 of DHS Instruction Manual 023–01–001–01, Rev. 1.

List of Subjects in 33 CFR Part 100

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 100 as follows:

PART 100—SAFETY OF LIFE ON NAVIGABLE WATERS

■ 1. The authority citation for part 100 continues to read as follows:

Authority: 46 U.S.C. 70041; 33 CFR 1.05–1.

■ 2. Add § 100.T599–1060 to read as follows:

§ 100.T599–1060 Special Local Regulation; Choptank River, Cambridge, MD.

(a) *Location.* This special local regulation applies to the following regulated area: All waters of Hambrooks Bay, from surface to bottom, encompassed by a line connecting the following coordinates: Commencing at the shoreline at Long Wharf Park, Cambridge, MD, at position latitude 38°34′30″ N, longitude 076°04′16″ W; thence east to latitude 38°34′20″ N, longitude 076°03′46″ W; thence northeast across the Choptank River along the Senator Frederick C. Malkus, Jr. (US–50) Memorial Bridge, at mile 15.5, to latitude 38°35′30″ N, longitude 076°02′52″ W; thence west along the shoreline to latitude 38°35′38″ N, longitude 076°03′09″ W; thence north and west along the shoreline to latitude 38°36′42″ N, longitude 076°04′15″ W; thence southwest across the Choptank River to latitude 38°35′31″ N, longitude 076°04′57″ W; thence west along the Hambrooks Bay breakwall to latitude 38°35′33″ N, longitude 076°05′17″ W; thence south and east along the shoreline to and terminating at the point of origin. These coordinates are based on North American Datum 83 (NAD 83).

(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 COTP Sector Maryland National Capital Region in the enforcement of the regulated area. *Non-participant* means any person or vessel not registered with the event sponsor as a participant in the race.

(c) *Regulations.* (1) All non-participants are prohibited from entering, transiting through, anchoring in, or remaining within the regulated area described in paragraph (a) of this section unless authorized by the COTP or their 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 (410) 576–2693. Those in the regulated area must comply with all lawful orders or directions given to them by the COTP or the COTP's designated representative.

(d) *Enforcement period.* This section will be enforced from 10 a.m. to 6:00 p.m. on August 29, 2026 and from 10 a.m. through 6:00 p.m. on August 30, 2026.

Patrick C. Burkett,

Captain, U.S. Coast Guard, Captain of the Port Sector Maryland NCR.

[FR Doc. 2026–17299 Filed 8–24–26; 8:45 am]

BILLING CODE 9110–04–P

DEPARTMENT OF EDUCATION

34 CFR Chapter II

[ED–2026–OESE–2113]

Final Waiver and Extension of the Project Period With Funding—Elementary and Secondary Education Act of 1965, as Amended, Title VI, Part B, Native Hawaiian Education

AGENCY: Office of Elementary and Secondary Education (OESE), Department of Education.

ACTION: Final waiver and extension of the project period with funding.

SUMMARY: The Secretary waives the requirements in the Education Department General Administrative Regulations (EDGAR) that generally prohibit project period extensions involving the obligation of additional Federal funds. The final waiver and extension would allow 21 projects under Assistance Listing Number (ALN) 84.362A to receive funding for up to one additional 12-month period, not to exceed September 30, 2027.

DATES: This waiver and extension is effective August 25, 2026.

FOR FURTHER INFORMATION CONTACT: Joanne Osborne, U.S. Department of Education, 400 Maryland Avenue SW, Washington, DC 20202–5076. Telephone: (202) 401–1265. Email: *Joanne.Osborne@ed.gov.*

If you are deaf, hard of hearing, or have a speech disability and wish to access telecommunications relay services, please dial 7–1–1.

SUPPLEMENTARY INFORMATION:

Background

Native Hawaiian Education (NHE), authorized under sections 6201–6207 of the Elementary and Secondary Education Act of 1965, as amended (ESEA), authorizes the Secretary to make grants to or enter into contracts with Native Hawaiian organizations and other organizations to support the development of innovative educational programs to assist Native Hawaiians. Under section 6205(a)(2), the Secretary must prioritize awarding grants to entities that propose projects designed to address beginning reading and literacy among students in kindergarten through third grade, the needs of at-risk children and youth, needs in fields or disciplines in which Native Hawaiians are underemployed, and the use of Hawaiian language in instruction. These projects may include one or more of the activities authorized under section 6205(a)(3).

On March 14, 2023, the Department of Education (Department) published in the **Federal Register** a notice inviting applications (NIA) for new awards for fiscal year (FY) 2023 for the NHE Program (88 FR 15689).

On June 5, 2026, the Department published a notice in the **Federal Register** (91 FR 34186) proposing a waiver and extension of the project period with funding (proposed waiver and extension) that would allow 21 FY 2023 grants under ALN 84.362A to receive funding for up to one additional 12-month period, not to exceed September 30, 2027. The proposed waiver and extension contained background information and our reasons for the proposal.

There are no differences between the proposed waiver and extension and this notice of final waiver and extension of the project period with funding (final waiver and extension).

Public Comment: In response to our invitation in the proposed waiver and extension, the Department received 29 comments.

Generally, we do not address technical and other minor changes. In addition, we do not address general comments not directly related to the proposed waiver and extension.

Analysis of Comments and Changes

An analysis of the comments and any changes in the final waiver and extension since publication of the proposed waiver and extension follows.

Of the 29 comments received, all were in support of the waiver.

Comment: All comments received were supportive of the waiver and extension, with no comments opposing the action. Commenters emphasized the additional 12 months of funding is needed to prevent interruptions in service while preserving the continuity of successful NHE projects. Stakeholders highlighted the importance of maintaining early childhood education, teacher preparation, literacy, social-emotional learning, health and wellness initiatives, and community-based supports that have demonstrated positive outcomes for the students, families, and communities served by NHE projects. Several commenters also noted that a lapse in funding now would disrupt trusted partnerships, result in the loss of

experienced educators and staff, and jeopardize long-term educational progress.

Discussion: We appreciate the commenters' support for this waiver.

Changes: None.

Final Waiver and Extension of the Project Period With Funding

In the proposed waiver and extension, we discussed the background and purposes of the NHE program and our reasons for proposing the waiver and extension. As outlined in that document, providing up to 12 additional months of funding would maximize continuity of services to those that the Native Hawaiian Education Program serves and support grantees through an efficient process that enables them to continue operating their current, approved projects for up to 12 additional months.

We have concluded that it would be contrary to the public interest to have a lapse in the work of current NHE program grantees while the Secretary considers changes to the NHE program.

Therefore, the Secretary waives the requirements in 34 CFR 75.261(b)(2), which limits the extension of a project period if the extension involves the obligation of additional Federal funds.

Under this waiver—

(1) Current FY 2023 grantees are authorized to receive continuation determinations and awards annually for one additional 12-month period at an amount consistent with the amount awarded to each grantee in FY 2025.

(2) The Department is not announcing a new competition in FY 2026.

(3) During the extension period, any activities carried out must be consistent with, or be a logical extension of, the scope, goals, and objectives of the grantees' approved application from the FY 2023 NHE program competition.

(4) Each grantee that receives a continuation determination and award must also continue to comply with the requirements established in the statute and the FY 2023 notice inviting applications for the NHE program (88 FR 15689).

The waiver of 34 CFR 75.261(b)(2) will not affect the applicability of the requirements in 34 CFR 75.253 (continuation of a multi-year project after the first budget period) to any current NHE program grantee that receives a continuation award as a result of the waiver.

Intergovernmental Review

This action is subject to Executive Order 12372 and the regulations in 34 CFR part 79.

Regulatory Flexibility Act Certification

The Secretary certifies that the final waiver and extension would not have a significant economic impact on a substantial number of small entities.

The entities that would be affected by this final waiver and extension are:

(a) The FY 2023 grantees currently receiving NHE program funds; and

(b) Entities that otherwise would have been eligible to apply for an award in FY 2026 under the NHE program if the Department had held that competition.

The extension of an existing project period imposes minimal compliance costs, and the activities required to support the additional year of funding would not impose additional regulatory burdens or require unnecessary Federal supervision.

Paperwork Reduction Act of 1995

This notice of final waiver and extension of the project period does not contain any information collection requirements.

Accessible Format: On request to the program contact person listed under **FOR FURTHER INFORMATION CONTACT**, individuals with disabilities can obtain this document in an accessible format. The Department will provide the requestor with an accessible format that may include Rich Text Format (RTF) or text format (txt), a thumb drive, an MP3 file, braille, large print, audiotape, or compact disc, or other accessible format.

Electronic Access to This Document: The official version of this document is the document published in the **Federal Register**. You may access the official edition of the **Federal Register** and the Code of Federal Regulations via the Federal Digital System at: *www.govinfo.gov.* You may also access documents of the Department published in the **Federal Register** by using the article search feature at: *www.federalregister.gov.*

Kirsten Baesler,

Assistant Secretary, Office of Elementary and Secondary Education.

[FR Doc. 2026–17353 Filed 8–24–26; 8:45 am]

BILLING CODE 4000–01–P

Proposed Rules

Federal Register
Vol. 91, No. 163
Tuesday, August 25, 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 AGRICULTURE

Agricultural Marketing Service

7 CFR Part 1209

[Doc. No. AMS–SC–25–0551]

Membership Adjustment of the Mushroom Council

AGENCY: Agricultural Marketing Service, USDA.

ACTION: Proposed rule.

SUMMARY: This proposed rule invites comments on realigning and reallocating representation on the Mushroom Council as prescribed in the Mushroom Promotion, Research, and Consumer Information Order by adjusting the states in Regions 1 and 3 and reallocating a member from Region 1 to Region 3.

DATES: Comments must be received by September 24, 2026.

ADDRESSES: Interested persons are invited to submit written comments concerning this proposed rule. Comments may bemailed to the Docket Clerk, Market Development Division, Specialty Crops Program, AMS, USDA, 1400 Independence Avenue SW, STOP 0244, Washington, DC 20250–0237; submitted by fax: (202) 720–8938; submitted electronically by email: *SM.USDA.MRP.AMS.MDDComment@usda.gov;* or via at the internet at *https://www.regulations.gov.* Comments should reference the document number and the date and page number of this issue of the **Federal Register**. Comments submitted in response to this proposed rule will be included in the record, will be made available to the public and may be viewed at *https://www.regulations.gov.* Please be advised that all information submitted with your comment will be posted to *regulations.gov* without change.

FOR FURTHER INFORMATION CONTACT: Kelly Robertson, Marketing Specialist or Alexandra Caryl, Branch Chief, Mid-Atlantic Region Branch, Market Development Division, Specialty Crop Program, AMS, USDA; telephone: (202) 720–8085 or via email: *KellyM.Robertson@usda.gov* or *Alexandra.Caryl@usda.gov.*

SUPPLEMENTARY INFORMATION: This proposed rule affecting the Mushroom Promotion, Research, and Consumer Information Order (7 CFR part 1209) is authorized by the Mushroom Promotion, Research, and Consumer Information Act (7 U.S.C. 6101–6112) (Act).

Executive Order 12866

This proposed action is exempt from the Office of Management and Budget (OMB) review process required by Executive Order 12866. This proposed rule would amend existing Mushroom Promotion, Research, and Consumer Information Order, as amended (7 CFR part 1209) and is necessary for the continued operation of the program. Additionally, this proposed action is exempt from the requirements of Executive Order 14192, ''Unleashing Prosperity Through Deregulation,'' pursuant to section 5(c).

Executive Order 13175

This proposed rule has been reviewed in accordance with the requirements of Executive Order 13175, ''Consultation and Coordination with Indian Tribal Governments.'' AMS has assessed the impact of this proposed rule on Indian Tribes and determined that this rule would not have tribal implications that require consultation under Executive Order 13175.

Executive Order 12988

This proposed rule has been reviewed under Executive Order 12988, ''Civil Justice Reform.'' It is not intended to have retroactive effect. Section 1930 of the Act (7 U.S.C. 6109) provides that it is not to be construed to preempt or supersede any other program relating to mushroom promotion, research, consumer information, or industry information organized and operated under the laws of the United States or any State.

Background

This proposed rule invites comments on adjusting the membership of the Mushroom Council (Council) established under the Mushroom Promotion, Research and Consumer Information Order (Order). The Order is administered by the Council with oversight by USDA. This action was recommended by the Council after a review of the geographic distribution of mushroom production throughout the United States and imports. The U.S. states that comprise Regions 1 and 3 would be adjusted and a member seat would be moved from Region 1 to Region 3. This action is necessary to ensure equitable representation of producers and importers on the Council.

Section 1209.30(a) of the Order specifies that the Council shall consist of not less than four or more than nine members who are mushroom producers and importers. Pursuant to section 1209.30(b), for purposes of nominating and appointing producers to the Council, the U.S. is divided into four geographic regions.

Section 1209.230, Reallocation of Council members, currently specifies the number of members from each region as follows:

Region 1: All other States including the District of Columbia and the Commonwealth of Puerto Rico except for Pennsylvania and California—3 members;

Region 2: The State of Pennsylvania—4 members;

Region 3: The State of California—1 member;

Region 4: Importers—1 member.

The current allocation of members above was recommended by the Council in 2018 and established through rulemaking by USDA in 2019 (84 FR 17059, April 24, 2019).

Section 1209.30(d) prescribes that, at least every five years, and not more than every three years, the Council must review changes in the geographic distribution of mushroom production volume throughout the U.S. and import volume, using the average annual mushroom production and imports over the preceding four years. The Council must recommend to the Secretary reapportionment of the regions and/or modification of the number of members from such regions as necessary to best reflect the geographic distribution of mushroom production volume in the U.S. and representation of imports.

Section 1209.30(e) prescribes a procedure to determine the number of members for each region to serve on the Council, subject to the nine-member maximum limitation. Each region that produces, on average, at least 50,000,000 pounds of mushrooms annually is entitled to one representative on the Council. Importers

are represented by a single, separate region, which is entitled to one representative if the region imports, on average, at least 50,000,000 pounds of mushrooms annually. If the annual production of a region is greater than 110,000,000 pounds, but less than or equal to 180,000,000 pounds, the region must be represented by one additional member. If the annual production of a region is greater than 180,000,000 pounds, but less than or equal to 260,000,000 pounds, the region must be represented by two additional members. If the annual production of a region is greater than 260,000,000 pounds, the region must be represented by three additional members. Finally, if in the aggregate, regions are entitled to levels of representation that would exceed the nine-member limit on the Council, the seat or seats assigned shall be assigned to that region or those regions with greater on-average production or import volume than the other regions otherwise eligible at that increment level.

The Council met on February 11, 2025, and reviewed the geographic distribution of mushroom production volume throughout the U.S. and import volume to assess whether reapportionment of the current regions or modification of the number of members from such regions, or both, were warranted. Table 1. below includes Council assessment data on domestic shipments for the preceding four years (2021 through 2024).

TABLE 1—MUSHROOM COUNCIL REPRESENTATION WITH MUSHROOM COUNCIL DATA

a. Current council representation

	Region	Seats	Quantity shipped (million pounds)				
			2021	2022	2023	2024	4-Year average
1	All Other States	3	178.4	159.7	153.1	130.7	155.5
2	PA	4	465.5	440.2	411.5	433.7	437.7
3	CA	1	86.1	84.6	81.0	73.6	81.3
	Total Domestic Shipments	.....	729.9	684.4	645.6	638.0	674.5
4	Imports	1	.....	.....	.....	.....	.....

b. New council representation

	Region	Proposed seats	Quantity shipped (million pounds)				
			2021	2022	2023	2024	4-Year average
1	East + AK = HI − PA	2	121.9	117.7	114.9	89.3	111.0
2	PA	4	465.5	440.2	411.5	433.7	437.7
3	West (including TX)	2	142.6	126.5	119.2	115.0	125.8
	Total Domestic Shipments	.....	729.9	684.4	645.6	638.0	674.5
4	Imports	1	.....	.....	.....	.....	.....

Table 1. a. shows domestic shipments by region and the corresponding allocation of seats across the current regions, and Table 1. b. shows the allocation of seats and Council representation under the proposed new regions. The four-year average of total domestic shipments, according to Council data, was 674.5 million pounds, with 437.7 million pounds coming from Pennsylvania alone. The Council's proposed representation would combine the 44.5 million pounds from other western states, including Texas, with the 81.3 million pounds of shipments from California to create a new Region 3 that represents the western U.S., minus Alaska and Hawaii. This would result in Region 1, as it currently stands, losing the 44.5 million pounds that would be allocated to the proposed Region 3, and dropping one Council seat, which would be added to Region 3.

Table 2. below provides a similar analysis based on U.S. production data from USDA's National Agricultural Statistics Service (NASS) and import data from USDA's Global Agricultural Trade System (GATS). NASS production data by state is limited to Pennsylvania, California, and what it classifies as ''Other States.'' Beginning in 2025, state data for California is combined with data for ''Other States,'' leaving Pennsylvania as the only individual state for which NASS publishes data.

TABLE 2—MUSHROOM COUNCIL REPRESENTATION WITH NASS AND GATS DATA

a. Current council representation

	Region	Seats	Quantity produced/imported (million pounds)				
			2021	2022	2023	2024	4-Year average
1	All Other States	3	163.0	159.5	154.8	133.8	152.8
2	PA	4	475.2	446.6	465.8	441.3	457.2
3	CA	1	99.2	73.8	82.5	67.7	80.8
	Total Domestic Production	.....	737.4	679.9	703.1	642.8	690.8
4	Imports	1	195.2	201.4	191.7	203.9	198.0

b. New council representation

Region	Proposed seats	Quantity produced/imported (million pounds)				
		2021	2022	2023	2024	4-Year average
1 East + AK = HI − PA	2	117.3	104.4	106.2	90.1	104.5
2 PA	4	475.2	446.6	465.8	441.3	457.2
3 West (including TX)	2	144.9	128.9	131.2	111.4	129.1
Total Domestic Production	.....	737.4	679.9	703.1	642.8	690.8
4 Imports	1	195.2	201.4	191.7	203.9	198.0

Like Table 1. a., Table 2. a. shows domestic production by current regions and the corresponding Council representation. Table 2. b. shows these for the proposed new regions and the corresponding Council representation. To address the lack of data on mushroom production at the state level, AMS utilized the results from the 2022 Census of Agriculture, published by NASS, to calculate the proportion of square feet in production in states included in the proposed Region 1 (45 percent) and in the proposed Region 3 (55 percent) relative to the total U.S. minus Pennsylvania production. Next, AMS applied these proportions to the ''Other States'' and California production figures reported by NASS in its annual Mushroom publication. The results are shown in Table 2. b. with the estimated four-year average production for Region 1 in the East at 104.5 million pounds and the estimated four-year average production for Region 3 in the West at 129.1 million pounds. Table 2. also shows import volume solely for informational purposes as the program's statute limits importer members to one.

Council Recommendation

Based on its analysis, the Council unanimously recommended redistributing the States in Regions 1 and 3 and subsequently decreasing the number of members in Region 1 by one while increasing the number of members in Region 3 by one. Accordingly, § 1209.230 would be revised as follows:

Region 1: Alabama, Alaska, Arkansas, Connecticut, Delaware, Florida, Georgia, Hawaii, Illinois, Indiana, Iowa, Kansas, Kentucky, Louisiana, Maine, Maryland, Massachusetts, Michigan, Minnesota, Mississippi, Missouri, Nebraska, New Hampshire, New Jersey, New York, North Carolina, North Dakota, Ohio, Oklahoma, Rhode Island, South Carolina, South Dakota, Tennessee, Vermont, Virginia, West Virginia, Wisconsin, the District of Columbia and the Commonwealth of Puerto Rico;

Region 3: Arizona, California, Colorado, Idaho, Montana, Nevada, New Mexico, Oregon, Texas, Utah, Washington, and Wyoming.

No changes are necessary to the number of members in Regions 2 and 4 or to their state make-up.

Initial Regulatory Flexibility Act Analysis

In accordance with the Regulatory Flexibility Act (RFA) (5 U.S.C. 601–612), AMS is required to examine the impact of the proposed rule on small entities. Accordingly, AMS has considered the economic impact of this action on such entities.

The purpose of the RFA is to fit regulatory actions to the scale of businesses subject to the actions so that small businesses will not be disproportionately burdened. The Small Business Administration (SBA) defines, in 13 CFR 121.201, small agricultural producers of mushrooms (North American Industry Classification System (NAICS) code 111411, Mushroom Production) as those having average annual receipts no greater than $4.5 million and small agricultural service firms, such as importers (NAICS code 115114, Postharvest Crop Activities), as those having average annual receipts no greater than $34 million.

According to the 2022 Census of Agriculture, there were 1,258 farms producing mushrooms nationwide in 2022. Based on data from the Council, there were 99 producers subject to assessment—meaning they produced, on average, more than 500,000 pounds of mushrooms per year—between 2021 and 2024. To find the number of producers whose average annual receipts exceed the SBA size standard of $4.5 million, AMS applied the average annual fresh market prices received for Agaricus mushrooms for 2021 through 2024, published by NASS, to Council shipment volume for 2021 through 2024. The result is an estimated 45 producers exceeding the SBA size standard of $4.5 million in average annual receipts; therefore, of the 1,258 mushroom producers nationwide, about 1,213, or 96 percent, would be considered small businesses.

According to data from U.S. Customs and Border Protection, there were 301 importers of fresh mushrooms between 2021 and 2024. Of these, four entities had average annual import values exceeding the SBA size standard for a small importer of $34 million in average annual receipts; therefore, of the 301 importers of fresh mushrooms, about 297, or 99 percent, would be considered small businesses.

This proposed rule invites comments on reallocating the membership of the Council under the Order. The Order is administered by the Council with oversight by USDA. This action was recommended by the Council after a review of the geographic distribution of the volume of mushroom production throughout the United States and the volume of imports. The number of Council members would be revised in two of the four regions under the Order. This action is necessary to ensure equitable representation of producers and importers on the Council. Authority for this action is provided in section 1209.30(d) of the Order and section 1925 of the Act (7 U.S.C. 6104).

Regarding the economic impact of this proposed rule on affected entities, revising the number of members in Regions 1 and 3 would impose no additional costs on industry members. Eligible producers and importers interested in serving on the Council would have to complete a background questionnaire. Those requirements are addressed below. The changes are necessary to provide for the equitable representation of producers and importers on the Council.

Regarding alternatives, one option to the proposed action would be to maintain the status quo and not revise the number of Council members representing Regions 1 and 3. However, the Council's analysis of the assessment, NASS, and GATS data support the proposed changes. USDA concludes that the changes are necessary and appropriate.

Regarding outreach efforts, this proposed action was discussed by the Council at its meeting held on February 11, 2025, where the Council unanimously made its recommendation. All of the Council's meetings are open to the public and interested persons are invited to participate and express their views.

In accordance with the Paperwork Reduction Act of 1995 (44 U.S.C. chapter 35), the information collection and recordkeeping requirements imposed by the Order were approved under OMB control number 0581–0093. No changes to those requirements would be necessary as a result of this proposed rule. Should any changes become necessary, they would be submitted to OMB for approval.

As with all Federal research and promotion programs, reports and forms are periodically reviewed to reduce the burden of information requirements, and duplication by industry and public sector agencies.

AMS is committed to complying with the E-Government Act to promote the use of the internet and other information technologies to provide increased opportunities for citizen access to government information and services, and for other purposes.

AMS has not identified any relevant Federal rules that duplicate, overlap, or conflict with this proposed rule.

After consideration of all relevant material presented, including the information and recommendations submitted by the Council and other available information, AMS has determined that this proposed rule is consistent with and will effectuate the purposes of the Act.

USDA has determined this proposed rule, if finalized is consistent with and would effectuate the purpose of the Act. A 30-day comment period is provided to allow interested persons to respond to this proposed rule. All written comments received in response to this proposed rule by the date specified will be considered prior to finalizing this action.

List of Subjects in 7 CFR Part 1209

Administrative practice and procedure, Advertising, Agricultural research, Consumer protection, Marketing agreements, Mushrooms, Reporting and recordkeeping requirements.

For the reasons set forth in the preamble, 7 CFR part 1209 is proposed to be amended as follows:

PART 1209—MUSHROOM PROMOTION, RESEARCH AND CONSUMER INFORMATION ORDER

■ 1. The authority citation for part 1209 continues to read as follows:

Authority: 7 U.S.C. 6101–6112 and 7 U.S.C. 7401.

■ 2. Revise § 1209.230 to read as follows:

§ 1209.230 Reallocation of Council members.

Pursuant to § 1209.30 of the Order, the number of members on the Council shall be as follows:

(a) *Region 1:* The States of Alabama, Alaska, Arkansas, Connecticut, Delaware, Florida, Georgia, Hawaii, Illinois, Indiana, Iowa, Kansas, Kentucky, Louisiana, Maine, Maryland, Massachusetts, Michigan, Minnesota, Mississippi, Missouri, Nebraska, New Hampshire, New Jersey, New York, North Carolina, North Dakota, Ohio, Oklahoma, Rhode Island, South Carolina, South Dakota, Tennessee, Vermont, Virginia, West Virginia, Wisconsin, the District of Columbia and the Commonwealth of Puerto Rico—2 members.

(b) *Region 2:* The State of Pennsylvania—4 members.

(c) *Region 3:* The States of Arizona, California, Colorado, Idaho, Montana, Nevada, New Mexico, Oregon, Texas, Utah, Washington, and Wyoming—2 members.

(d) *Region 4:* Importers—1 member.

Erin Morris,

Administrator, Agricultural Marketing Service.

[FR Doc. 2026–17296 Filed 8–24–26; 8:45 am]

BILLING CODE 3410–02–P

DEPARTMENT OF HOMELAND SECURITY

8 CFR Part 106

[CIS No. 2861–26; DHS Docket No. USCIS–2026–0298]

RIN 1615–AD20

Fee for Certain H–1B Petitions

AGENCY: U.S. Citizenship and Immigration Services (USCIS), Department of Homeland Security (DHS).

ACTION: Notice of proposed rulemaking.

SUMMARY: The Department of Homeland Security (DHS) proposes to establish a $103,265 fee, payable at the time of filing, for all H–1B cap-subject petitions, including those eligible for the advanced degree exemption, which would be imposed in addition to all other applicable fees or payments. This fee would serve as a dedicated revenue mechanism to help recover a portion of the federal government's costs of administering the lawful immigration system, including activities carried out by DHS, the U.S. Department of Justice (DOJ), the U.S. Department of State (DOS), and the U.S. Department of Labor (DOL).

DATES: *Submission of Public Comments:* Written comments must be submitted on or before September 24, 2026. The electronic Federal Docket Management System will accept comments before midnight eastern time at the end of that day.

ADDRESSES: You may submit comments on the entirety of this proposed rulemaking package, identified by DHS Docket No. USCIS–2026–0298, through the Federal eRulemaking Portal: *http://www.regulations.gov.* Follow the website instructions for submitting comments.

Comments must be submitted in English, or an English translation must be provided. Comments that will provide the most assistance to USCIS in implementing these changes will reference a specific portion of the proposed rule, explain the reason for any recommended change, and include data, information, or authority that support such recommended change. Comments submitted in a manner other than the one listed above, including emails or letters sent to DHS or USCIS officials, will not be considered comments on the proposed rule and may not receive a response from DHS. Please note that DHS and USCIS cannot accept any comments that are hand-delivered or couriered. In addition, USCIS cannot accept comments contained on any form of digital media storage devices, such as CDs/DVDs and USB drives. USCIS is also not accepting mailed comments at this time. If you cannot submit your comment by using *http://www.regulations.gov,* please contact the Regulatory Coordination Division, Office of Policy and Strategy, U.S. Citizenship and Immigration Services, Department of Homeland Security, by telephone at (240) 721–3000 for alternate instructions.

FOR FURTHER INFORMATION CONTACT: Office of the Chief Financial Officer, U.S. Citizenship and Immigration Services, Department of Homeland Security, 5900 Capital Gateway Drive, Camp Springs, MD 20746; telephone 240–721–3000. Individuals with hearing or speech impairments may access the telephone number above via TTY by

calling the toll-free Federal Information Relay Service at 711.

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Table of Abbreviations

ABC—Activity-Based Costing
BIA—Board of Immigration Appeals
BLS—Bureau of Labor Statistics
CBP—U.S Customs and Border Protection
CEQ—Council on Environmental Quality
CFO—Chief Financial Officer
CFR—Code of Federal Regulations
DHS—U.S. Department of Homeland Security
DOJ—U.S. Department of Justice
DOL—U.S. Department of Labor
DOS—U.S. Department of State
DOW—U.S. Department of War
E.O.—Executive Order
EOIR—Executive Office for Immigration Review
FDNS—Fraud Detection and National Security Directorate
FPDA—Fraud Prevention and Detection Account
FLAG—Foreign Labor Application Gateway
FPS—Federal Protective Service
FR—Federal Register
FY—Fiscal Year
HSA—Homeland Security Act
HSI—Homeland Security Investigations
IEFA—Immigration Examinations Fee Account
ICE—Immigration and Customs Enforcement
INA—Immigration and Nationality Act of 1952
IOAA—Independent Offices Appropriations Act
IRFA—Initial Regulatory Flexibility Act
IT—Information Technology
LCA—Labor Condition Application
NAICS—North American Industry Classification System
NEPA—National Environmental Policy Act
OCIJ—Office of the Chief Immigration Judge
OFLC—Office of Foreign Labor Certification
OIRA—Office of Information and Regulatory Affairs
OMB—Office of Management and Budget
OPT—Optional Practical Training
PRA—Paperwork Reduction Act
RAIO—Refugee, Asylum, and International Operations Directorate
RFA—Regulatory Flexibility Act
RIA—Regulatory Impact Analysis
SAM—Staffing Allocation Model
SBA—U.S. Small Business Administration
SCOPS—Service Center Operations Directorate
SEVIS—Student and Exchange Visitor Information System
SEVP—Student and Exchange Visitor Program
UMRA—Unfunded Mandates Reform Act of 1995
USCIS—U.S. Citizenship and Immigration Services
WHD—Wage and Hour Division

I. Public Participation

DHS invites all interested parties to participate in this rulemaking by submitting written data, views, comments and arguments on all aspects of this proposed rule. DHS also invites comments that relate to the economic, environmental, or federalism effects that might result from this proposed rule. Comments must be submitted in English, or an English translation must be provided. Comments that will provide the most assistance to USCIS in implementing these changes will reference a specific portion of the proposed rule, explain the reason for any recommended change, and include data, information, or authority that support such recommended change. Comments submitted in a manner other than the one listed above, including emails or letters sent to DHS or USCIS officials, will not be considered comments on the proposed rule and may not receive a response from DHS.

Instructions: If you submit a comment, you must include the agency name (U.S. Citizenship and Immigration Services) and the DHS Docket No. USCIS–2026–0298 for this rulemaking. Regardless of the method used for submitting comments or material, all submissions will be posted, without change, to the Federal eRulemaking Portal at *http://www.regulations.gov,* and will include any personal information you provide. Therefore, submitting this information makes it public. You may wish to consider limiting the amount of personal information that you provide in any voluntary public comment submission you make to DHS. DHS may withhold information provided in comments from public viewing that it determines may impact the privacy of an individual or is offensive. For additional information, please read the Privacy and Security Notice available at *http://www.regulations.gov.*

Docket: For access to the docket and to read background documents, or comments received, go to *http://www.regulations.gov,* referencing DHS Docket No. USCIS–2026–0298. You may also sign up for email alerts on the online docket to be notified when comments are posted or a final rule is published.

II. Executive Summary

A. Purpose of Regulatory Action

The purpose of this proposed rulemaking is to generate dedicated revenue to support the costs of administering the lawful immigration system. To achieve this result DHS has decided to establish an additional fee on all H–1B cap-subject petitions, payable at the time of filing. The new fee is designed, consistent with section 286(m) of the Immigration and

Nationality Act (INA), 8 U.S.C. 1356(m), to recover a portion of the full costs of providing immigration adjudication and naturalization services incurred by multiple Federal agencies in processing, adjudicating, and supporting the lawful immigration system, including U.S. Citizenship and Immigration Services (USCIS), U.S. Customs and Border Protection (CBP), U.S. Immigration and Customs Enforcement (ICE) in DHS, Executive Office for Immigration Review (EOIR) in DOJ, DOS, and DOL.

The lawful immigration system is largely funded by user fees.[1] As explained later in this rule, DHS's interagency cost assessments have identified substantial activities that directly relate to the costs of providing immigration adjudication and naturalization services across the federal government, such as adjudications, associated investigations, enforcement and vetting support, information technology modernization and maintenance, records management, and interagency coordination.[2] The proposed H–1B fee is intended to provide a powerful, reliable, and predictable revenue tool to address the costs across multiple agencies that oversee the United States immigration system.

DHS considered whether to propose recovery of the government's lawful immigration-related costs by adding a fee to all immigration benefit requests, or certain requests. We also considered increasing the existing H–1B petition fee in 8 CFR 106.2(a)(3)(i), rather than establishing a separate H–1B fee provision. For the reasons provided in this notice, DHS is proposing to add a fee at 8 CFR 106.2(a)(3)(xii) that would apply only to H–1B cap-subject petitions, including those eligible for the advanced degree exemption (not to all H–1B petitions such as cap-exempt filings).

The proposed fee is specifically to recover the interagency costs described in this rule and having a standalone fee is intended to facilitate tracking, allocation, and reporting of the associated revenue. For these reasons, DHS proposes to implement the $103,265 amount as a separate, additional H–1B fee rather than combining it with the existing H–1B petition fee in 8 CFR 106.2(a)(3)(i).

The proposed fee, when required, would be in addition to any other applicable fees or payments,[3] including any separate payment obligation required under a Presidential Proclamation.[4] Accordingly, to the extent a petitioner is subject both to a proclamation-required payment and to the additional H–1B fee proposed in this rule, the petitioner would be required to pay both amounts.

B. Legal Authority

As explained in more detail in Section III.A., DHS issues this proposed rule consistent with its authority under various sections of the Immigration and Nationality Act (INA or the Act), 8 U.S.C. 1101, *et seq.,* and the Homeland Security Act of 2002 (HSA), Public Law 107–296, 116 Stat. 2135 (codified in part at 6 U.S.C. 101 *et seq.*). Specifically, the authority for this proposed rule includes sections 286(j) and (m) of the INA, 8 U.S.C. 1356(j) and (m) (authorizing the Secretary to set ''fees for providing adjudication and naturalization services . . . at a level that will ensure recovery of the full costs of providing all such services'' and to prescribe rules and regulations to carry out the fee provisions of section 286 of the INA, 8 U.S.C. 1356).

C. Summary of the Provisions of the Regulatory Action

DHS proposes to include the following changes: a $103,265 additional fee imposed on all H–1B cap-subject petitions filed, including those eligible for the advanced degree exemption under section 214(g)(5)(C) of the INA, 8 U.S.C. 1184(g)(5)(C).[5] The objective of this new fee is revenue generation to support the costs of administering the lawful immigration system across multiple departments and agencies. In particular, the proposed fee is intended to:

- Provide additional resources for USCIS to fund adjudications, systems modernization, fraud detection and national security vetting, records and fee collection operations, and coordination with other DHS components; and
- Directly support activities related to the lawful immigration system carried out by USCIS, CBP, ICE, EOIR, DOS, and DOL, to the extent permitted by statute and appropriations law (for example, Immigration Court proceedings, consular visa processing, labor standards enforcement, and inspection and enforcement activities at and between ports of entry).

DHS expects that the additional revenue generated by this proposed fee would be used to reimburse U.S. government immigration adjudication and naturalization costs within the legal immigration system.

III. Background & Purpose

A. Legal Authority

The Secretary's authority for these proposed regulatory amendments is found in various sections of the INA, 8 U.S.C. Titles I–V, and the Homeland Security Act of 2002 (HSA), Public Law 107–296, 116 Stat. 2135 (codified in part at 6 U.S.C. 101 *et seq.*). General authority for issuing this proposed rule is found in section 103(a) of the INA, 8 U.S.C. 1103(a), which authorizes the Secretary to administer and enforce the immigration and nationality laws and establish such regulations as the Secretary deems necessary for carrying out such authority, as well as section 102 of the HSA, 6 U.S.C. 112, which vests all of the functions of DHS in the Secretary and authorizes the Secretary to issue regulations.[6] Further authority

[1] *See, e.g., U.S. Citizenship and Immigration Services Fee Schedule and Changes to Certain Other Immigration Benefit Request Requirements,* 89 FR 6194 (Jan. 31, 2024) (final rule).

[2] For more information, see section V.A. Cost Basis of this preamble.

[3] *See* USCIS Form G–1055, Fee Schedule, *https://www.uscis.gov/g-1055* (last reviewed/updated June 15, 2026), for a list of applicable H–1B fees and payments; *See also,* Presidential Proclamation 10973, ''*Restriction on Entry of Certain Nonimmigrant Workers.*'' 90 FR 46027 (Sept. 19, 2025). The proposed fee in this NPRM would be an additional fee separate from the $100,000 payment required by Proclamation 10973 and is based on different authority. *See* Section III.A. of this NPRM for a detailed discussion of the authority for this proposed fee. The payment required by the Proclamation as a restriction on entry based on sections 212(f) and 215(a) of the INA, 8 U.S.C. 1182(f) and 1185(a), applied to certain H–1B visa petitions filed on or after September 21, 2025, and before September 21, 2026. On June 8, 2026, the United States District Court for the District of Massachusetts vacated the agency guidance implementing the payment required by Proclamation 10973. *See California et al,* v. *Mullin,* 25–13829 (D. Mass). On June 11, 2026, the Government filed an appeal with the First Circuit Court of Appeals. The appeal remains pending as of the date of publication of this NPRM. If the order is later lifted, DHS would collect the payment consistent with the terms of the Proclamation and any extension or renewal of the Proclamation.

[4] Presidential Proclamation 10973, unless extended, will expire before the fee proposed in this rule will take effect.

[5] The fee is calculated by dividing the total costs to be recovered of $8,777,488,035 by the projected fee paying volume of 85,000 to be $103,264.57. DHS rounds the fee to the nearest $5 increment consistent with how it has in other IEFA fee rules for a final fee of $103,265. *See, e.g., U.S. Citizenship and Immigration Services Fee Schedule and Changes to Certain Other Immigration Benefit Request Requirements,* 88 FR 402, 451 (Jan. 4, 2023) (proposed rule) (footnote 92).

[6] As of March 1, 2003, the former Immigration and Naturalization Service (INS) ceased to exist as an agency within the United States Department of Justice (DOJ) and its functions regarding the applications for immigration benefits and naturalizations were transferred to the United States Citizenship and Immigration Services in the United States Department of Homeland Security. *See* HSA secs. 451(b) and 471, 6 U.S.C. 271(b), 291. Although several provisions of the INA discussed in this proposed rule refer exclusively to the ''Attorney

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for these proposed regulatory amendments is found in:

- Section 286(m) of the INA, 8 U.S.C. 1356(m), which authorizes the Secretary to set ''fees for providing adjudication and naturalization services . . . at a level that will ensure recovery of the full costs of providing all such services, including the costs of similar services provided without charge to asylum applicants or other immigrants;''
- Section 286(n) of the INA, 8 U.S.C. 1356(n), which permits ''reimburse[ment of] any appropriation the amount paid out of such appropriation for expenses in providing immigration adjudication and naturalization services and the collection, safeguarding and accounting for fees deposited in and funds reimbursed'' from the Immigration Examinations Fee Account (IEFA); and
- Section 286(j) of the INA, 8 U.S.C. 1356(j), which provides specific authority for the Secretary to prescribe rules and regulations as may be necessary to carry out the fee provisions of section 286 of the INA, 8 U.S.C. 1356.

B. Immigration Examination Fee Account

With a few exceptions, the fees collected related to adjudication and naturalization services must be deposited in the IEFA under section 286(m) of the INA, 8 U.S.C. 1356(m).

The CFO Act, 31 U.S.C. 901–03, requires USCIS' Chief Financial Officer (CFO), among other things, to review on a biennial basis the fees imposed by the agency for services it provides and to recommend changes to its fees. The CFO Act's biennial review requirement is the minimum frequency required by a fee-funded agency, and DHS may adjust USCIS fees more often than biennially as needed.[7] Furthermore, the CFO Act requires the CFO to direct, manage, and provide policy guidance and oversight of agency financial management, personnel, activities, and operations. *See* 31 U.S.C. 902(a)(5).

USCIS is primarily funded by fees charged to applicants, petitioners, and requestors for immigration and naturalization benefit requests. USCIS manages the following four fee accounts:

- The IEFA, which includes premium processing revenues (INA sec. 286(m), (n), (t), and (u); 8 U.S.C. 1356(m), (n), (t), and (u));
- The Fraud Prevention and Detection Account (INA secs. 214(c)(12) and (13), 286(v); 8 U.S.C. 1184(c)(12) and (13), 1356(v));
- The H–1B Nonimmigrant Petitioner Account (INA secs. 214(c)(9) and (11), 286(s); 8 U.S.C. 1184(c)(9) and (11), 1356(s)); and
- The EB–5 Integrity Fund (INA sec. 203(b)(5)(J), 8 U.S.C. 1153(b)(5)(J)).

In 1988, Congress established the IEFA in the Treasury of the United States. *See* Public Law 100–459, sec. 209, 102 Stat. 2186 (Oct. 1, 1988) (codified as amended at INA sec. 286(m) and (n), 8 U.S.C. 1356(m) and (n)). Fees deposited into the IEFA fund adjudication and naturalization services. In subsequent legislation, Congress directed that the IEFA fund the full costs of providing all such services, including services provided to immigrants at no charge. *See* Public Law 101–515, sec. 210(d)(1) and (2), 104 Stat. 2101, 2121 (Nov. 5, 1990). Consequently, the immigration benefit fees were increased to recover these additional costs. *See, Adjustment to the Examinations Fee Schedule,* 59 FR 30516, 30520 (June 14, 1994) (final rule). DHS has continued to adjust USCIS fees to recover the costs of providing adjudication and naturalization services. *See, e.g., U.S. Citizenship and Immigration Services Fee Schedule and Changes to Certain Other Immigration Benefit Request Requirements,* 89 FR 6194 (Jan. 31, 2024) (final rule) (''2024 Final Rule'').

In FY 2025, the IEFA accounted for approximately 95 percent of total funding for USCIS, or $7.0 billion out of the $7.4 billion in total USCIS funding. The remaining USCIS funding came from appropriations (approximately 4 percent or $0.3 billion) or other fee accounts (approximately 1 percent or $0.1 billion) in FY 2025.[8] The Fraud Prevention and Detection Account[9] and H–1B Nonimmigrant Petitioner Account[10] are both funded by fees for which the dollar amount is set by statute. DHS has no authority to adjust the fees for these accounts. The EB–5 Integrity Fund, a new fee account established in FY 2023, uses initial fees set by statute. In 2025, DHS proposed adjusting the EB–5 Integrity Fund by the amount of inflation.[11]

B. Increasing Fees for Certain H–1B Petitions

As discussed previously, the INA permits reimbursement of ''expenses in providing immigration adjudication and naturalization services.'' *See* section 286 of the INA, 8 U.S.C. 1356.

DHS considered whether to recover the costs identified in this proposed rule by increasing fees broadly across all fee-paying applicants and petitioners but determined that doing so would place additional costs on individual applicants and petitioners, including requestors whose applications and petitions may be less directly connected to employment-based petitioning and who may have fewer resources available to absorb additional fee increases. After considering the resources of the different communities and populations that submit immigration benefit requests to USCIS, DHS has decided to propose that the costs be recovered by adding a fee to H–1B cap-subject petitions. DHS considered other options but determined that shifting these costs to petitioners for H–1B cap-subject petitions was appropriate considering that they are requests that are generally submitted by petitioners who have more ability to pay, as opposed to shifting those costs to all other fee payers.[12]

General,'' such provisions are now to be read as referring to the Secretary of Homeland Security by operation of the HSA. *See, e.g.,* INA secs. 103(a)(1), 286, 344, 8 U.S.C. 1103(a)(1), 1356, 1455; *Nielsen* v. *Preap,* 139 S. Ct. 954, 959 n.2 (2019).

[7] *See* 31 U.S.C. 902(a)(8) (''An Agency Chief Financial Officer shall . . . review, on a biennial basis, the fees, royalties, rents and other charges imposed by the agency for services and things of value it provides . . .'').

[8] *See* DHS, ''Fiscal Year 2027 Budget in Brief'' (April 2025), *https://www.dhs.gov/sites/default/files/2026-04/26_0422_ocfo_fy27-budget-dhs-budget-in-brief.pdf.*

[9] The Fraud Prevention and Detection fees charged to certain employers petitioning for nonimmigrant workers in the H–1B, H–2B, and L–1 visa classifications are set by statute. Revenue is used for activities related to preventing and detecting fraud in immigration benefit requests. *See* INA sec. 286(v)(2)(B), 8 U.S.C. 1356(v)(2)(B). Revenue is shared equally among USCIS, Department of State, and Department of Labor. Effective July 25, 2018, USCIS also collects and retains the $50 Commonwealth of the Northern Mariana Islands fraud fee. *See* 48 U.S.C. 1806(a)(6)(iv). DHS interprets Fraud Prevention and Detection Account authority as providing supplemental funding to cover activities related to fraud prevention and detection and not prescribing that only those funds may be used for that purpose. The USCIS Fraud Detection and National Security Directorate (FDNS) is funded out of both the IEFA and the Fraud Prevention and Detection Account.

[10] Certain H–1B fees are required by other laws. Revenue in the H–1B Nonimmigrant Petitioner Account is shared among USCIS, DOL, and the National Science Foundation. USCIS receives 5 percent of these funds. USCIS uses the H–1B Nonimmigrant Petitioner Account as supplemental funding for the limited H–1B petition and petition for immigrant worker adjudication activities authorized by statute. *See* INA sec. 286(s)(5), 8 U.S.C. 1356(s)(5). The H–1B Nonimmigrant Petitioner Account does not fully fund the H–1B program at USCIS. As such, USCIS also uses IEFA fees to administer the program. IEFA fees are not required for those limited purposes authorized or required by INA sec. 286(s)(5), 8 U.S.C. 1356(s)(5).

[11] See DHS, *Employment-Based Immigrant Visa, Fifth Preference (EB–5) Fee Rule,* 90 FR 48516 (Dec. 22, 2025) (proposed rule).

[12] USCIS, G–1055, Fee Schedule *https://www.uscis.gov/sites/default/files/document/forms/g-1055.pdf* (last updated June 1, 2026), see Appendix A: I–129, Petition for a Nonimmigrant Worker, pages 35–36. See Regulatory Impact Analysis for DHS USCIS Fee Schedule and Changes to Certain Other Immigration Benefit Request

DHS acknowledges that the scope of the proposed fee increase in this rule is significant. DHS proposes this cost shifting approach with an emphasis on the ability-to-pay principle for determining user fees.[13] Petitioners for H–1B cap-subject nonimmigrant workers generally are required to have the resources necessary to pay the worker(s) for whom the petition is filed, and DHS does not believe the proposed fee that the employer must pay USCIS is significant compared to the petitioner's wage obligation.[14] DHS further acknowledges that it has historically spread unrecovered costs for free services, fee-waived, and fee exempted requests across other fee-paying requests.[15] While, in appropriate circumstances, DHS has considered the relative ability of different fee-paying populations to bear unrelated costs, we have never directly transferred the costs of one program to another based on a determination that requestors under one program can afford higher fees more than other general or specific requestors.[16] Again, consistent with that past approach, DHS considered whether to recover these costs by increasing fees broadly across all fee-paying applicants and petitioners but determined that doing so would place additional costs on individual applicants and petitioners who may have fewer resources available to absorb additional fee increases.[17]

DHS recognizes that H–1B cap-subject petitioners may object to paying a fee that recovers costs far beyond the direct adjudication cost of their individual petition. However, USCIS' fee schedule has long reflected the need to recover costs associated with administering the lawful immigration system as a whole, including costs of requests for which no fee is charged or for which the fee does not recover full cost. And DHS has historically considered ability to pay as one factor in setting immigration fees, particularly when determining how to allocate costs for services that are provided without a fee or at a fee below full cost. For example, in the 2016/2017 fee rule, DHS used its discretion to adjust certain immigration benefit request fees that USCIS believed may be overly burdensome on applicants, petitioners, and requestors if set at the recommended model output levels.[18] In that same rule, DHS specifically excluded the EB–5 program fees from such discretionary reductions in response to comments based at least partially on those requestors' ability to pay.[19]

DHS anticipates this proposed fee would generate the necessary revenue provided filing volumes do not fall short of those projected herein. DHS acknowledges that USCIS may see a reduction in the number of H–1B cap registrations and some employers, including small entities, may file fewer petitions as a result of this proposed rule. However, the success of the USCIS fee model and this rulemaking in generating the necessary revenue depends on the filing volumes of cap-subject H–1B petitions not falling short of those projected herein. At the same time, balancing the goals of administering the lawful immigration programs using fee revenue, DHS has made considered judgments about how to receive the needed funds using available and appropriate means. DHS decided to propose this fee after considering recovery of the government's lawful immigration-related costs across agencies and the relative resources of the H–1B Form I–129 filing community.[20] DHS, DOJ, DOS and DOL are charged with administering lawful immigration programs and have decided to use fee revenue to the extent possible. This proposed rule reflects our combined, considered judgments about how to fund immigration using available and appropriate means while balancing the goals of the H–1B program to provide needed workers.

DHS arrived at the amount of the proposed H–1B fee by calculating the amount that would need to be added to the fees for Form I–129, Petition for a Nonimmigrant Worker, to collect the identified annual costs using USCIS' standard costing and fee calculation methodologies. In addition to shifting these costs to H–1B cap-subject petitions for cost recovery, imposing this fee on such petitions aligns with other, related statutory authorities including:

- Section 214(a)(1) of the INA, 8 U.S.C. 1184(a)(1), which authorizes DHS to prescribe, by regulation, the time and conditions of the admission of nonimmigrants;
- Section 214(c)(1) of the INA, 8 U.S.C. 1184(c)(1), which authorizes the Secretary to prescribe how an importing employer may petition for nonimmigrant workers, as well as the form of the petition and the information that an importing employer must provide in the petition;
- Section 402 of the HSA, 6 U.S.C. 202, which charges the Secretary with ''[e]stablishing and administering rules[21] . . . governing the granting of visas or other forms of permission . . . to enter the United States'' and ''[e]stablishing national immigration enforcement policies and priorities''; *see also* HSA sec. 428, 6 U.S.C. 236; and
- Section 451(a)(3) and (b) of the HSA, 6 U.S.C. 271(a)(3) and (b), which transferred to USCIS the authority to adjudicate petitions for nonimmigrant status, establish policies for performing that function, and set national immigration services policies and priorities.

Information, p181–183, *https://www.regulations.gov/document/USCIS-2021-0010-8179* (January 2024).

[13] *See* GAO, ''Federal User Fees: A Design Guide'' (May 29, 2008), *https://www.gao.gov/products/GAO-08-386SP*, at 7–12.

[14] *See* INA sec. 212(n)(1)(A), 8 U.S.C. 1182(n)(1)(A) (requiring an H–1B petitioning employer to pay a required wage); USCIS, ''*Characteristics of H–1B Specialty Occupation Workers, Fiscal Year 2025 Annual Report to Congress, October 1, 2024–September 30, 2025,*'' (Apr. 24, 2026), *https://www.uscis.gov/sites/default/files/document/data/fy25_h1b_characteristics_congress_signed_04242026.pdf* (last visited July 6, 2026), stating that the median annual compensation for all approved H–1B beneficiaries in FY 2025 was $133,000. That equates to an unadjusted median wage of $798,000 ($133,000 × 6) over the course of the general 6-year period of H–1B admission.

[15] *See, e.g.,* 89 FR 6193–6194, 6241; *see also U.S. Citizenship and Immigration Services Fee Schedule,* 81 FR 26904, 26915 (May 5, 2016) (proposed rule).

[16] *See, e.g., U.S. Citizenship and Immigration Services Fee Schedule and Changes to Certain Other Immigration Benefit Request Requirements,* 85 FR 46788, 46869 (Aug. 20, 2020) (final rule) (stating, ''For the fees that DHS does not limit, we use the total cost for each form to reallocate the cost of limited fee increases or workload without fees.''); *U.S. Citizenship and Immigration Services Fee Schedule,* 75 FR 58962, 58973 (Sept. 24, 2016) (final rule) (stating, ''To the extent not supported by appropriations, the cost of providing free or reduced services must be transferred to all other fee-paying applicants.''); *Adjustment of the Immigration and Naturalization Benefit Application and Petition Fee Schedule,* 72 FR 29851, 29865 (May 30, 2007) (final rule) (stating, ''As with any other waiver, the loss of that fee revenue would necessarily be spread across all other benefit applications and petitions, having the potential to increase those fees.'').

[17] *See, e.g.,* 89 FR 6193–6194, 6241; *USCIS Fee Schedule,* 81 FR 73292, 73295–73297 (Oct. 24, 2016) (final rule).

[18] *See, U.S. Citizenship and Immigration Services Fee Schedule,* 79 FR 73292, 73297 (final rule (Discussing impacts on low-income individuals; low volume reallocation).

[19] *Id.* at 73310.

[20] *See* INA sec. 212(n)(1)(A), 8 U.S.C. 1182(n)(1)(A) (requiring an H–1B petitioning employer to pay a required wage); USCIS, ''*Characteristics of H–1B Specialty Occupation Workers, Fiscal Year 2025 Annual Report to Congress, October 1, 2024–September 30, 2025,*'' (Apr. 24, 2026), *https://www.uscis.gov/sites/default/files/document/data/fy25_h1b_characteristics_congress_signed_04242026.pdf* (last visited July 6, 2026), stating that the median annual compensation for all approved H–1B beneficiaries in FY 2025 was $133,000. That equates to an unadjusted median wage of $798,000 ($133,000 × 6) over the course of the general 6-year period of H–1B admission.

[21] Section 102(e) of the HSA, 6 U.S.C. 112(e), provides that ''the issuance of regulations by the Secretary shall be governed by the provisions of chapter 5 of title 5, except as specifically provided in this chapter, in laws granting regulatory authorities that are transferred by this chapter, and in laws enacted after November 25, 2002.''

After analyzing the costs required for administering lawful immigration programs, the administration determined that using fee revenue was appropriate. In this proposed rule DHS has explained that after considering how to fund the identified costs, and the authorities available, using a H–1B cap subject petition fee was the most viable and appropriate means.

C. Background by Department and Agency

1. USCIS and H–1B Background

USCIS is the DHS component primarily responsible for adjudication of immigration and naturalization benefit requests, including petitions filed under the H–1B program.[22] The H–1B program allows U.S. employers to temporarily hire foreign workers to perform services in a specialty occupation, services related to a U.S. Department of War (DOW) cooperative research and development project or coproduction project, or services of distinguished merit and ability in the field of fashion modeling. *See* INA sec. 101(a)(15)(H)(i)(b), 8 U.S.C. 1101(a)(15)(H)(i)(b); Immigration Act of 1990, Public Law 101–649, sec. 222(a)(2), 104 Stat. 4978 (Nov. 29, 1990); 8 CFR 214.2(h). A specialty occupation is defined as an occupation that requires the (1) theoretical and practical application of a body of highly specialized knowledge, and (2) attainment of a bachelor's or higher degree in the specific specialty (or its equivalent) as a minimum qualification for entry into the occupation in the United States. *See* INA sec. 214(i)(l), 8 U.S.C. 1184(i)(l).

Congress has established limits on the number of foreign workers who may be granted initial H–1B nonimmigrant visas or status each fiscal year (FY) (commonly known as the ''cap''). *See* INA sec. 214(g), 8 U.S.C. 1184(g). The total number of foreign workers who may be granted initial H–1B nonimmigrant status during any fiscal year may not exceed 65,000. *See* INA sec. 214(g)(1)(A), 8 U.S.C. 1184(g)(1)(A). Certain petitions are exempt from the 65,000 numerical limitation.[23] *See* INA secs. 214(g)(5) and (7), 8 U.S.C. 1184(g)(5) and (7). The annual exemption from the 65,000 cap for H–1B workers who have earned a qualifying U.S. master's or higher degree may not exceed 20,000 foreign workers. *See* INA sec. 214(g)(5)(C), 8 U.S.C. 1184(g)(5)(C). DHS recently revised how USCIS administers the annual H–1B cap selection process and those changes took effect on February 27, 2026, before the FY 2027 cap season.[24]

Under the current regulation, all petitioners seeking to file an H–1B cap-subject petition must first electronically submit a registration for each beneficiary on whose behalf they seek to file an H–1B cap-subject petition, unless USCIS suspends the registration requirement. 8 CFR 214.2(h)(8)(iii)(A)(*1*). USCIS monitors the number of H–1B registrations for unique beneficiaries it receives during the announced registration period. At the conclusion of that period, if more registrations for unique beneficiaries are submitted than projected as needed to reach the numerical allocations, USCIS uses a weighted selection process to select from among unique beneficiaries for whom registrations were properly submitted, the number of unique beneficiaries projected as needed to reach the H–1B numerical allocations. 8 CFR 214.2(h)(8)(iii)(A)(*5*) and (*6*).

A prospective petitioner that properly registered for a beneficiary who is selected is notified of the selection and instructed that the petitioner is eligible to file an H–1B cap-subject petition for the beneficiary named in the selected registration within a filing period that is at least 90 days in duration. 8 CFR 214.2(h)(8)(iii)(D)(*3*). When registration is required, a petitioner seeking to file an H–1B cap-subject petition is not eligible to file the petition unless the petition is based on a valid, selected registration for the beneficiary named in the petition.[25] 8 CFR 214.2(h)(8)(iii)(D)(*1*).

2. ICE Background

ICE is the principal investigative arm of DHS.[26] In addition to its other duties, ICE manages the Student and Exchange Visitor Program (SEVP).[27] SEVP collects, maintains, analyzes and provides information so only legitimate foreign students or exchange visitors gain entry to the United States.[28] SEVP also ensures that the institutions accepting nonimmigrant students are certified and follow the federal rules and regulations that govern them.[29] SEVP works closely with its government partners involved in the foreign student process, including USCIS and the U.S. Department of State.[30] For example, USCIS and ICE each have roles in the extension of post completion Optional Practical Training and F–1 status for eligible students under the H–1B cap-gap regulations.[31] Working with partner law enforcement agencies, SEVP administratively enforces federal rules and regulations governing schools certified to enroll F and M nonimmigrant students.[32] Homeland Security Investigations (HSI) is the principal criminal investigative directorate of ICE.[33] HSI plays a role in vetting certain categories of applicants for admission, like SEVP.[34]

3. CBP Background

CBP manages many programs within DHS to safeguard U.S. borders and enhance the nation's security. For

[22] *See* HSA secs. 451(b) and 471, 6 U.S.C. 271(b), 291; 8 CFR 214.2(h)(2)(i)(A) (providing that a United States employer seeking to classify an alien as an H–1B, H–2A, H–2B, or H–3 temporary employee must file a petition on the form prescribed by USCIS in accordance with the form instructions).

[23] Exempt petitions include petitions for (1) employment (or an offer of employment) at an institution of higher education or a related affiliated nonprofit entity, (2) employment (or an offer of employment) at a nonprofit research organization or a government research organization, or (3) H–1B workers who have earned a qualifying U.S. master's degree or higher degree. Also exempt are those petitions for beneficiaries who have previously been counted under the cap, unless eligible for a full 6-years of authorized admission when the petition is filed, and who seek to change jobs or extend their stay during their 6-year period of authorized admission, and those exempt from the 6 year period of authorized admission limitation based on section 104(c) or 106(a) and (b) of the American Competitiveness in the Twenty-First Century Act (AC21), Public Law 106–313, 114 Stat. 1254 (Oct. 17, 2000), as amended by section 11030A of the 21st Century Department of Justice Appropriations Authorization Act, Public Law 107–273, 116 Stat. 1758 (2002).

[24] *See* DHS, *Weighted Selection Process for Registrants and Petitioners Seeking to File Cap-Subject H–1B Petitions,* 90 FR 60864 (Dec. 29, 2025). *See also* USCIS, H–1B Specialty Occupations, *https://www.uscis.gov/working-in-the-united-states/h-1b-specialty-occupations* (last reviewed/updated March 31, 2026).

[25] During the initial filing period, if USCIS does not receive enough petitions projected to reach the numerical allocations, USCIS will select additional unique beneficiaries, or reopen the registration process, as applicable, to receive registrations for the number of unique beneficiaries projected as needed to reach the numerical allocations. *See* 8 CFR 214.2(h)(8)(iii)(A)(*7*).

[26] *See,* DHS, ICE, Mission, *https://www.ice.gov/mission* (Updated: Mar 7, 2025).

[27] *See,* DHS, ICE, Student and Exchange Visitor Program, *https://www.ice.gov/sevis* (Updated Jul. 14, 2025).

[28] *Id.*

[29] *Id.*

[30] *Id.*

[31] *See* USCIS, Extension of Post Completion Optional Practical Training (OPT) and F–1 Status for Eligible Students under the H–1B Cap-Gap Regulations, *https://www.uscis.gov/working-in-the-united-states/temporary-workers/h-1b-specialty-occupations/extension-of-post-completion-optional-practical-training-opt-and-f-1-status-for-eligible-students* (last reviewed/updated Jan. 17, 2025).

[32] *DHS, ICE, Student and Exchange Visitor Program, https://www.ice.gov/sevis (Updated Jul. 14, 2025).*

[33] DHS, ICE, Homeland Security Investigations, *https://www.ice.gov/hsi* (Updated Mar. 11, 2026).

[34] DHS, ICE, HSI, Our Offices, Headquarters Offices, Visa Security Program, *https://www.ice.gov/hsi/our-offices/hq/vsp* (Updated Feb 20, 2026).

example, all persons arriving at a port-of-entry to the United States are subject to inspection by CBP officers.[35] CBP is in the process of expanding contactless inspection processes using biometric facial comparison technology to process travelers.[36]

4. EOIR Background

Within DOJ, EOIR adjudicates matters brought under various immigration statutes.[37] EOIR interprets and administers federal immigration laws by conducting Immigration Court proceedings, appellate reviews, and administrative hearings.[38] For example, Immigration Judges within EOIR conduct section 240 removal proceedings and, in turn, the Board of Immigration Appeals (BIA) hears appeals from Immigration Judge decisions. The BIA also hears appeals from certain decisions of DHS, including petitions to classify the status of alien relatives for the issuance of preference immigrant visas and fines imposed for the violation of immigration laws.[39]

5. DOS and Bureau of Consular Affairs Background

DOS advises the President in the formulation and execution of foreign policy and promotes the long-range security and well-being of the United States.[40] DOS determines and analyzes the facts relating to American overseas interests, makes recommendations on policy and future action, and takes the necessary steps to carry out established policy.[41]

A citizen of a foreign country who seeks to travel to the United States generally must first obtain a U.S. visa.[42] The Bureau of Consular Affairs is the agency within the DOS that issues visas to qualified travelers in addition to other duties, such as issuing passports to U.S. citizens overseas.[43] Other bureaus and offices within DOS are also involved in immigration. For example, the Bureau of Population, Refugees, and Migration (PRM) conducts diplomacy aimed at ending mass and illegal migration.[44]

6. DOL Background

The DOL, Wage and Hour Division (WHD), is responsible for administering various provisions of the INA that extend protections to different types of nonimmigrant workers including the following:

- D–1—The temporary employment of alien crewmembers to perform longshore activities at U.S. ports
- E–3—The temporary employment of foreign nationals from Australia in specialty occupations
- H–1B—The temporary employment of foreign workers in the United States in specialty occupations or as fashion models
- H–1B1—The temporary employment of foreign nationals from Chile and Singapore in specialty occupations
- H–2A—Temporary employment of foreign workers in agriculture
- H–2B—The temporary employment of foreign workers for seasonal skills in areas other than agriculture.

DOL, Office of the Foreign Labor Certification (OFLC), is charged with ensuring that the employment of prospective foreign workers in the United States by an employer on a permanent or temporary basis will not adversely affect the job opportunities, wages, and working conditions of U.S. workers similarly employed.[45] Certain visa categories generally require an employer to obtain a prevailing wage and labor certification from the OFLC.[46] For example, before filing an H–1B petition with USCIS for a nonimmigrant worker in a specialty occupation, employers must submit a Labor Condition Application (LCA) to the OFLC attesting compliance with the requirements of the program.[47] LCAs are submitted before the beginning date of the period of authorized employment and adjudicated electronically with the OFLC through the Foreign Labor Application Gateway (FLAG) system.[48]

D. Full Cost Recovery

USCIS receives millions of immigration benefits requests[49] each year. USCIS is primarily funded by the fees charged to applicants and petitioners for filing these immigration benefit requests.[50] DHS is authorized to charge fees that ensure the full recovery of the costs associated with providing immigration and naturalization services, either for select immigration benefits,[51] or the general costs associated with providing all adjudication and naturalization services. As explained more fully below, USCIS is primarily fee-funded, so it must also ensure that it maintains a sufficient carryover balance[52] to continue operating. ''[F]ull costs'' in section 286(m) of the INA, 8 U.S.C. 1356(m), necessarily includes support costs, such as physical overhead, information technology, management and oversight, human resources, national security vetting and investigations, accounting and budgeting, and legal expenses.[53] USCIS revenue carryover provides financial flexibility to manage the unpredictable nature of immigration service demand while maintaining accountability through congressional oversight.[54] Unlike most Federal agencies, USCIS is

[35] *See, e.g.,* CBP, About CBP, *https://www.cbp.gov/about* (last modified Jun. 1, 2026). *See also* CBP, Restriction on Entry of Certain Non-immigrant Workers [H–1B] Memo, *https://www.cbp.gov/sites/default/files/2025-09/2025_09_20_-_memo_-_h1b_restriction_on_entry_1_redacted.pdf* (Sep. 20, 2025).

[36] *See* CBP, Biometrics: Enhanced Passenger Processing, *https://www.cbp.gov/travel/biometrics/enhanced-passenger-processing* (last modified May 8, 2026).

[37] *See* EOIR, About the Office, *https://www.justice.gov/eoir/about-office* (updated May 25, 2025).

[38] *Id.*

[39] *See* 8 CFR 1003.1(b).

[40] The Department of State was established by act of July 27, 1789, as the Department of Foreign Affairs and was renamed Department of State by Act of September 15, 1789 (22 U.S.C. 2651 note); see also, DOS, Duties of the Secretary of State, *https://www.state.gov/duties-of-the-secretary-of-state/* (last visited Jul. 5, 2026). *See also* **Federal Register**, State Department, *https://www.federalregister.gov/agencies/state-department* (last visited July 6, 2026).

[41] *Id.*

[42] See DOS, Visa Resources, *https://www.state.gov/visas/* (last visited Jul. 5, 2026).

[43] *See* DOS, Temporary Worker Visas, *https://travel.state.gov/content/travel/en/us-visas/employment/temporary-worker-visas.html* (last visited May 29, 2026).

[44] See DOS, Bureau of Population, Refugees, and Migration, *https://www.state.gov/bureaus-offices/under-secretary-for-foreign-assistance-humanitarian-affairs-and-religious-freedom/bureau-of-population-refugees-and-migration* (last visited July 1, 2026).

[45] *See, e.g.,* INA sec. 212(n), 8 U.S.C. 1182(n); *see also* DOL, Program and FLAG Resources, *https://www.dol.gov/agencies/eta/foreign-labor/programs* (last visited May 29, 2026).

[46] *See* DOL, H–1B, H–1B1 and E–3 Specialty (Professional) Workers, *https://www.dol.gov/agencies/eta/foreign-labor/programs/h-1b* (last visited May 29, 2026).

[47] *Id.*

[48] *See* Foreign Labor Application Gateway, *https://flag.dol.gov/* (last visited May 29, 2026).

[49] Benefit request means any application, petition, motion, appeal, or other request relating to an immigration or naturalization benefit, whether such benefit is filed on paper form or submitted in an electronic format, provided such request is submitted in a manner prescribed by DHS for such purpose. *See* 8 CFR 1.2.

[50] *See, e.g.,* 88 FR 402, 404 (Jan. 4, 2023).

[51] USCIS has in the past set fees on a small or individual basis, instead of comprehensively based on all USCIS services. *See, e.g., Registration Fee Requirement for Petitioners Seeking To File H–1B Petitions on Behalf of Cap Subject Aliens,* 84 FR 46460 (Sept. 4, 2019) (proposed rule); *International Entrepreneur Rule,* 81 FR 60130 (Aug. 31, 2016) (proposed rule); *Provisional Unlawful Presence Waivers of Inadmissibility for Certain Immediate Relatives,* 77 FR 19902 (Apr. 2, 2012) (proposed rule).

[52] Carryover balance refers to the unobligated or unexpended fee revenue accumulated from previous fiscal years. *See* 88 FR 402, 417.

[53] *Id.*

[54] DHS must submit annual statements of financial condition of the IEFA Account to Congress, including information on carryover balances, revenues, withdrawals, and projections for the ensuing fiscal year. INA sec. 286(o), 8 U.S.C. 1356(o).

allowed to retain unspent fee revenue from one fiscal year for use in future years.[55] Additionally, as U.S. Government Accountability Office acknowledges, fee funded agencies like USCIS may need to designate funds as operating reserves to weather periods when revenue collections are lower than costs.[56]

To set fees for immigration benefit requests, DHS has generally relied on OMB Circular A–25,[57] which advises that services provided by a government agency should be self-sustaining, meaning charges for benefits should be at least as great as the costs to the Government of providing them.[58] OMB Circular A–25 also specifies that, when the Government is supplying a special benefit to an identifiable recipient that also provides an incidental benefit to the public, the agency need not allocate costs to the public and should seek to recover from the recipient the full cost of providing the benefit, as applicable.[59] In addition, DHS adheres to the Statement of Federal Financial Accounting Standards 4 in assessing USCIS' full costs.[60]

[55] *See* 8 U.S.C. 1356(n) (stating, ''deposits into the Immigration Examinations Fee Account shall remain available until expended'').

[56] *See* U.S. Government Accountability Office, Federal User Fees: Fee Design Options and Implications for Managing Revenue Instability (Sept. 30, 2013), *https://www.gao.gov/assets/gao-13-820.pdf.*

[57] *See* OMB Circular A–25, ''User Charges,'' 58 FR 38142 (July 15, 1993) (revising Federal policy guidance regarding fees assessed by Federal agencies for Government services).

[58] *See* OMB Circular A–25, section 5(a) and (b). The primary objective of OMB Circular A–25 is to ensure that Federal agencies recover the full cost of providing specific services to users and associated cost. *See* OMB Circular A–25, 58 FR 38142, 38144. Full costs include, but are not limited to: (1) Direct and indirect personnel costs, including salaries and fringe benefits, such as medical insurance and retirement; (2) Physical overhead, consulting, and other indirect costs, including material and supply costs, utilities, insurance, travel, and rents or imputed rents on land, building, and equipment; (3) Management and supervisory costs; and (4) Cost of enforcement, collection, research, and establishment of standards and regulations. *See id.,* section 6, 58 FR 38142, 38145.

[59] *See* OMB Circular A–25, section 6(a)(3), 58 FR 38142, 38145. OMB Circular A–25 specifies that market price is to be used in situations when the Government is not acting as sovereign, which is not the case for immigration benefit requests.

[60] *See* FASAB, Federal Accounting Standards Advisory Board Handbook, Version 24 (09/25), ''Statement of Federal Financial Accounting Standards 4: Managerial Cost Accounting Standards and Concepts,'' SFFAS 4 (July 31, 1995), *https://files.fasab.gov/pdffiles/handbook_sffas_4.pdf* (generally describing cost accounting concepts and standards, and defining ''full cost'' to mean the sum of direct and indirect costs that contribute to the output, including the costs of supporting services provided by other segments and entities); *see also id.* at 49–66 (identifying various classifications of costs to be included and recommending various methods of cost assignment).

IV. Related Rulemakings

As stated elsewhere in this preamble, DHS, EOIR, DOS, and DOL are each engaged in multiple rulemaking actions that are in various stages of development.[61] DHS recognizes that policy and regulatory changes across these departments can affect staffing needs, operational costs, fee revenue, and processing times. DHS has considered each of these other rules for peripheral, overlapping, or interrelated effects on this proposed rule, and has analyzed the potential effects of rules that may substantively overlap with this rulemaking.

To the extent possible, DHS has also considered the effects of intervening or future legislation and policy changes known to USCIS. Immigration policy is subject to frequent change, and new initiatives may arise that are not incorporated into proposed rules due to the time required for rule development and approval. DHS, therefore, cannot assert that it has considered every policy change planned or that may occur at all levels and agencies of the U.S. government that could directly or indirectly affect this proposed rule. However, DHS believes it has examined and considered all relevant aspects of the issues addressed by this rulemaking and has articulated a reasoned explanation for the proposed changes, without relying on factors outside congressional intent. Specific recent and planned rulemakings and their effects on this rule are as follows:

A. Naturalization Application Fee Adjustments

As explained in detail later in this preamble, DHS proposed fee increases for two naturalization forms and changes to fee waivers in a separate rule.[62] In the proposal, these fees would recover a portion of the base cost increases allocated to Form N–400, Application for Naturalization, and Form N–336, Request for a Hearing on a Decision in Naturalization Proceedings, with certain adjustments described later in this preamble. Depending on the timing of the Naturalization Fee Rule and other rulemakings and policies that may affect the revenue and costs that support this fee, their effects, if any, will be incorporated as necessary into the supporting documentation, fee calculations, policies, and regulatory text in the final rule for this proposed rule.

[61] The Unified Agenda of Regulatory and Deregulatory Actions (Agenda) reports on the actions administrative agencies plan to issue in the near and long term. Released by the Office of Information and Regulatory Affairs, the Agenda provides important public notice and transparency about proposed regulatory and deregulatory actions within the Executive Branch. *See* 2026 Regulatory Plan and the Unified Agenda of Federal Regulatory and Deregulatory Actions, *https://www.reginfo.gov/public/do/eAgendaMain* (last visited July 9, 2026).

[62] *See,* Naturalization Fee Rule.

B. Collection and Use of Biometrics by USCIS

DHS proposed to amend its regulations governing biometrics use and collection in separate rulemaking. *See Collection and Use of Biometrics by USCIS,* 90 FR 49062 (Nov. 3, 2025) (proposed rule) (Biometrics Rule). DHS proposed that any applicant, petitioner, sponsor, beneficiary, or individual filing or associated with a benefit request, other request, or collection of information must submit biometrics, unless DHS otherwise exempts the requirement. *See, e.g.* 90 FR 49062, 49074. In a previous fee rule, DHS eliminated separate biometric fees in most cases and incorporated the costs of the USCIS biometrics system and services into its total costs used to calculate the request fee. *See,* 2024 Final Rule at 6278. The Biometrics Rule would make no adjustments to the USCIS fee schedule, and it is possible that the costs to USCIS or DHS might vary from costs described and quantified in the NPRM, Section V.A.4. *See,* Biometrics Rule. USCIS may consider recovering additional costs due to the increase in volume of requests requiring biometrics that would result if the Biometrics Rule is finalized. In this proposed rule, USCIS used more recent cost and revenue estimates to calculate the costs that the H–1B Fee would recover than were used in the 2024 Final Rule. *See* section V.B.1. USCIS Costs later in this preamble. Depending on whether or when the Biometrics Rule is finalized, and if this proposed rule is published as a final rule, any difference in the costs described and quantified by the requirements in the Biometrics Rule may change the final H–1B fee.

C. USCIS Immigration Fees and Related Procedures Required by H.R.1 Reconciliation Bill

DHS issued an interim final rule (IFR) to codify certain immigration fees and other provisions required by the One Big Beautiful Bill Act, Public Law 119–21, 139 Stat. 72 (H.R.1). *See, USCIS Immigration Fees and Related Procedures Required by H.R.1 Reconciliation Bill,* 91 FR 22952 (April 29, 2026) (interim final rule). The rulemaking expanded upon the H.R.1. fees that USCIS already collected. *See, e.g. USCIS Immigration Fees Required by HR–1 Reconciliation Bill,* 90 FR 34511 (July 22, 2025) (notice). This

proposed rule incorporates revenue estimates from H.R.1 fees deposited in the IEFA. DHS may revise those H.R.1 revenue estimates if it pursues a final rule adopting the proposed H–1B fee.

D. CBP 9–11 Response and Biometric Entry-Exit Fee for H–1B and L–1 Visas

The *CBP 9–11 Response and Biometric Entry-Exit Fee Final Rule,* 91 FR 51360 (August 10, 2026) (CBP 9–11 Biometric Fee Rule), expands the application of the statutory 9–11 Biometric Fee to require covered employers [63] to pay the fee for all H–1B and L–1 extension-of-stay petitions, regardless of whether a Fraud Fee applies or whether there is a change of employer. The CBP 9–11 Biometric Fee Rule is intended to ensure consistent funding for DHS's biometric entry-exit system and to align regulatory practice with congressional intent. *See* 91 FR 51360. The statutory fee, however, will expire on Sept. 30, 2027, unless extended or otherwise reauthorized by Congress.[64] The CBP 9–11 Biometric Fee Rule also clarifies definitions and compliance requirements for covered employers but does not establish changes to reporting or recordkeeping obligations.[65]

The expansion of the 9–11 Biometric Fee introduces additional financial and operational considerations. As DHS evaluates the H–1B proposed rule, we will consider the cumulative impact of multiple fee requirements, the administrative processes for fee collection, the need for coordination among components, and additional biometric submission requirements and related vetting. Depending on the timing of finalization and implementation of these rules, DHS will analyze the costs to be funded by the revenue from the CBP 9–11 Biometric Fee Rule and this rule to ensure the costs to be funded are not duplicated. Both rules are part of a systematic DHS effort to recover the costs of the immigration system and support efficient implementation and fiscal planning as the regulatory environment for employment-based immigration continues to evolve.

E. EOIR Fees

The EOIR Fees interim final rule implements statutory fee increases and new fee requirements for filings with EOIR, as mandated by H.R.1.[66] These changes include new fees for applications, appeals, and motions before EOIR, as well as annual adjustments for inflation and expanded electronic payment requirements.[67] Importantly, the EOIR fees established under H.R.1 are required in addition to any other fees authorized by law, including those set by DHS and USCIS for immigration benefit requests.[68]

While the EOIR Fees IFR and this proposed rule are separate regulatory actions, both reflect broader statutory and policy changes affecting immigration-related fees across federal agencies. The implementation of updated EOIR fees may influence overall fee structures, interagency coordination, and revenue projections associated with the H–1B proposed rule. DHS and DOJ have considered the effect and uses of the fees collected by DOJ on the costs and revenue that are the basis of this rule. DHS and its partner agencies have and will continue to consider the evolving landscape of immigration fees to ensure consistency and compliance as new rules are finalized and implemented.

F. Improving Wage Protections for the Temporary and Permanent Employment of Certain Foreign Nationals in the United States

DOL's proposed rule, *Improving Wage Protections for the Temporary and Permanent Employment of Certain Foreign Nationals in the United States,* 91 FR 15454 (March 27, 2026) (DOL Proposed Wages Rule), would revise the methodology for determining prevailing wage levels for employment-based immigrant and nonimmigrant visa programs, including H–1B, H–1B1, E–3, and PERM. The DOL Proposed Wages Rule would increase the percentile thresholds used to set prevailing wage levels, with the intent to better align wages for foreign workers with those paid to similarly employed U.S. workers in the same occupation and area of intended employment. *See* 91 FR 15454. The rule also seeks to strengthen program integrity and reduce incentives for employers to use these programs to undercut U.S. wage standards. *Id.*

If finalized, the DOL Proposed Wages Rule is expected to result in higher required wage floors for employers seeking to sponsor foreign workers under the affected visa categories. The proposed adjustments are expected to have significant financial and operational implications for employers, including those participating in the H–1B program, and may affect the overall demand for employment-based immigration benefits. The DOL Proposed Wages Rule is only one part of a broader set of regulatory and policy changes aimed at ensuring that the employment of foreign workers does not adversely affect the wages, working conditions, and job opportunities of U.S. workers similarly employed.

This H–1B fee proposed rule accounts for the impact of revised prevailing wage requirements on employer behavior, labor market dynamics, and the administration of employment-based immigration programs. As new rules are developed and implemented, including the DOL Proposed Wages Rule, ongoing coordination between DHS, DOL, and other federal departments and agencies will be necessary to ensure that changes to wage protections are harmonized with other regulatory and policy initiatives and that the cumulative effects on stakeholders are fully evaluated. DHS may adjust the calculations in this rule, should it be finalized, based on our evaluation of the cumulative effects of various concurrent and intervening policy and regulatory changes.

V. Discussion of Proposed Rule

A. Interagency Cost Recovery Framework

Historically, USCIS fee regulations have been structured to recover only the costs incurred by USCIS in providing immigration adjudication and naturalization services. However, this proposed rule would recover costs attributable not only to USCIS, but also to other departments and agencies that have statutory responsibilities in administering the lawful immigration system including ICE, CBP, EOIR, DOS, and DOL. Section 286(m) of the INA, 8 U.S.C. 1356(m), authorizes the Secretary to set ''fees for providing adjudication and naturalization services . . . at a level that will ensure recovery of the full costs of providing all such services,'' including the costs of services provided without charge. In 1988, Congress enacted INA sections 286(m) and 286(n), which modified the basic scheme for funding the costs of administering immigration and naturalization benefits.[69] In lieu of

[63] ''Covered employers'' are those employers with more than 50 employees in the United States and where more than 50 percent of the employees in the United States are in H–1B or L–1 nonimmigrant status. Sec. 402(g), Public Law 114–113.

[64] *See* sec. 402(g), Public Law 114–113 (establishing the initial sunset date for the 9–11 Biometric Fee as September 30, 2025), as amended by sec. 30203(b) of the Bipartisan Budget Act of 2018, Public Law 115–123, 132 Stat. 64, 126 (extending this date to September 30, 2027).

[65] *See* 91 FR 51360.

[66] *EOIR Fees,* 91 FR 35369 (June 11, 2026) (interim final rule) (EOIR Fees IFR).

[67] *Id* at 35370.

[68] *Id.*

[69] *See* Depts. of Commerce, Justice, and State, the Judiciary, and Related Agencies Appropriations Act

Continued

relying on Congressional appropriations as the sole source of funding, Congress directed that the agency's expenses of administering immigration and naturalization benefits be funded with fees collected by the INS for its processing and adjudication of applications.[70] Specifically, pursuant to section 286(m), Congress established the Immigration Examinations Fee Account (''IEFA'') and required that ''all adjudication fees'' ''shall be deposited'' into the IEFA. *See* 8 U.S.C. 1356(m). According to the conference report accompanying the 1988 legislation, funds in the IEFA were for ''enhancing naturalization and adjudication programs.'' [71]

In 1990, Congress amended section 286(m), by adding a proviso to make clear that fees collected for processing and adjudicating immigration and naturalization applications should fund all costs associated with administering such benefits.[72] The 1990 amendment to section 286(m) provides:

> That fees for providing adjudication and naturalization services may be set at a level that will ensure recovery of the *full costs* of providing all such services, including the costs of similar services provided without charge to asylum applicants or other immigrants. Such fees may also be set at a level that will recover any additional costs associated with the administration of the fees collected.

INA sec. 286(m), 8 U.S.C. 1356(m) (emphasis added).

As the House Appropriations Committee recognized, the purpose of the 1990 amendment to section 286(m) was to ensure that fees deposited in the IEFA will fund ''the entire cost of operating the Adjudications and Naturalization program.'' [73] In 2003, the Homeland Security Act of 2002 (''HSA'') abolished the INS and established DHS.[74] Congress transferred to DHS responsibility for adjudicating immigration and naturalization benefits, which DHS accomplishes primarily through USCIS.[75]

DHS has provided the general public with its interpretation of section 286(m) since at least 2007, setting forth the legal basis for its authority to set and to adjust fees on immigration and naturalization applications. And DHS has interpreted section 286(m)'s plain language as granting it discretion to structure fees to ''recover the full cost of operating USCIS.'' [76] Accordingly, the best reading of the statute is that it authorizes DHS to set fees to recover all of the costs for the lawful immigration program from fee-paying applicants and petitioners.

Section 286(n) of the INA, 8 U.S.C. 1356(n), further authorizes the reimbursement of ''any appropriation'' for amounts paid from that appropriation for expenses in providing immigration adjudication and naturalization services and for the collection, safeguarding, and accounting of fees deposited in and funds reimbursed from the IEFA. Together, these provisions establish that Congress intended immigration benefit fees deposited into the IEFA to support the full costs of providing adjudication and naturalization services, and to permit reimbursement of other appropriations to the extent those appropriations fund such services.

Consistent with OMB Circular A–25 and Statement of Federal Financial Accounting Standards 4, DHS has long interpreted ''full costs'' to include both direct and indirect costs necessary to provide immigration services, including support services provided by other components and agencies. To date, however, DHS has generally exercised this authority by focusing fee recovery on costs incurred by USCIS, and we have not included costs borne by other departments and agencies.[77] The statutory text of section 286(n) of the INA, 8 U.S.C. 1356(n), states that DHS may ''reimburse any appropriation the amount paid out of such appropriation for expenses in providing immigration adjudication and naturalization services.'' Therefore, the statute does not limit fee-funded cost recovery to USCIS alone.

This authority is being used more explicitly for several reasons. One key factor is that interagency costs associated with administering the lawful immigration system have grown substantially. Additionally, relying more fully on the existing authority in sections 286(m) and (n) of the INA, 8 U.S.C. 1356(m) and (n), advances Congress's directive that immigration adjudication and naturalization services be funded, to the extent possible, through fees that recover their full costs.[78]

By broadening the costs to be recovered as permitted by the statute, DHS aims to ensure that fees collected for immigration benefit requests more accurately reflect the full range of Federal activities and resources required to support the lawful immigration system.

B. Cost Basis

1. USCIS Costs

DHS proposes recovering a portion of USCIS operating costs through the proposed additional H–1B fee.[79] For USCIS, the cost basis for this proposed rule consists of two components:

- Projected unfunded IEFA non-premium costs of approximately $1.8 billion, identified in the FY 2026/2027 IEFA fee review completed in November 2025; and
- A cost transfer from the Premium Processing account of approximately $1.2 billion, based on the FY 2026 USCIS Operating Plan, to shift ongoing, core mission costs off the premium processing funding and onto other fee revenue.[80]

for 1989, Public Law 100–459, sec. 209, 102 Stat. 2186 (1988).

[70] *See. e.g., U.S. Citizenship and Immigration Services Fee Schedule,* 75 FR 58962, 58966 (Sept. 24, 2010) (final rule) (stating, ''In the absence of appropriations, however, USCIS's only funding source is fee revenue.'').

[71] *See* H.R. Rep. No. 100–979, at 38 (1988).

[72] *See* Depts. of Commerce, Justice, and State, the Judiciary, and Related Agencies Appropriations Act for 1991, Public Law 101–515, secs. 210, 104 Stat. 2101.

[73] *See* Depts. of Commerce, Justice, and State, the Judiciary, and Related Agencies Appropriations Act for 1991, Hearings Before the Subcommittee of the Committee on Appropriations, 101st Cong. (''1990 Appropriations Committee Hearing''), at 72 (1990).

[74] *See* Public Law 107–296, secs. 101, 102, 441, 451, 471, 1102.

[75] *Id* at secs. 451(b), 441, 116 Stat. at 2196, 2192.

[76] *Adjustment of the Immigration and Naturalization Benefit Application and Petition Fee Schedule,* 72 FR 29851, 29856, 29865, & 29867 (May 30, 2007) (final rule); *U.S. Citizenship and Immigration Services Fee Schedule,* 75 FR 33446, 33448 (June 11, 2010) (proposed rule); *U.S. Citizenship and Immigration Services Fee Schedule,* 75 FR 58962, 58969, & 58973 (Sept. 24, 2016) (final rule); *U.S. Citizenship and Immigration Services Fee Schedule,* 81 FR 26904, 26906 (May 5, 2016) (proposed rule).

[77] Likewise, ICE, CBP, and DOJ have proposed or set fees authorized by section 1356(m) using past rulemaking actions considering only their own costs. *See, e.g., Adjusting Program Fees for the Student and Exchange Visitor Program,* 83 FR 33762 (Jul. 17, 2018) (proposed rule); *Implementation of the Electronic System for Travel Authorization (ESTA) at U.S. Land Borders,* 87 FR 18967 (Apr. 1, 2022) (interim final rule) (setting the ESTA fee); *Executive Office for Immigration Review; Fee Review,* 85 FR 11866 (February 28, 2020) (proposed rule).

[78] *See* Depts. Of Commerce, Justice, and State, the Judiciary, and Related Agencies Appropriations Act for 1991, Public Law 101–515, sec. 210, 104 Stat. 2101. The 1990 amendment to section 286 (m) provides:

> That fees for providing adjudication and naturalization services may be set at a level that will ensure recovery of the *full costs of providing all such services,* including the costs of similar services provided without charge to asylum applicants or other immigrants. Such fees may also be set at a level that will recover any additional costs associated with the administration of the fees collected.

Section 286(m) of the INA, 8 U.S.C. 1356(m) (emphasis added).

[79] Unless otherwise stated, the data used in this rule is based on FY 2026 costs. Adjustments will be made, as needed, should this proposed rule be finalized, to address policy changes and inflation.

[80] *See* section 286(u)(4) of the INA, 8 U.S.C. 1356(u)(4), providing that Premium Processing fee

Together, these elements result in a USCIS cost basis of approximately $3.0 billion to be recovered through the revenue generated by the proposed additional H–1B fee. *See* Table 1. For additional information, see the USCIS Costs section of the H–1B Rule Supporting Documentation included in the docket.

TABLE 1—USCIS COST ALLOCATION

Cost type	Amount (in millions)
IEFA Non-Premium Costs	$1,823.6
Premium Processing Cost Transfer	1,176.4
Total Cost for USCIS	3,000.0

a. IEFA Non-Premium Costs

DHS and USCIS use a biennial fee review process to capture any changes in operating costs and non-premium form fees across the USCIS enterprise. When conducting a fee review to determine whether current immigration and naturalization benefit fees will generate sufficient revenue to fund the anticipated operating costs associated with administering the nation's lawful immigration system, USCIS usually assesses its recent operating environment to determine the appropriate method to assign costs to immigration benefit requests.

USCIS completed its last fee review for the FY 2026/2027 biennial period in November 2025. Based on projected IEFA-funded costs and revenue under the current fee schedule, USCIS identified an anticipated annual need of approximately $1.9 billion. This deficit reflects additional IEFA-funded requirements that are not covered by existing fees.

In developing the biennial cost projection for the fee review, all IEFA non-premium costs were considered, accounting for payroll and non-payroll costs for on-board and new staff, inflation, resource requirements or adjustments, and the removal of costs associated with temporary programs. USCIS started with its general FY 2025 USCIS Operating Plan, which was slightly adjusted for some return to workplace costs estimated for the remainder of the fiscal year. USCIS then made the following adjustments in this review:

- Staffing Increases: Added staffing based on the FY 2026 and FY 2027 Staffing Allocation Model (SAM) enhancements, a non-SAM enhancement request, and a position transfer from the Fraud Prevention and Detection Account (FPDA), for a total of 6,045 new positions across most USCIS offices by the end of FY 2027. The SAM enhancements, which totaled 5,694 positions and an average annual cost of $1.8 billion, incorporate the effect of recent Executive Orders, as well as the most recent agency completion rate estimates. The FDNS non-SAM enhancement of 167 positions in FY 2025 was approved to start ramping up hiring in response to Executive Orders 14157[81] and 14161,[82] with the overall goal to enhance USCIS' vetting and screening capabilities and an average cost of $35.4 million per year. An additional 184 FDNS positions will be transferred from the FPDA to IEFA for an average annual cost of $31.3 million;
- New Facilities and Related Costs: Included costs for construction of new facilities, rent, and Federal Protective Service (FPS) coverage to accommodate additional 6,045 staff. Construction is a one-time cost of approximately $405.7 million in FY 2026 and is removed from net additional costs in FY 2027. Ongoing rent and FPS costs for the added space average $75.3 million per year.
- Pay and Inflation: Applied assumed annual pay and price inflation of 3 percent for FY 2026 and FY 2027, including anticipated promotions and within grade increases, and statutory cost of living adjustments.
- Other Net Additional Costs: Incorporated several major new or expanded initiatives, including: (1) full internalization of lockbox operations over the biennial period ($231.1 million); (2) construction and activation of a new National Records Center ($114.7 million); and (3) development and operation of a new Voter Verification System ($75.3 million).

Table 2 summarizes the transition from the FY 2025 IEFA nonpremium annual Operating Plan to the FY 2026/2027 annual average IEFA nonpremium cost projection. The resulting projected average annual IEFA nonpremium cost for FY 2026/2027 is approximately $6,960 million.

TABLE 2—FY 2026/2027 IEFA NON-PREMIUM COST PROJECTION

[In millions]

Total Adjusted FY 2025 IEFA Non-Premium Operating Plan	$5,037.8
Plus: Pay and Inflation and Promotions/Within-Grade Increases	349.9
Plus: Net Additional Costs	1,604.4
Total FY 2026 Cost Projection	6,992.1
Plus: Pay Inflation and Promotions/Within-Grade Increases	161.0
Plus: Net Additional Costs	(225.2)
Total FY 2027 Cost Projection	6,927.9

revenue may be used to cover certain costs, including infrastructure improvements and other costs of providing adjudication and naturalization services. The cost basis for this proposed rule transfers certain costs funded by the Premium Processing account, consistent with section 286(u)(4) of the INA, 8 U.S.C. 1356(u)(4), to other fee revenue for accounting purposes.

[81] 90 FR 8439 (Jan. 29, 2025); USCIS will incur additional costs for implementing advanced background checks, fraud detection systems, and coordination with law enforcement and intelligence agencies. These measures will require additional staffing, technology upgrades, and interagency collaboration.

[82] 90 FR 8451 (Jan. 30, 2025); USCIS will incur additional costs for implementing enhanced fraud detection systems, conducting national security checks, and training staff to handle complex cases. These measures will require additional staffing, investments in technology, and interagency coordination.

TABLE 2—FY 2026/2027 IEFA NON-PREMIUM COST PROJECTION—Continued

[In millions]

FY 2026/2027 Annual Average Cost Projection	6,960.0

Within the final $1.9 billion annual average increase in the cost projection from the FY 2025 Operating Plan, USCIS is assigning $1.6 billion to be recovered through the proposed additional H–1B fee. USCIS is also adding $174.3 million for new staffing needs identified after the completion of the biennial fee review. These additional staffing positions are necessary to address evolving operational requirements, ensure continuity of critical functions, and support increased workload demands. The new staff would help USCIS improve processing efficiency, maintain service levels, and enhance the integrity of the lawful immigration system, including the H–1B program. These amounts total $1.8 billion of non-premium IEFA costs to be recovered by the proposed additional H–1B fee.

As explained earlier in this preamble, DHS has considered and analyzed other rulemaking projects that are underway for peripheral, overlapping, or interrelated effects on this rule. For example, DHS and USCIS would recover additional revenue in the Naturalization Fee Rule. *See, Naturalization Application Fee Adjustments,* 91 FR 37500 (June 23, 2026) (proposed rule) (Naturalization Fee Rule). However, the Naturalization Fee Rule excluded additional facilities costs incorporated in the final fee review budget. DHS leveraged the data available to distribute the increase in costs between both rules and estimated that $272.9 million of the cost increase can be assigned to the Naturalization Fee Rule, while the remainder is assigned to be recovered by the proposed additional H–1B fee in this rule. Table 3 highlights the estimated breakout of the non-premium cost increase assignment for the proposed additional H–1B fee. DHS will incorporate any changes based on the interaction of this and other related rulemakings or policy changes as necessary.

TABLE 3—IEFA NON-PREMIUM COST ASSIGNMENT TO PROPOSED H–1B FEE

IEFA non-premium cost items	Cost (in millions)
Fee Review Net Cost Increase to Base	$1,649.3
Additional Staffing Needs Identified After Fee Review Completion	174.3
Total Non-Premium IEFA Costs Assigned to Proposed H–1B Fee	1,823.6

b. Premium Processing Cost Transfer

In the 2024 Final Rule, DHS transferred $129.8 million in costs to premium processing to reduce costs to be recovered by non-premium fees.[83] In this rule, DHS proposes to take a different approach by transferring $1.2 billion in costs from the premium processing account to the non-premium account. This includes $384.8 million in payroll and $791.6 million in non-payroll expenses.

TABLE 4—PREMIUM PROCESSING COST TRANSFER DETAILS

Cost type	Amount (in millions)
Payroll Transfer	$384.8
General Expenses Transfer	791.6
Total Premium Costs to be Transferred	1,176.4

Premium processing funds currently support payroll for 1,979 full-time equivalents (FTE) in the Service Center Operations Directorate (SCOPS) and 472 FTE in the Refugee, Asylum, and International Operations Directorate (RAIO). Non-payroll expenses funded by premium processing also support USCIS' information technology (IT) infrastructure and other operational needs related to premium processing activities. Transferring these costs from premium processing to non-premium funding would provide USCIS with greater flexibility to invest in IT and other initiatives that enhance adjudication processing, while ensuring sufficient staffing and support to meet premium processing time requirements. Some examples of operational enhancements that USCIS would fund with premium processing funding include additional personnel to sustain timely vetting and fraud detection amid significant increases in national security cases, fraud referrals and site visits, pre-interview screening assessments that allow USCIS to identify and proactively work high-risk cases, and consolidating and integrating various federal screening and vetting information databases and systems.

2. ICE Costs

ICE bears significant expenses for functions that directly support the administration of the lawful immigration system. These functions include, among others, investigations and referrals related to immigration benefit fraud, worksite and employer-compliance activities tied to nonimmigrant employment categories, data and information-sharing in support of benefit adjudications, and case

[83] At pages 6206–6207.

coordination with USCIS, CBP, DOS, DOL, and EOIR.

The amounts in Table 5 reflect ICE's estimated FY 2026/2027 costs for these immigration-benefit–related activities, inclusive of operational expenditures and associated infrastructure (*e.g.,* personnel, case management systems, and mission support). Funding some of these ICE activities with the proposed new H–1B fee would ensure that a portion of the resources needed to safeguard program integrity and support lawful use of employment-based nonimmigrant visas are funded by fee revenue associated with those programs, rather than relying solely on appropriated funding. The SEVP cost of $50 million in Table 5 is the projected funding deficit for this program in excess of the Student and Exchange Visitor Information System (SEVIS) fee revenue collection forecast.[84] For additional information, see the ICE Costs section of the H–1B Rule Supporting Documentation included in the docket.

TABLE 5—ICE COST ALLOCATION

ICE activity	Cost (in millions)
Vetting of Aliens Pending Adjudication	$900.0
Vetting of Applicants for Admission	100.0
Student and Exchange Visitor Program	50.0
Total ICE Costs	1,050.0

3. CBP Costs

CBP provides support to the lawful immigration system in various ways. This rule proposes using the new fee to fund the expansion of a middleware solution integrated into the traveler inspection process. This solution provides biometric matching capabilities for travelers entering and exiting the country through the Traveler Verification Service (TVS). The costs assigned in this section reflect only those portions of biometric entry-exit system expenses that are estimated to be attributable to aliens and immigrants (not U.S. citizens) that are not expected to be fully funded by appropriated funds or other fee authorities. DHS will align cost assignments consistent with the analysis described in Section IV.D to avoid duplicative cost recovery, taking into account that the statutory authority for the 9–11 Biometric Fee is currently scheduled to sunset in the next fiscal year. For additional information, see the CBP Costs section of the H–1B Rule Supporting Documentation included in the docket.

TABLE 6—CBP COST ALLOCATION

CBP activity	Cost (in millions)
Traveler Verification Service (TVS)	$76.2
Total CBP Costs	76.2

4. EOIR Costs

As shown in Table 7, DOJ's Executive Office for Immigration Review (EOIR) requires substantial personnel, court operational, and adjudicatory support resources to carry out its immigration court and appellate functions. These resources support EOIR's adjudication of asylum applications, cancellation of removal applications, and associated motions and appeals, as well as related matters before the Immigration Courts and the BIA. These activities are integral to the functioning of the lawful immigration system and represent ongoing, mandatory adjudicative responsibilities.

DHS proposes to allocate a portion of the proposed additional H–1B fee revenue to support expanded EOIR adjudicatory capacity for FY 2027 and subsequent annualized costs. As reflected in Table 7, the proposed allocation would fund approximately $3.0 billion in EOIR costs, including $1.9 billion for personnel, $748.1 million for court-related non-personnel costs, and $318.8 million for adjudicatory non-personnel costs.

The proposed EOIR personnel costs would support 8,400 additional positions organized around Immigration Judge teams and related operational support. These positions include Immigration Judges, attorneys, Legal Administrative Specialists or Legal Assistants, professional administrative staff, and other law-related support positions. The proposed non-personnel costs would support the facilities, security, information technology, travel, utilities, interpretation, transcription, litigation support, representation-related program costs, Freedom of Information Act (FOIA) support, and other services necessary for EOIR to conduct timely and accurate adjudications.

Including these in the costs to be reimbursed with the proposed H–1B fee is consistent with INA section 286(m), 8 U.S.C. 1356(m), and OMB Circular A–25, which permit recovery of the full costs of providing adjudication services, including related personnel, support, facilities, technology, and overhead.

Table 7 illustrates how allocating a portion of the proposed H–1B fee revenue to EOIR would provide stable funding for Immigration Court and Board operations that are closely tied to the administration of the lawful immigration system. Reliable fee funding would support timely and accurate adjudications and reduce dependence on appropriations or transfers to meet core adjudicative needs. For additional information, see the EOIR Costs section of the H–1B Rule

[84] As explained previously, DHS is not setting this fee to be associated with or required for providing a specific service.

Supporting Documentation included in the docket.

TABLE 7—EOIR COST ALLOCATION

Cost type	Description	Cost (in millions)
Personnel	8,400 positions: Immigration Judges, Attorneys, Legal Administrative Specialists, Professional Administrative Positions, and Other Law Related Positions.	$1,889.9
Non-Personnel—Court Costs	Space and Guard Costs, Travel, Utilities, and IT Costs	748.1
Non-Personnel—Adjudicatory Costs.	National Qualified Representation Program (NQRP), Interpretation, Transcription, Litigation Support, and FOIA Costs.	318.8
Total EOIR Costs		2,956.9

5. DOS Costs

As shown in Table 8, DOS incurs targeted costs for consular activities that directly support screening, vetting, and fraud prevention for employment-based visa applicants, including H–1B beneficiaries.

DOS costs arise from several areas. The Visa Services Directorate supports the operation of the Fivecast and related systems used for joint DOS/USCIS vetting, plus additional contractor support at the Kentucky Consular Center, to enhance data sharing and risk screening for visa applicants. The Offices of Fraud Prevention Programs identified costs that would support AI-enabled fraud screening and link analysis tools and expanded Diplomatic Security efforts to investigate and address visa fraud and misuse involving nonimmigrant programs. In addition, DOS incurs costs for consular sections at 270 posts around the globe to address enhanced fraud-focused training and additional staff at consular posts to strengthen in-person review and fraud detection for employment-based visa cases. The Bureau of Population, Refugees, and Migration (PRM) incurs costs related to the U.S. Refugee Admissions Program (USRAP), such as expenses for Mission South Africa. The Resettlement Support Center (RSC) is responsible for refugee medical exams and arranging travel to the United States. Other costs cover the International Organization for Migration's (IOM) operation of a second RSC and support for refugee airport transfers worldwide, along with various expenses to maintain case processing infrastructure at DOS. For additional information, see DOS Costs section of the H–1B Rule Supporting Documentation included in the docket.

Funding these DOS costs, that are not already funded by fees, with the proposed additional H–1B fee recognizes that frontend consular vetting and fraud prevention are integral components of the lawful immigration system supported by H–1B petition fees.

TABLE 8—DOS COST ALLOCATION

DOS activity	Cost (in millions)
Visa Services Directorate	$321.0
The Offices of Fraud Prevention Programs	13.5
Consular sections located at 270 posts	37.5
PRM costs associated with the USRAP	4.0
RSC costs including medical exams and refugee travel to the U.S	66.0
International Organization for Migration (IOM)	22.0
Other data, systems, and case processing infrastructure	20.0
Total DOS Costs	484.0

6. DOL Costs

DOL performs labor certification, labor condition, and prevailing wage determination functions that are statutory predicates or delegated components of certain USCIS employment-based adjudications. The amounts reflect DOL's projected FY 2026/2027 costs for these functions that are not already funded by fees.

DOL costs to support this rule come from a variety of areas. The Permanent (PERM) Program supports required prevailing wage and labor certification processing for certain employment-based immigrant petitions (Form I–140, *Immigrant Petition for Alien Worker*), including case review, audit, supervised recruitment, and related program integrity actions and systems that underpin DHS immigrant visa petition adjudications. The H–1B Visa Program funds LCA processing and enforcement activities mandated for H–1B petitions (*Form I–129, Petition for a Nonimmigrant Worker*), ensuring compliance with wage and working condition requirements tied to USCIS approvals. The Prevailing Wage Programs cover prevailing wage determinations used across employment-based programs (including PERM, H–1B, H–2A, and H–2B). The H–2A Visa Program reflects the cost of H–2A labor certification processing and related activities that are statutorily required for USCIS to adjudicate H–2A petitions. Additional funding for each of these programs will allow them to expand efforts in support of lawful immigration.

Additionally, DOL will use revenue from this fee to support the Wage and Hour Division of the Agency in immigration enforcement activities across relevant visa programs, including investigations, housing inspections, wage and hour compliance, and case development and the Office of the Solicitor to provide legal support and litigation services for the OFLC and WHD enforcement, including regulatory drafting, work before the Office of Administrative Law Judges and

Administrative Review Board, federal court defense, and general legal support at both national and regional offices.

DHS proposes to fund the DOL cost items in Table 9 with the proposed additional H–1B fee because these mandatory labor certification and wage functions are integral components of the employment-based immigration system. For additional information, see the DOL Costs section of the H–1B Rule Supporting Documentation included in the docket.

TABLE 9—DOL COST ALLOCATION

DOL activity	Cost (in millions)
Permanent (PERM) Program	$95.5
H–1B Visa Program	79.2
Prevailing Wage Programs	70.5
H–2A Visa Program	136.6
H–2B/CW–1 Visa Programs	128.6
Wage and Hour Division	350.0
Office of the Solicitor	350.0
Total DOL Costs	1,210.4

C. Fee-Setting and Revenue Projection

1. Fee-Setting Methodology

DHS proposes a $103,265 fee for each H–1B cap-subject petition filed in addition to other required fees to recover the lawful immigration-related costs attributed to DHS and other federal agencies, as described in this rule. Applying this fee to a projected annual volume of 85,000 [85] H–1B cap-subject receipts yields projected annual revenue of approximately $8.8 billion.

DHS has assessed the costs of the lawful immigration system and has determined that an additional fee of $103,265 would provide revenue to cover the costs explained in this rulemaking.[86] Consistent with its broad authority under the INA and HSA, DHS is proposing the additional fee to only apply to H–1B cap-subject petitions and not to all H–1B petitions, or all I–129 petitions.[87] DHS believes that cap-subject H–1B petitioners are willing to pay and can afford an additional $103,265 fee. The addition of this proposed fee to H–1B cap-subject petitions is intended to provide a dedicated source of revenue to reimburse the federal government for some of the costs of administering the lawful immigration system, including certain costs incurred by other departments and agencies.

DHS is proposing to not require the fee to be paid with a petition for a cap-exempt H–1B nonimmigrant. That is because many cap-exempt H–1B nonimmigrants are employed by nonprofit research organizations, governmental research organizations and educational institutions, and DHS has decided that exempting those organizations is consistent with the application of the asylum program fee on such petitioners. *See* 8 CFR 106.1(f)(2) and 106.2(c)(13)(i); *see also,* 2024 Final Rule at 6206–6207 (discussing why DHS decided to provide certain fee reductions and fee exemptions for nonprofits and educational institutions). DHS considered recovering the costs identified in this rule by applying it to all benefit requests, however, as explained in section III.B, DHS is not proposing to recover the costs by imposing an additional fee on all benefit requestors, or all I–129 petitioners, because DHS believes that H–1B cap-subject petitioners, as compared to other benefit requestors, are most willing and able to pay an additional fee.

DHS recognizes that the other agency costs that are included in this rule and used to establish the fee proposed in this rule are new. DHS also recognizes that DOS and DOL have not independently used the authority in section 286(m) of the INA, 8 U.S.C. 1356(m), to establish fees to cover the costs they incur for administering adjudication services. However, in 2024, for the first time, DHS established a new Asylum Program Fee of $600 to be paid to fund the asylum program by any petitioner filing a *Petition for a Nonimmigrant Worker,* Form I–129, a *Petition for a CNMI-Only Nonimmigrant Transitional Worker,* Form I–129CW, or an *Immigrant Petition for Alien Worker,* Form I–140. *See* 8 CFR 106.2(c)(13); 2024 Final Rule. Before that fee, DHS had never directly transferred the costs of one program to another.[88]

In addition, DHS generally adjusts its fees based on the fee study required by the CFO Act after determining that current fees need to be adjusted because they do not reflect the current burden of adjudication, they are inadequate to fund the total costs of operating USCIS, and we have identified areas of USCIS operations that need enhancements or additional resources. The primary objective of the fee review is to determine whether current immigration and naturalization benefit fees will generate sufficient revenue to fund anticipated operating costs associated with administering USCIS' role in the nation's lawful immigration system.[89] USCIS forecasts costs, revenue, and operational metrics to identify the difference between anticipated costs and revenue to calculate fees.

In addition, DHS has generally adhered to OMB Circulars A–25 and A–

[85] The H–1B annual numerical allocations are 85,000 based on the numerical limitation of 65,000 under section 214(g)(1)(A) of the INA, 8 U.S.C. 1184(g)(1)(A), and the numerical exception of 20,000 under section 214(g)(5)(C) of the INA, 8 U.S.C. 1184(g)(5)(C).

[86] DHS recognizes that the proposed $103,265 fee is close to the $100,000 payment required by Proclamation 10973, ''Restriction on Entry of Certain Nonimmigrant Workers'' *See* 90 FR 46027 (Sept. 19, 2025). The payment required by the Proclamation as a restriction on entry based on sections 212(f) and 215(a) of the INA, 8 U.S.C. 1182(f) and 1185(a), applied to certain H–1B visa petitions filed on or after September 21, 2025, and, unless the Proclamation is extended, before September 21, 2026. On June 8, 2026, the United States District Court for the District of Massachusetts vacated the agency guidance implementing the payment required by Proclamation 10973. *See California et al,* v. *Mullin,* 25–13829 (D. Mass). On June 11, 2026, the Government filed an appeal with the First Circuit Court of Appeals. The appeal remains pending as of the date of publication of this NPRM. If the order is later lifted, DHS would collect the payment consistent with the terms of the Proclamation and any extension or renewal of the Proclamation. This NPRM, however, is based on different authority than the payment required by Proclamation 10973. *See* Section III.A. of this NPRM.

[87] *See* INA secs. 214(a)(1) and (c)(1), 8 U.S.C. 1184(a)(1) and (c)(1), and HSA secs. 402 and 451(a)(3) and (b), 6 U.S.C. 202 and 271(a)(3) and (b).

[88] *See, U.S. Citizenship and Immigration Services Fee Schedule and Changes to Certain Other Immigration Benefit Request Requirements,* 88 FR 402, 453 (Jan. 4, 2023) (proposed rule).

[89] *Id.* at 426.

11, nonbinding internal executive branch direction for the development of fee schedules and appropriations requests, respectively. *See* 88 FR 402, 415 ; 5 CFR 1310.1. DHS recognizes that they reflect best practices and we have used the activity-based costing (ABC) methodology supported in Circulars A–25 and A–11 to develop past USCIS fee schedules.

Similar to the establishment of the Asylum Program Fee, DHS has never set a fee for a specific immigration sub-population that submits a certain USCIS benefit request to fund general USCIS operating costs, costs that are currently borne by other DHS components, costs that are borne by other executive branch departments, or costs that have been generally funded by a Congressional appropriation. Nevertheless, although it has not historically been fulsomely applied, section 286(m) of the INA, 8 U.S.C. 1356(m), authorizes DHS to set fees to recover the full aggregate costs of providing immigration benefits and services, including costs incurred by other federal agencies that are materially involved in the delivery of those services.[90] DHS is not required to determine USCIS immigration benefit request fees using ABC methodology, and is not required to spread costs evenly among fee-paying immigration benefit requests, as long as the methodology used to set a fee or fees is rational and authorized by law. Thus, for the reasons explained in this proposed rule, DHS may charge fees to H–1B petitioners to deposit into the IEFA and use those funds to reimburse other executive branch departments, agencies, or DHS components for expenses incurred in or directly related to providing immigration adjudication and naturalization services.

DHS does not propose this additional H–1B fee without having carefully considered its implications and effects. DHS realizes that some petitioners will object to funding the costs of non-USCIS administered programs to which they have no connection or from which they receive no direct benefit. At the same time, the agencies to be funded from this fee are charged with administering programs related to the administration of immigration adjudication and naturalizations service and DHS has determined that fee revenue should be used to reimburse those programs. In addition, while the purpose of this proposed rule is to generate additional revenue to fund adjudication services, DHS believes the fee would have indirect benefits. DHS believes that U.S. employers, if required to pay an additional $103,265 fee when filing an H–1B cap-subject petition, would be less likely to hire an H–1B worker over a qualified and highly-skilled American worker unless the need is legitimate and they have no alternative for obtaining the specialized skills of the employee. Given that demand for H–1B workers greatly exceeds the statutory cap, this fee could also have the indirect benefit of better protecting the wages and job opportunities of U.S. workers, as the H–1B program is intended to do.

2. Volume Assumption

As described above, the total number of foreign workers who may be granted initial H–1B nonimmigrant status during any fiscal year may not exceed 85,000. *See* INA secs. 214(g)(1)(A) and (g)(5)(C), 8 U.S.C. 1184(g)(1)(A) and (g)(5)(C). For purposes of this proposed rule, DHS assumes an annual filing volume of 85,000 H–1B cap-subject petitions, all of which would be subject to the proposed H–1B fee in addition to all other required fees.[91]

3. Revenue Projection and Allocation

The proposed fee of $103,265 and the projected volume of 85,000 yield a total revenue projection of approximately $8.8 billion, as shown in Table 10:

TABLE 10—H–1B FEE ANNUAL REVENUE PROJECTION

Proposed H–1B Fee	$103,265
Projected Cap-Subject Volume	85,000
Revenue Projection	$8,777,525,000

USCIS, after retaining the necessary share to recover its associated costs, would allocate the revenue collected from the proposed additional H–1B fee to the five agencies and departments previously identified for actual expenses incurred based on the estimated share of the costs explained in this rule. Table 11 shows the initial proposed distribution for revenue collections:

TABLE 11—PROPOSED ALLOCATION OF ANNUAL H–1B FEE REVENUE BY AGENCY/DEPARTMENT

Agency/department	Share (%)	Revenue allocation (in millions)
USCIS	34.2	$3,000.0
ICE	11.9	1,050.0
CBP	0.9	76.2
EOIR	33.7	2,956.9
DOS	5.5	484.0
DOL	13.8	1,210.4
Total Revenue	100	8,777.5

DHS and USCIS will execute agreements with the other executive branch departments, agencies, or DHS components to reimburse them for expenses incurred in or directly related to providing immigration adjudication and naturalization services as authorized by section 286(n) of the INA, 8 U.S.C. 1356(n) and in compliance with other laws and regulations that govern reimbursable agreements among federal agencies. The details of those agreements, including the process of requesting reimbursement, the timing of requests, required documentation, amounts, and other limitations would be determined before a final rule that codifies the fee proposed in this rule takes effect.

[90] *See also,* INA sec. 286(n), 8 U.S.C. 1356(n), which permits ''reimburse[ment of] any appropriation the amount paid out of such appropriation for expenses in providing immigration adjudication and naturalization services and the collection, safeguarding and accounting for fees deposited in and funds reimbursed'' from the IEFA.

[91] This proposed additional fee would not apply to H–1B petitions that are not subject to the cap, for example, cap-exempt petitions covered by INA secs. 214(g)(5) and (7), 8 U.S.C. 1184(g)(5) and (7).

VI. Statutory and Regulatory Requirements

A. Executive Orders 12866 (Regulatory Planning and Review), 13563 (Improving Regulation and Regulatory Review), and 14192 (''Unleashing Prosperity Through Deregulation'')

E.O.s 12866 and 13563 direct agencies to assess the costs and benefits of available regulatory alternatives and, if a regulation is necessary, to select regulatory approaches that maximize net benefits. E.O. 13563 emphasizes the importance of quantifying both costs and benefits, of reducing costs, of harmonizing rules, and of promoting flexibility. E.O. 14192 directs agencies to significantly reduce the private expenditures required to comply with Federal regulations and provides that ''any new incremental costs associated with the new regulations shall, to the extent permitted by law be offset by the elimination of existing costs associated with at least 10 prior regulations.''

The Office of Management and Budget (OMB) has designated this proposed rule a ''significant regulatory action'' that is economically significant, as defined under section 3(f)(1) of E.O. 12866 because its annual effects on the economy exceed $100 million in any year of the analysis. Accordingly, the rule has been reviewed by the OMB.

This rule is not an E.O. 14192 regulatory action because it is being issued with respect to an immigration-related function of the United States. The rule's primary direct purpose is to implement or interpret the immigration laws of the United States (as described in section (a)(17) of the INA, 8 U.S.C. 1101(a)(17), or any other function performed by the U.S. Federal Government with respect to aliens. *See* OMB Memorandum M–25–20, ''Guidance Implementing Section 3 of Executive Order 14192, titled ''Unleashing Prosperity Through Deregulation'' (Mar. 26, 2025).

1. Summary

DHS is proposing a fee of $103,265 for all H–1B cap-subject petitions, including small employers or nonprofits. The purpose of this NPRM is to generate additional revenue to support the costs of administering the lawful immigration system. The proposed additional fee, if finalized as proposed, would provide a new targeted revenue mechanism to help recover a portion of the costs incurred by multiple Federal agencies in processing, adjudicating, and supporting the lawful immigration system, including USCIS, CBP, ICE, EOIR, DOS, and DOL. The fee would allow USCIS to further refine its fee model and recover costs.

DHS estimates that this proposed rule would create annual quantified costs of approximately $8.8 billion over the 10-year period of analysis (FY 2027 through FY 2036). To compare costs over time, DHS applies 3 percent and 7 percent discount rates to the total estimated costs of the proposed rule. DHS estimates the 10-year total costs of the proposed rule to be $74.9 billion discounted at 3 percent, and $61.6 billion discounted at 7 percent. Table 12 presents the OMB Circular A–4 accounting statement showing the costs, benefits, and transfers associated with this rule.[92]

TABLE 12—OMB A–4 ACCOUNTING STATEMENT

[$ billions, FY 2027]

Time period: 10 years				
Category	Primary estimate	Minimum estimate	Maximum estimate	Source citation
BENEFITS				
Annualized Monetized Benefits	Not Estimated			Regulatory impact analysis (RIA).
Annualized quantified, but unmonetized, benefits	N/A	N/A	N/A	RIA.
Qualitative (unquantified) Benefits	This fee would serve as a dedicated revenue mechanism to help recover a portion of the federal government's costs of administering the lawful immigration system, including activities carried out by USCIS, CBP, ICE, EOIR, DOS, and DOL.			RIA.
COSTS				
Annualized monetized costs for 10-year period starting in FY 2027 through FY 2036.	(3% and 7%) $8.8			RIA.
Annualized quantified, but unmonetized, costs	N/A			RIA.
Qualitative (unquantified) costs	N/A			RIA.
TRANSFERS				
Annualized monetized transfers: ''on budget''	N/A			RIA.
From whom to whom?	N/A			RIA.
Annualized monetized transfers: ''off-budget''	N/A			RIA.
From whom to whom?	N/A			RIA.
Miscellaneous Analyses/Category	Effects			Source Citation (RIA, preamble, etc.).
Effects on State, local, or tribal governments	N/A			RIA.

[92] OMB, ''Circular A–4'' (Sept. 17, 2003), *trumpwhitehouse.archives.gov/sites/whitehouse.gov/files/omb/circulars/A4/a-4.pdf* (last visited Aug. 1, 2025).

TABLE 12—OMB A–4 ACCOUNTING STATEMENT—Continued
[$ billions, FY 2027]

Time period: 10 years				
Category	Primary estimate	Minimum estimate	Maximum estimate	Source citation
Effects on small businesses	DHS estimates that the proposed rule would result in a significant economic impact on 11,051 small entities (76 percent of small entities that filed cap-subject petitions in FY 2025) due to additional fees proposed in this rulemaking.			Regulatory Flexibility Act (RFA) analysis.
Effects on wages	N/A			RIA.
Effects on growth	N/A			RIA.

2. Baseline and Population

DHS has decided to make up the funding shortfall identified in this rule by charging a fee for all Form I–129 H–1B cap-subject petitions, payable at the time of filing the petition. The number of aliens who may be issued initial H–1B visas or otherwise provided initial H–1B nonimmigrant status during any fiscal year has been capped at various levels by Congress over time, with the current numerical limit being 65,000 per fiscal year. *See* section 214(g)(1)(A) of the INA, 8 U.S.C. 1184(g)(1)(A). Congress has also provided for various exemptions from this annual numerical limit, including an exemption for 20,000 aliens who have earned a master's or higher degree from a U.S. institution of higher education. *See* sections 214(g)(5) and (7) of the INA, 8 U.S.C. 1184(g)(5) and (7). DHS implemented an electronic H–1B registration process to facilitate the selection of H–1B cap-subject petitions toward the annual numerical allocations.[93] Under current regulations, all petitioners seeking to file an H–1B cap-subject petition must first electronically submit a registration for each beneficiary on whose behalf they seek to file an H–1B cap-subject petition, unless USCIS suspends the registration requirement. 8 CFR 214.2(h)(8)(iii)(A)(*1*). In general, before filing an H–1B petition, the employer is required to obtain a certified LCA from the DOL. *See* 8 CFR 214.2(h)(4)(i)(B)(*1*). The LCA collects information about the employer and the occupation for the H–1B worker(s). The LCA requires certain attestations from the employer, including, among others, that the employer will pay the H–1B worker(s) at least the required wage. *See* 20 CFR 655.731 through 655.735. In addition, DHS also charges a registration fee on H–1B registrations.[94] Additional fees required to file a Form I–129, *Petition for a Nonimmigrant Worker,* are listed on the G–1055 Fee Schedule.[95]

In FY 2020, DHS implemented an electronic registration process for the H–1B cap-subject petitions. Prospective petitioners seeking to file H–1B cap-subject petitions, including for beneficiaries eligible for the advanced degree exemption, first must electronically register and pay the associated H–1B registration fee for each beneficiary.[96] Most recently, DHS implemented a weighted selection process that favors allocating H–1B visas to higher-skilled and higher-paid aliens while maintaining the opportunity for employers to secure H–1B workers at all wage levels.[97]

In Table 13, DHS presents data from receipts of Form I–129 petitions for H–1B classification that employers have filed on behalf of nonimmigrant workers. The following table shows total Form I–129 receipts for H–1B classification and cap-subject H–1B petitions for FY 2021 through FY 2025. DHS estimates that 442,020 is the 2-year average annual number of Form I–129 petitions for H–1B classification filed by employers; the 2-year average of cap-subject receipts is 108,910. DHS is highlighting the 2-year average taking into consideration the impact of the beneficiary centric selection process for H–1B registrations, as well as modernization, and improvement to the efficiency of the H–1B program. Generally, the filing volume of cap-subject H–1B petitions differs from the numerical limits set by Congress as USCIS has historically selected more than 85,000 beneficiaries/registrations in the lottery and received more than 85,000 H–1B cap-subject petitions, to account for denied, rejected, or withdrawn petitions. If this rule were finalized as proposed, DHS anticipates a projected volume of 85,000 would be subject to the proposed additional fee.

TABLE 13—RECEIPTS FORM I–129, PETITION FOR A NONIMMIGRANT WORKER, H–1B FOR FY 2021 THROUGH FY 2025

Fiscal year	Total receipts	Cap-subject receipts *
2021	398,281	79,903
2022	474,292	111,269
2023	386,593	74,759
2024	427,314	111,108

[93] *See, Registration Requirement for Petitioners Seeking To File H–1B Petitions on Behalf of Cap-Subject Aliens,* 84 FR 888 (Jan. 31, 2019) (final rule).

[94] Registrants or their representative are required to pay the nonrefundable H–1B registration fee for each beneficiary before being eligible to submit a registration for that beneficiary for the H–1B cap. The fee will not be refunded if the registration is not selected or is withdrawn. *See* 2024 Final Rule. Also, see USCIS, ''Frequently Asked Questions on the USCIS Fee Rule,'' available at *https://www.uscis.gov/archive/frequently-asked-questions-on-the-uscis-fee-rule* (last updated Apr. 01, 2025).

[95] USCIS, G–1055, Fee Schedule *https://www.uscis.gov/sites/default/files/document/forms/g-1055.pdf* (last updated June 1, 2026), see Appendix A: I–129, Petition for a Nonimmigrant Worker, pages 35–36.

[96] USCIS, ''H–1B Electronic Registration Process,'' available at *https://www.uscis.gov/working-in-the-united-states/temporary-workers/h-1b-specialty-occupations-and-fashion-models/h-1b-electronic-registration-process* (last updated Jan. 30, 2026).

[97] DHS, USCIS, *Weighted Selection Process for Registrants and Petitioners Seeking To File Cap-Subject H–1B Petitions,* 90 FR 60864 (Dec. 29, 2025) (final rule).

TABLE 13—RECEIPTS FORM I–129, PETITION FOR A NONIMMIGRANT WORKER, H–1B FOR FY 2021 THROUGH FY 2025—Continued

Fiscal year	Total receipts	Cap-subject receipts *
2025	456,726	106,711
5-year Total	2,143,206	483,750
3-year Annual Average	428,641	96,750
FY 2024 through FY 2025 Total	884,040	217,819
FY 2024 through FY 2025 Annual Average	442,020	108,910

Source: DHS, USCIS, Office of Performance and Quality (OPQ); ELIS and CLAIMS3 databases, queried Mar. 2026, PAER0020722.
* The basis for classification is ''new employment'' and numerical limitation information is ''Cap H–1B Bachelor's Degree'' and ''Cap H–1B U.S. Master's Degree or Higher''. Fiscal year of receipt and the fiscal year of the cap may differ, resulting in year-to-year deviations shown. These deviations are smoothed out by the average estimates.

3. Impact of Proposed Fee on Demand

As explicitly described in the preamble, the current fee schedule does not generate sufficient government revenue to support the costs of administration of the lawful immigration system. To recover certain costs of USCIS, other DHS components, and other executive branch agencies engaged in administering the lawful immigration system, DHS is proposing to establish an additional fee of $103,265 for cap-subject H–1B nonimmigrant petitions. A recent analysis, Borjas (2026) suggests that H–1B petitioners would be willing to pay a one-time fee ranging from $100,000 to $200,000 to hire a foreign-born worker.[98] This analysis combines two administrative data sources that collect proffered wages and other information on H–1B beneficiaries (DHS's FY 2021 to FY 2024 H–1B beneficiary data merged with DOL's LCA data) and Census Bureau data on U.S. natives (American Community Survey 2023 One-Year sample). The combined data is used to estimate the wage gap between an H–1B worker and a statistically comparable U.S. native worker via standard log wage regression model, controlling for education, age, gender, occupation and geography. The resulting wage gap indicates employers pay H–1B workers 16.1 percent less than the expected wages of a comparable native worker. Given observed H–1B wages and six-year durations, this estimate supports the willingness to pay a one-time fee of $103,265 on cap-subject H–1B receipts. Simulating various scenarios of unobserved productivity gains achieved by H–1B petitioners when they hire foreign-born workers, Borjas (2026) estimated the demand for H–1B visas given alternative values of fees. The simulation exercise showed that the demand for H–1B visas will not go below 85,000 for a fees above $100,000.[99]

4. Fee Elasticity

DHS has analyzed the responses of petitioners to the fee increase implemented from April 1, 2024 and continues to monitor the recent $100,000 proclamation payment data. DHS has analyzed the possible sensitivity of demand for H–1B visa requests to filing fees by estimating a negative binomial regression model and FY 2021 through FY 2025 data to measure unique petitioners' responses to fee changes over this time. Short run fee elasticity estimates were generated from the cross-sectional regression models implemented on each fiscal year while panel regression models implemented on four fiscal years led to long-run fee elasticity estimates. The panel regression analysis estimated the long run fee elasticity of demand for H–1B receipts to be less than one, hence we concluded that fee elasticity of demand for I–129 H–1B receipts is inelastic. In the Regulatory Impact Analysis supporting the 2024 Final Rule, USCIS discussed factors that drive this inelasticity.[100] USCIS also evaluated information on initial H–1B registrations from cap-subject petitioners for cap FY 2027. These analyses are detailed in a separate Technical Appendix published to the proposed rule's docket. While the technical appendix discusses how registrations and consular processing receipts have responded to the $100,000 proclamation payment and prior fee increases, as USCIS has yet to observe the full current fiscal year behavior of H–1B petitioners, DHS continues to analyze FY 2027 cap-subject petitions.

5. Total Quantified Costs of Proposed Rule

Table 13 shows that USCIS typically selects more than 85,000 beneficiaries/registrations in the lottery, and receives more than 85,000 H–1B cap-subject petitions, to account for denied, rejected or withdrawn petitions. In any fiscal year, the total number of foreign workers who may be granted initial cap-subject H–1B nonimmigrant status during any fiscal year may not exceed 85,000. The proposed $103,265 fee would result in real costs to cap-subject H–1B petitioners that fund new activities supporting administration of the lawful immigration system across multiple agencies.[101] This fee would be applied uniformly to all H–1B cap-subject petitioners irrespective of their size and nonprofit status and is in addition to the current filing and statutory fees. DHS expects the annual filing volume of cap-subject H–1B receipts under the proposed rulemaking would be 85,000, a reduction from the 5-year average of 96,750 (*see* Table 13). Consequently, DHS expects the fee would result in petitioners properly filing 85,000 cap-subject H–1B petitions requiring the $103,265 fee each year.

[98] George J. Borjas, ''The H–1B Wage Gap, Visa Fees, and Employer Demand,'' NBER Working Paper 34793 (Feb. 09, 2026), *https://doi.org/10.3386/w34793*.

[99] Ibid., *See* pgs. 22 through 24, Table 6 and Table 7 of Borjas 2026.

[100] *See* FY 2022–2023 USCIS Fee Rule Regulatory Impact Analysis (RIA), Section 5.B Price Response to Form I–129, Petition for a Nonimmigrant Worker and Form I–140, Immigrant Petition for Alien Workers at *https://www.regulations.gov/document/USCIS-2021-0010-0033* (Jan 31, 2024).

[101] OMB Circular A–4 generally treats fees as transfer payments when they shift resources between private entities and the government without necessarily changing total social resources. See OMB, Circular A–4, ''Regulatory Analysis'' (Sept. 17, 2003), section on ''The Difference between Costs (or Benefits) and Transfer Payments.'' In this proposed rule; however, DHS considers the $103,265 H–1B fee as a real cost to petitioners because it is intended to finance additional immigration-related activities across multiple agencies.

The additional $8,777,525,000 in aggregate annual costs to cap-subject H–1B petitioners due to the proposed rulemaking is estimated as the difference between the current fees and the proposed additional fee, multiplied by the estimated annual filing volume of cap-subject H–1B petition receipts under the proposed rulemaking.[102]

In table 14, DHS presents the total estimated costs associated with the rule at 3- and 7-percent discount rates per the OMB circular A–4. The 10-year discounted costs based on this proposed rule are approximately $8,777,525,000 annualized, $74,874,068,655 billion at a 3-percent discount rate and about $61,649,662,565 billion at a 7-percent discount rate.

TABLE 14—DISCOUNTED COSTS FOR THE H–1B FEE OVER A 10-YEAR PERIOD OF ANALYSIS

Year	Discounted at 3%	Discounted at 7%
1	$ 8,521,868,932	$8,203,294,393
2	8,273,659,157	7,666,630,273
3	8,032,678,794	7,165,075,022
4	7,798,717,275	6,696,331,796
5	7,571,570,170	6,258,254,015
6	7,351,039,000	5,848,835,528
7	7,136,931,068	5,466,201,428
8	6,929,059,289	5,108,599,466
9	6,727,242,029	4,774,392,024
10	6,531,302,940	4,462,048,620
10-year Total	74,874,068,655	61,649,662,565
Annualized Costs	8,777,525,000	8,777,525,000

Source: USCIS analysis.

6. Benefits of Proposed Rule

Historically, USCIS fee regulations have been structured to recover only the costs incurred by USCIS in providing immigration adjudication and naturalization services. The proposed rulemaking would better align fees with costs of administering the lawful immigration system across multiple agencies. It would help recover a portion of the federal government costs attributable not only to USCIS, but also to other departments and agencies that have statutory responsibilities in administering the lawful immigration system including activities carried out by CBP, ICE, EOIR, DOS, and DOL.

B. Regulatory Flexibility Act (RFA)

The Regulatory Flexibility Act of 1980, 5 U.S.C. 601–612, as amended by the Small Business Regulatory Enforcement Fairness Act of 1996 (SBREFA), Public Law 104–121 (Mar. 29, 1996), requires Federal agencies to consider the potential impact of regulations on small businesses, small governmental jurisdictions, and small organizations during the development of their rules. The term ''small entities'' comprises small businesses, not-for-profit organizations that are independently owned and operated and are not dominant in their fields, or governmental jurisdictions with populations of less than 50,000.[103] An ''individual'' is not considered a small entity and therefore a rule's impacts on individuals are not considered for RFA purposes. *See* 5 U.S.C. 601, 632. In addition, the courts have held that the RFA requires an agency to perform a regulatory flexibility analysis of small entity impacts only when a rule directly regulates small entities.[104] Consequently, a rule's indirect impacts on a small entity not subject to the rule are not considered for RFA purposes. The Initial Regulatory Flexibility Analysis (IRFA) for this proposed rule focuses on the population of H–1B petitions (Form I–129, Petition for Nonimmigrant Worker) and H–1B registrations. DHS believes that the changes in this proposed rule will have a significant economic impact on a substantial number of small entities that file H–1B initial cap-subject petitions.

1. Initial Regulatory Flexibility Analysis (IRFA)

a. Description of the Reason Why the Action by the Agency Is Being Considered

DHS is proposing to amend its regulations governing fees for H–1B cap-subject petitions. DHS believes these changes would allow DHS to set fees for H–1B cap-subject filers to cover a portion of the costs of administering the lawful immigration system. In addition, DHS believes the proposed changes could also have the indirect benefit of better protecting the wages of similarly situated and highly skilled U.S. workers.

b. Statement of the Objectives of, and Legal Basis for, the Proposed Rule

The purpose of this proposed rulemaking is to establish an additional fee on all H–1B cap-subject petitions, payable at the time of filing, to generate dedicated revenue to support the costs of administering the lawful immigration system. The proposed additional fee, if finalized as proposed, would provide a targeted revenue mechanism to help recover a portion of the costs incurred by multiple Federal agencies in processing, adjudicating, and supporting the lawful immigration system, including USCIS, CBP, ICE, EOIR, DOS, and DOL.

c. A Description and, Where Feasible, an Estimate of the Number of Small Entities To Which the Proposed Changes Would Apply

Table 15 outlines receipts of 28,649 unique petitioners that filed for cap-subject H–1B petitions during FY 2025. Of the 28,649 petitioners, 14,541 were determined to be small entities, 8,758 were determined to be non-small entities, and 5,350 that lacked data to determine entity size.

[102] Calculation: 85,000 Annual Filing Volume of Cap-Subject H–1B Petition * $103,265 fee = $8,777,525,000.

[103] A small business is defined as any independently owned and operated business not dominant in its field of operation that qualifies as a small business per the Small Business Act, 15 U.S.C. 632.

[104] See Small Business Administration, *A Guide For Government Agencies, How to Comply with the Regulatory Flexibility Act, https://advocacy.sba.gov/wp-content/uploads/2019/06/How-to-Comply-with-the-RFA.pdf* (last visited April 10, 2025).

TABLE 15—OUTLINE OF FORM I–129, PETITION FOR A NONIMMIGRANT WORKER, H–1B STATISTICS, FY 2025

Parameter	Quantity	Proportion (%)	Comments
Population—unique cap—subject entities filing for initial petitions.	28,649	100	Determined by basis for classification and cap status.
Small entities	14,541	51	Entities among the 28,649 cap-subject entities considered small based on revenue or employee data.
Non-small entities	8,758	31	Number of non-small entities out of the 28,649 initial receipts.
Missing data	5,350	18	Entities among the 28,649 initial receipts lacking revenue, employee count, or NAICS data.

Source: DHS, USCIS, Office of Performance and Quality (OPQ); ELIS and CLAIMS3 databases, queried Mar. 2026, PAER0020722; USCIS analysis.

Out of the 14,541 entities that were determined to be small entities, there were 11,312 small entities that met the SBA revenue threshold and the remaining 3,229 met the employee threshold.[105] [106] The quantifiable economic impact, represented as a percentage, for each small entity is the total quantified costs of the proposed changes divided by the entity's sales revenue. DHS divides $103,265 by the revenue for each entity then finds that 76 percent of small entities would experience a cost increase that is greater than 1 percent of its revenue.[107] DHS considers an impact greater than 1 percent of a small entity's revenue as significant for purposes of the RFA.[108] As such, DHS estimates that the proposed rule would have a significant impact on 11,051 small entities, or 76 percent of the 14,541 small entities affected by the proposed rule. Based on this analysis, the changes in this proposed rule would have a significant economic impact on a substantial number of small entities that file H–1B cap-subject petitions.

d. A Description of the Projected Reporting, Recordkeeping, and Other Compliance Requirements of the Proposed Rule, Including an Estimate of the Classes of Small Entities That Will Be Subject to the Requirement and the Types of Professional Skills Necessary for Preparation of the Report or Record

The proposed rulemaking would not lead to any additional reporting, recordkeeping, and other compliance requirements on small entities.

e. An Identification of All Relevant Federal Rules, to the Extent Practical, That May Duplicate, Overlap, or Conflict With the Proposed Rule

DHS is aware of potential overlap with the Department of Labor's Improving Wage Protections for the Temporary and Permanent Employment of Certain Foreign Nationals in the United States Notice of Proposed Rulemaking and CBP's 9–11 Response and Biometric Entry-Exit Fee for H–1B and L–1 Visas Final Rule. However, no conflicts or duplications have been identified.[109] Evidence supporting this assessment is provided in Borjas (2026).[110] DHS invites the public to provide comments and information regarding any such rules.

f. A Description of Any Significant Alternatives to the Proposed Rule That Accomplish the Stated Objective of Applicable Statutes and That Minimize Any Significant Impact of the Proposed Rule on Small Entities

While the proposed changes to the fee schedule for I–129 H–1B cap-subject petitioners would impose a burden on some prospective employers, USCIS found no other alternatives that achieved the stated objectives identified in the preamble's Section III. Background and Purpose with less burden to small entities. Exempting small entities or discounting fees creates a sizable perverse incentive for employers to avoid the fee. This would lead to shortfall in revenue realization and would fail to meaningfully improve program integrity.

C. Unfunded Mandates Reform Act of 1995 (UMRA)

The Unfunded Mandates Reform Act of 1995 (UMRA) is intended, among other things, to curb the practice of imposing unfunded Federal mandates on State, local, and Tribal governments.[111] Title II of UMRA requires each Federal agency to prepare a written statement assessing the effects of any Federal mandate in a proposed rule, or final rule for which the agency published a proposed rule, which includes any Federal mandate that may result in a $100 million or more expenditure (adjusted annually for inflation) in any one year by State, local, and Tribal governments, in the aggregate, or by the private sector. *See* 2 U.S.C. 1532(a). The inflation adjusted value of $100 million in 1995 is approximately $211 million in 2025 based on the Consumer Price Index for All Urban Consumers (CPI–U).[112]

[105] Source: DHS, USCIS, Office of Performance and Quality (OPQ); ELIS and CLAIMS3 databases, queried Mar. 2026, PAER0020722.; USCIS analysis.

[106] U.S. Small Business Administration (SBA) described in the North American Industry Classification System (NAICS), See SBA size standards by NAICS code dated Mar. 17, 2023 at *https://www.sba.gov/document/support-table-size-standards.*

[107] *Id.*

[108] DHS used a baseline threshold of 1 percent of revenues to determine if the proposed rule will have a significant economic impact on affected small entities. Office of Advocacy, SBA ''A Guide for Government Agencies, How to Comply with the Regulatory Flexibility Act'', Determination of ''Significant Impact'' p 18–21. Available at *https://cdn.advocacy.sba.gov/wp-content/uploads/2019/06/21110349/How-to-Comply-with-the-RFA.pdf.*

[109] DOL's, *Improving Wage Protections for the Temporary and Permanent Employment of Certain Foreign Nationals in the United States Proposed Rule, See* 91 FR 15454 (Mar. 27, 2026) and *CBP 9–11 Response and Biometric Entry-Exit Fee Final Rule, See* 91 FR 51360 (Aug. 10, 2026).

[110] The Borjas analysis estimates a distribution of employers' cost savings from hiring an H–1B worker (Figure 1). A simulation described on p23 uses three scenarios for low, medium and high excess demand for the 85,000 visas. USCIS notes Cap FY26 registrations (343,981) are consistent with the ''high'' excess demand scenario depicted in Figure 2, suggesting the impacts of the respective rules are complementary, not duplicative or contradictory.

[111] The term ''Federal mandate'' means a Federal intergovernmental mandate or a Federal private sector mandate. *See* 2 U.S.C. 1502(1), 658(5), (6).

[112] *See* BLS, ''Historical Consumer Price Index for All Urban Consumers (CPI–U): U.S. city average, all items, by month,'' *https://www.bls.gov/cpi/tables/supplemental-files/historical-cpi-u-202512.xlsx* (last

Continued

This proposed rule does not contain such a mandate, because it would not impose any enforceable duty upon any other level of government or private sector entity. Rather, there may be some private-public partnership investment projects and beneficial downstream effects to State or local governments. Any downstream effects on such entities would arise solely due to their voluntary choices, and the voluntary choices of others, and would not be a consequence of an enforceable duty imposed by this rule. Similarly, any costs or transfer effects on State and local governments would not result from a Federal mandate as that term is defined under UMRA. The requirements of title II of UMRA; therefore, do not apply, and DHS has not prepared a statement under UMRA.

D. Executive Order 13132 (Federalism)

This proposed rule does 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. Therefore, in accordance with section 6 of Executive Order 13132, *Federalism,* 64 FR 43255 (Aug. 4, 1999), this proposed rule does not have sufficient federalism implications to warrant the preparation of a federalism summary impact statement.

E. Executive Order 12988 (Civil Justice Reform)

This proposed rule was drafted and reviewed in accordance with Executive Order 12988, Civil Justice Reform. This proposed rule was written to provide a clear legal standard for affected conduct and was reviewed carefully to eliminate drafting errors and ambiguities, so as to minimize litigation and undue burden on the Federal court system. DHS has determined that this proposed rule meets the applicable standards provided in sections 3(a) and 3(b)(2) of Executive Order 12988.

F. Family Assessment

DHS has reviewed this proposed rule in line with the requirements of section 654 of the Treasury General Appropriations Act, 1999, Pub. L. 105–277, 112 Stat. 2681 (1998). DHS has systematically reviewed the criteria specified in section 654(c)(1), by evaluating whether this regulatory action: (1) impacts the stability or safety of the family, particularly in terms of marital commitment; (2) impacts the authority of parents in the education, nurture, and supervision of their children; (3) helps the family perform its functions; (4) affects disposable income or poverty of families and children; (5) only financially impacts families, if at all, to the extent such impacts are justified; (6) may be carried out by State or local government or by the family; or (7) establishes a policy concerning the relationship between the behavior and personal responsibility of youth and the norms of society. If the agency determines a regulation may negatively affect family well-being, then the agency must provide an adequate rationale for its implementation.

DHS has no data that indicate that this proposed rule would have any impacts on disposable income or the poverty of certain families and children, including U.S. citizen children. DHS believes that the benefits of the new fees justify the financial impact on the family, if any, and no further actions are required. The proposed additional fee on certain H–1B petitions would be paid by H–1B petitioners and not H–1B beneficiaries; therefore, the proposed additional fee would not have a direct financial impact on the beneficiary or family members of the beneficiary. Therefore, DHS has determined that the implementation of this regulation would not negatively affect family well-being and would not have any impact on the autonomy or integrity of the family as an institution.

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

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.

H. National Environmental Policy Act

DHS and its components analyze proposed regulatory actions to determine whether the National Environmental Policy Act (NEPA), 42 U.S.C. 4321 *et seq.,* applies and, if so, what degree of analysis is required. DHS Directive 023–01 Rev. 01 ''Implementing the National Environmental Policy Act'' (Dir. 023– 01 Rev. 01) and Instruction Manual 023–01–001–01 Rev. 01 (Instruction Manual) [113] establish the policies and procedures that DHS and its components use to comply with NEPA.

NEPA allows Federal agencies to establish, in their NEPA implementing procedures, categories of actions (''categorical exclusions'') that experience has shown do not, individually or cumulatively, have a significant effect on the human environment and, therefore, do not require an environmental assessment or environmental impact statement.[114] The Instruction Manual, Appendix A lists the DHS Categorical Exclusions.[115]

Under DHS NEPA implementing procedures, for an action to be categorically excluded, it must satisfy each of the following three conditions: (1) The entire action clearly fits within one or more of the categorical exclusions; (2) the action is not a piece of a larger action; and (3) no extraordinary circumstances exist that create the potential for a significant environmental effect.[116]

This proposed rule is limited to amending DHS regulations to require an additional fee of $103,265 for each H–1B cap-subject petition filed. This proposed rule is strictly administrative and procedural and only proposes to amend existing DHS regulations governing H–1B cap-subject petition fees. DHS has reviewed this proposed rule and finds that no significant impact on the environment, or any change in environmental effect would result if the rule is finalized as proposed.

Accordingly, DHS finds that the proposed amendments to current regulations clearly fits within categorical exclusion A3 established in DHS's NEPA implementing procedures as an administrative change with no change in environmental effect, is not part of a larger Federal action, and does not present extraordinary circumstances that create the potential for a significant environmental effect.

I. Paperwork Reduction Act (PRA)

Under the PRA of 1995, 44 U.S.C. 3501–3512, DHS must submit to OMB, for review and approval, any reporting requirements inherent in a rule, unless

visited July 29, 2026). Calculation of inflation: (1) Calculate the average monthly CPI–U for the reference year (1995) and the current year (2025); (2) Subtract reference year CPI–U from current year CPI–U; (3) Divide the difference of the reference year CPI–U and current year CPI–U by the reference year CPI–U; (4) Multiply by 100 = [(Average monthly CPI–U for 2025–Average monthly CPI–U for 1995) ÷ (Average monthly CPI–U for 1995)] × 100 = [(321.943 − 152.383) ÷ 152.383] = (169.560/152.383) = 1.113 × 100 = 111.3 percent = 111 percent (rounded). Calculation of inflation-adjusted value: $100 million in 1995 dollars × 2.11 = $211 million in 2025 dollars.

[113] The Instruction Manual contains DHS's procedures for implementing NEPA and was issued November 6, 2014, *https://www.dhs.gov/ocrso/eed/epb/nepa.*

[114] *See* 42 U.S.C. 4336(a)(2), 4336e(1).

[115] *See* Instruction Manual, Appendix A, Table 1.

[116] Instruction Manual at V.B(2)(a) through (c).

they are exempt. This notice of proposed rulemaking does not impose any new reporting or recordkeeping requirements under the Paperwork Reduction Act.

List of Subjects in 8 CFR Part 106

Citizenship and naturalization, Fees, Immigration.

Accordingly, DHS proposes to amend chapter I of title 8 of the Code of Federal Regulations as follows:

PART 106—USCIS FEE SCHEDULE

■ 1. The authority for part 106 continues to read as follows:

Authority: 8 U.S.C. 1101, 1103, 1254a, 1254b, 1304, 1356, 1801–1815; 48 U.S.C. 1806; Pub. L. 107–609, 115 Stat. 1012; Pub. L. 107–296, 116 Stat. 2135 (6 U.S.C. 101 note).

■ 2. Section 106.2 is revised by adding paragraph (a)(3)(xi) to read as follows:

§ 106.2 Fees.

(a) * * *

(3) * * *

(xii) The following additional fee is required for all H–1B cap-subject petitions, including those eligible for the advanced degree exemption under section 214(g)(5)(C) of the Act: $103,265.

* * * * *

Markwayne Mullin,

Secretary, U.S. Department of Homeland Security.

[FR Doc. 2026–17324 Filed 8–24–26; 8:45 am]

BILLING CODE 9111–97–P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 33

[Docket No. FAA–2026–3073; Notice No. 33–25–03–SC]

Special Conditions: Pratt and Whitney Canada, PW220A; New Engine Rating: Idle-Cruise Regime

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Notice of proposed special conditions.

SUMMARY: This action proposes special conditions for the Pratt and Whitney Canada (P&WC) aircraft engine Model PW220A. This engine will have a novel or unusual design feature when compared to the state of technology envisioned in the airworthiness standards for engines. This design feature will incorporate an unusual power rating structure that includes an ''idle cruise regime'' (ICR). The applicable airworthiness regulations do not contain adequate or appropriate safety standards for this design feature. These proposed special conditions contain the additional safety standards that the Administrator considers necessary to establish a level of safety equivalent to that established by the existing airworthiness standards.

DATES: Send comments on or before October 9, 2026.

ADDRESSES: Send comments identified by Docket No. FAA–2026–3073 using any of the following methods:

Federal eRegulations Portal: Go to *www.regulations.gov* and follow the online instructions for sending your comments electronically.

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

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

Fax: Fax comments to Docket Operations at 202–493–2251.

Docket: Background documents or comments received may be read at *www.regulations.gov* at any time. Follow the online instructions for accessing the docket or go to Docket Operations in Room W12–140 of the West Building Ground Floor at 1200 New Jersey Avenue SE, Washington, DC, between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays.

FOR FURTHER INFORMATION CONTACT: Philip Haberlen, Engine and Propulsion, AIR–625, Technical Policy Branch, Policy and Standards Division, Aircraft Certification Service, Federal Aviation Administration, FAA New England Regional Office, 1200 District Avenue, Burlington MA 01803; telephone (781) 238–7770; email *Philip.Haberlen@faa.gov*.

SUPPLEMENTARY INFORMATION:

Comments Invited

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

The FAA will consider all comments received by the closing date for comments, and will consider comments filed late if it is possible to do so without incurring delay. The FAA may change these special conditions based on the comments received.

Privacy

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

Confidential Business Information

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

Background

On November 16, 2021, P&WC applied for a type certificate for its new Model aircraft engine model PW220A. The PW220A is a turboshaft engine designed for transport category twin-engine helicopters.

Under 14 CFR 21.17(c), an application for type certification is effective for three years, unless the FAA approves a longer period. Section 21.17(d) provides that, where a type certificate has not been issued within the time limit established under § 21.17(c), the applicant may file for an extension and update the designated applicable regulations in the type certification

basis. Since the project was not certificated within the established time limit, the FAA approved a request for extension by P&WC, which reapplied on May 7, 2025. Their request was approved and the FAA determined the type certification basis established on November 19, 2021 is unaffected.

Type Certification Basis

Under the provisions of 14 CFR 21.17, P&WC must show that the Model PW220A aircraft engine meets the applicable provisions of part 33, as amended by amendments 33–1 through 33–34.

If the Administrator finds that the applicable airworthiness regulations (*e.g.,* 14 CFR part 33) do not contain adequate or appropriate safety standards for the Model PW220A because of a novel or unusual design feature, special conditions are prescribed under the provisions of § 21.16.

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

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

Novel or Unusual Design Features

The P&WC Model aircraft engine model PW220A will incorporate the following novel or unusual design feature:

An unusual power rating structure that includes an ICR.

Discussion

The PW220A engine is a new centerline turboshaft engine designed for a transport category, twin-engine helicopter. The applicant has requested that operation will include an ICR where the power from one engine will be reduced to a low idle condition while the other engine will provide 100% of the required power to the aircraft during cruise flight. The applicant is requesting a rating structure such that the PW220A engine in ICR will have different limits from the all-engines-operating (AEO) or one-engine-inoperative (OEI) conditions.

The applicable airworthiness requirements do not contain the ICR definition and do not contain adequate or appropriate safety standards for the type certification of these new and unusual engine ratings.

The inclusion of the ICR will have implications on multiple regulatory sections affecting both engine operation and continued airworthiness which must be assessed by the FAA.

The prime objective of ICR is to reduce total fuel consumption and increase the operating range of the helicopter. The fundamental concept of ICR stems from the fact that one engine is thermodynamically more efficient at providing a given total power than two engines sharing the load equally. As such, it is beneficial from a fuel savings point of view to bring one engine to minimum fuel flow (the stand-by engine) and use the other engine to provide 100% of the required power to the aircraft during the cruise phase of the flight (the active engine). The lower the stand-by condition, the higher the benefit in fuel consumption.

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

Applicability

As discussed above, these proposed special conditions are applicable to the model for which they are issued. Should the type certificate for that model be amended later to include any other model that incorporates the same novel or unusual design feature, these special conditions would apply to the other model as well.

Conclusion

This action affects only a certain novel or unusual design feature on the PWC aircraft engine model PW220A. It is not a rule of general applicability.

List of Subjects in 14 CFR Part 33

Aircraft, Aviation safety, Reporting and recordkeeping requirements.

Authority Citation

The authority citation for these special conditions is as follows:

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

The Proposed Special Conditions

Accordingly, the Federal Aviation Administration (FAA) proposes the following special conditions as part of the type certification basis for Pratt and Whitney Canada Model PW220A engine.

Section 1.1 General Definitions

The following definitions are added to § 1.1:

ICR mode of operation means one engine is providing 100% of the required power to the rotorcraft for cruise flight, and the other engine is in Rated ICR stand-by power for a two-engine rotorcraft.

Rated ICR stand-by power means, with respect to rotorcraft turbine engines, the approved lowest engine rpm at which the engine can safely operate while in the ICR mode of operation.

Rated ICR active maximum continuous power means, with respect to rotorcraft turbine engines, the approved brake horsepower developed statically or in flight in standard atmosphere at a specified altitude within the engine operating limitations established under 14 CFR, part 33 and approved for unrestricted periods of use while in the ICR mode of operation.

Rated ICR 2 minute power means, with respect to rotorcraft turbine engines, the approved brake horsepower developed under static conditions at specified altitudes and temperatures within the engine operating limitations established under 14 CFR, part 33 for periods not longer than 2 minutes while in the ICR mode of operation. There is no mandatory inspection or prescribed maintenance action required after reaching this power level.

Section 33.7 Engine Ratings and Operating Limitations

In addition to the requirements of section 33.7(c), ratings and limitations are established for horsepower, torque, r.p.m., gas temperature, time duration, and number of occurrences for rated ICR active maximum continuous power and rated ICR 2 minute power.

Section 33.28 Engine Control Systems

The requirements of § 33.28 except that § 33.28(i)(2) should read as follows:

When an engine dedicated electrical power source is required for compliance with paragraph (i)(1) of this section, its capacity should provide sufficient margin to account for engine operation below the rated ICR stand-by power, where the engine control system is designed and expected to recover engine operation automatically.

Section 33.68 Induction System Icing

The requirements of § 33.68, except that ''minimum descent idle rotor speeds'' is replaced with the ''rated ICR stand-by power rotor speeds'' in § 33.68(a) and § 33.68(b).

Section 33.73 Power or Thrust Response

The requirements of § 33.73, except § 33.73(b) should read as follows:

The design and construction of the engine must enable an increase from the

rated ICR stand-by power lever position to 95 percent rated takeoff power in not over 5 seconds. The 5-second power response must occur from a stabilized static condition using only the bleed air and accessories loads necessary to run the engine.

Section 33.78 Rain and Hail Ingestion

The requirements of § 33.78, except §§ 33.78(b)(1) through 33.78(b)(4) should read as follows:

(1) A normal stabilization period of three minutes at rated maximum continuous power without rain ingestion, followed immediately by the suddenly commencing ingestion of rain for three minutes at rated maximum continuous power, then

(2) Continuation of the rain ingestion during subsequent rapid deceleration to the rated ICR stand-by power, then

(3) Continuation of the rain ingestion during three minutes at the rated ICR stand-by power, then

(4) Continuation of the rain ingestion during subsequent rapid acceleration to rated ICR 2 minute power.

Section 33.87 Endurance Test

The requirements of § 33.87, except as follows:

(1) The requirements of § 33.87(d)(1) except that instead of alternating between rated takeoff power and idling power:

(i) The higher condition must be rated takeoff power during the first, second and fourth periods and rated ICR 2 minute power during the third, fifth and sixth periods.

(ii) The lower condition must be the rated ICR stand-by power condition or lower.

(iii) During the sixth period, lower condition must be kept for 10 minutes instead of 5 minutes.

(2) The requirements of § 33.87(d)(2) through § 33.87(d)(7), except as follows:

(i) The first 15 of the twenty-five 6-hour test cycles required by § 33.87(d)(2) must be conducted at the rated ICR active maximum continuous power instead of the rated maximum continuous power.

(ii) In the last 10 of the twenty-five 6-hour test cycles, the last 5 minutes of the 1 hour at the rated continuous OEI power required by § 33.87(d)(3), must be run at the rated ICR 2 minute power instead of the rated continuous OEI power.

(iii) The test required by § 33.87(d)(4) must be performed for 55 minutes instead of 60 minutes and must be performed as follows: rated maximum continuous power for 30 minutes, followed by the rated ICR active maximum continuous power for 25 minutes.

(iv) The two hours of incremental cruise power required by § 33.87(d)(5) must be conducted between the rated ICR active maximum continuous power and the ground or minimum idle rotational speed.

(v) The thirty minutes of accelerations and decelerations required by § 33.87(d)(6) must be conducted as follows:

a. The higher condition must be the rated takeoff power during the first and fourth period and the rated ICR 2 minute power during the second, third, fifth and sixth periods.

b. The lower condition must be the rated ICR stand-by power condition or lower.

Section 33.89 Operation Test

The requirements of § 33.89, except § 33.89(a)(3) should be as follows:

The minimum power response time to 95% rated takeoff power, from power lever positions representative of rated ICR stand-by power condition and of minimum flight idle, starting from stabilized idle operation, under the following engine load conditions:

i. No bleed air and power extraction for aircraft use.

ii. Maximum allowable bleed air and power extraction for aircraft use.

iii. An intermediate value for bleed air and power extraction representative of that which might be used as a maximum for aircraft during approach to a landing.

Issued in Des Moines, WA, on August 19, 2026.

Paul Siegmund,

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

[FR Doc. 2026–17298 Filed 8–24–26; 8:45 am]

BILLING CODE 4910–13–P

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

50 CFR Part 622

[Docket No. 260819–0006]

RIN 0648–BO31

Fisheries of the Caribbean, Gulf of America, and South Atlantic; Extension of the Commercial Shrimp Permit Moratorium in the Gulf of America

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

ACTION: Proposed rule; request for comments.

SUMMARY: NMFS issues this proposed rule and seeks public comment on a management measure proposed in Amendment 19 to the Fishery Management Plan for the Shrimp Fishery of the Gulf (Shrimp FMP) and this proposed rule. If implemented by NMFS, Amendment 19 and this proposed rule would extend the moratorium on the issuance of new commercial shrimp permits in the Gulf of America (Gulf). NMFS implemented the existing shrimp permit moratorium, which is set to expire after October 26, 2026, to stabilize fishing effort and prevent overcapacity in the Gulf shrimp fishery. This proposed rule would extend this permit moratorium for an additional 10 years.

DATES: Written comments on the proposed rule must be received no later than September 24, 2026.

ADDRESSES: A plain language summary of this proposed rule is available at *https://www.regulations.gov/docket/NOAA-NMFS-2026-1387.* You may submit comments on this document, identified by NOAA–NMFS–2026–1387, by either of the following methods:

- *Electronic Submission:* Submit all electronic public comments via the Federal e-Rulemaking Portal. Visit *https://www.regulations.gov* and type NOAA–NMFS–2026–1387 in the Search box. Click on the ''Comment'' icon, complete the required fields, and enter or attach your comments.
- *Mail:* Submit all written comments to Frank Helies, NMFS Southeast Regional Office, 263 13th Avenue South, St. Petersburg, FL 33701.

Instructions: Comments sent by any other method, to any other address or individual, or received after the end of the comment period will not be considered by NMFS. All comments received are part of the public record and will generally be posted for public viewing on *https://www.regulations.gov* without change. All personal identifying information, confidential business information, or otherwise sensitive information submitted voluntarily by the sender will be publicly accessible. NMFS will accept anonymous comments—enter N/A in the required fields if you wish to remain anonymous.

An electronic copy of Amendment 19 is available from *https://www.regulations.gov* or from the NMFS Southeast Regional Office website at *https://www.fisheries.noaa.gov/action/amendment-19-shrimp-permit-moratorium.* Amendment 19 includes a Regulatory Flexibility Act (RFA)

analysis, regulatory impact review, and fishery impact statement.

FOR FURTHER INFORMATION CONTACT: Rich Malinowski, NMFS Southeast Regional Office, telephone: 727–824–5305, or email: *rich.malinowski@noaa.gov.*

SUPPLEMENTARY INFORMATION: The shrimp fishery in the Gulf is managed under the Shrimp FMP. The Shrimp FMP was prepared by NMFS and the Gulf Fishery Management Council (Council), and is implemented by NMFS through regulations at 50 CFR part 622 under the authority of the Magnuson-Stevens Fishery Conservation and Management Act (Magnuson-Stevens Act). This action is proposed under the statutory authority of the Magnuson-Stevens Act section 303(b)(6).

Background

Prior to 2001, approximately 4,000 vessels fished for shrimp annually in Federal waters of the Gulf. To improve the collection of fishing effort and catch data, NMFS implemented a Federal permit requirement for all vessels harvesting shrimp commercially from Gulf Federal waters through the final rule for Amendment 11 to the Shrimp FMP (67 FR 51074, August 7, 2002). Between 2002 and 2006, NMFS issued permits to approximately 2,951 vessels. During that time, the shrimp fishery experienced economic losses, primarily because of high fuel costs and reduced shrimp prices caused by competition from imports. These economic losses resulted in the exodus of vessels from the fishery and reduced fishing effort. Despite this exodus, the fishery remained overcapitalized, with more vessels than needed to harvest the available shrimp resources at the most profitable level. To prevent effort from returning to former levels that further reduced or removed profitability for the fleet overall, the Council recommended a 10-year moratorium on the issuance of new Federal commercial shrimp vessel permits through Amendment 13 to the Shrimp FMP, while still allowing for permit transferability. NMFS implemented the final rule for the moratorium on October 26, 2006 (71 FR 56039, September 26, 2006), and issued 1,933 vessel permits under the qualifying criteria of the 2006 rule by 2008.

The Council subsequently considered the need to continue limiting access to the fishery in Amendment 17A to the Shrimp FMP. The Council recommended extending the permit moratorium unchanged for an additional 10 years to maintain stability and prevent overcapacity in the shrimp fishery. The Council chose not to permanently limit access to the fishery at that time because economic conditions could change in the future. On August 22, 2016, NMFS implemented the final rule continuing the moratorium for an additional 10 years, through October 26, 2026 (81 FR 47733, July 22, 2016). Based on the rationale explained further in Amendment 19, the Council recommended continuing the permit moratorium for an additional 10 years to maintain stability and prevent overcapacity in the shrimp fishery.

Only a valid Gulf shrimp permit can be used to commercially harvest Gulf shrimp. A shrimp vessel permit remains valid if it is renewed and is renewable within 1 year of its expiration date. After 1 year from the expiration date with no renewal, a permit is terminated and permanently removed from the pool of available permits. From 2019 through 2023, the average annual number of vessels with valid Gulf shrimp moratorium permits was 1,376, though the number of vessels with permits declined each year during this time. In 2024, 1,287 moratorium permits were valid or renewable. Accordingly, since NMFS renewed the 1,933 shrimp vessel permits in 2008, the number of permits has decreased by 646. NMFS has permanently removed those 646 permits from the permit pool.

Management Measure Contained in This Proposed Rule

NMFS seeks public comment on the following management measure in this proposed rule.

If implemented by NMFS, Amendment 19 and this proposed rule would extend the moratorium on the issuance of new commercial shrimp vessel permits in the Gulf for an additional 10 years or through October 26, 2036. The purpose of this proposed rule is to continue limiting the total number of permits. Gulf shrimp stocks are currently healthy, but the previously mentioned non-regulatory issues continue to hinder the profitability of the commercial shrimp fleet and to cause the decline in shrimping effort throughout the Gulf.

NMFS expects this proposed rule would continue to result in positive impacts for those who hold Federal Gulf commercial shrimp permits because the permits would retain value as a limited asset, which would be lost if the moratorium were to expire. Permits would continue to be transferable, allowing for entry to and exit from the shrimp fishery. While new entrants would be required to pay more for a moratorium permit versus an open access permit, NMFS expects the benefits of this action to current permit holders would outweigh the cost to any new entrants. The cost of acquiring a shrimp moratorium permit, when compared to similar limited access commercial permits in other fisheries, is comparably low. For example, from 2022 through 2024, the median price to transfer a Federal Gulf shrimp permit was $5,250, when other permits can be several times more expensive.

Extending the moratorium would also provide the Council with time to re-evaluate the minimum shrimp permit threshold for optimizing yield in the fishery in light of new science and the current economic condition of the fishery. The Council established a threshold of 1,072 Gulf shrimp permits in Amendment 17B to the Shrimp FMP, and currently there are approximately 1,200 valid or renewable Gulf shrimp permits (82 FR 60564, December 21, 2017). The minimum permit threshold represents the predicted number of vessels needed to achieve aggregate optimum yield in the fishery, while accounting for high shrimp catch per unit effort and landings, and reducing the risk of exceeding thresholds of sea turtle and juvenile red snapper bycatch.

To further gauge industry's perspective on this issue, NMFS also requests public comment on an alternative option for implementing a shorter moratorium extension, for example, a 5-year extension, which would expire after October 26, 2031. A shorter timeframe would encourage the Council and NMFS to reconsider the need for the moratorium at an earlier point in time once the Council completes its re-evaluation of the appropriateness of the current minimum shrimp permit threshold. However, it should be noted that the moratorium could be eliminated at any time through a new FMP amendment and rulemaking.

Classification

Pursuant to section 304(b)(1)(A) of the Magnuson-Stevens Act, the NMFS Assistant Administrator has determined that this proposed rule is consistent with Amendment 19, the Shrimp FMP, other provisions of the Magnuson-Stevens Act, and other applicable law, subject to further consideration after public comment.

This proposed rule has been determined to be not significant for purposes of Executive Order (E.O.) 12866.

An initial regulatory flexibility analysis (IRFA) was prepared, as required by section 603 of the Regulatory Flexibility Act (RFA). The IRFA describes the economic impact this proposed rule, if adopted, would

have on small entities. A description of this proposed rule, why it is being considered, and the objectives of this proposed rule are contained earlier in the **SUPPLEMENTARY INFORMATION** section of this proposed rule. A copy of the full analysis is available from NMFS (see the **ADDRESSES** section). All monetary estimates in the following analysis are in 2023 dollars.

The Magnuson-Stevens Act provides the statutory basis for this proposed rule. No duplicative, overlapping, or conflicting Federal rules have been identified. In addition, no new reporting, record-keeping, or other compliance requirements are introduced by this proposed rule.

Amendment 19 and this proposed rule address the expiration of the Federal shrimp permit moratorium in the Gulf by proposing to extend the moratorium for 10 years, to expire after October 26, 2036, for commercial shrimp vessels in the Gulf. The moratorium, first established for 10 years through Amendment 13 to the Shrimp FMP, and then renewed for another 10 years through Amendment 17A to the Shrimp FMP, is set to expire after October 26, 2026. The moratorium was implemented to create stability and prevent overcapacity in the Gulf shrimp fishery.

This proposed rule is expected to directly regulate all federally permitted commercial fishing businesses that participate in the Gulf shrimp fishery. None of the proposed changes would directly apply to federally permitted dealers or processors. Any change in the supply of shrimp available for purchase by dealers or processors because of the proposed rule, and associated economic effects, would be indirect effects of the proposed rule and would therefore fall outside the scope of the RFA. Additionally, as described in the Regulatory Impact Review of Amendment 19, by extending the moratorium, this proposed rule would be expected to increase barriers to entry for new participants compared with the status quo in which the moratorium would expire. The number of small entities that would intend to enter the Federal Gulf shrimp fishery in the future and their operating characteristics are unknown and cannot be estimated with available data.

From 2019 through 2023, the average annual number of vessels with valid Gulf shrimp moratorium permits was 1,376, though the number of vessels with permits declined each year during this time. As of December 31, 2024, there were 1,287 vessels with valid or renewable Gulf shrimp moratorium permits. From 2019 through 2023, the average number of vessels with valid permits that actively fished (*i.e.,* had landings) in the Gulf shrimp fishery was 932. On average (2019 through 2023), each active shrimp vessel with a Federal Gulf shrimp permit earned $332,653 in gross revenue per year from commercial fishing operations. Net cash flow per vessel was $21,249 and net operating revenue per vessel was $4,810, on average, during this period. Average annual net cash flow and net revenue from operations for average active vessels were positive and increasing through 2021; however, both turned negative in 2022 and remained so in 2023. In 2023, average net cash flow per vessel was −$4,885 and average net operating revenue per vessel was −$14,635. These numbers correspond with deteriorating economic conditions for the shrimp fishery seen in recent years, including low shrimp prices, increased foreign competition, and rising operating costs. From 2019 through 2023, the maximum annual gross revenue earned by a single federally permitted commercial shrimp vessel was approximately $1.51 million in 2020.

NMFS does not possess complete ownership data for businesses and vessels that participate in the Federal Gulf shrimp fishery. Therefore, it is not currently feasible to accurately determine affiliations between these particular businesses. As a result of the incomplete ownership data, for purposes of this analysis, it is assumed that each of the aforementioned vessels is independently owned by a single business, which is expected to result in an overestimate of the actual number of businesses directly regulated by this proposed rule. Thus, this proposed rule is estimated to directly regulate up to 1,287 businesses in the commercial Gulf shrimp fishing industry.

For RFA purposes only, NMFS has established a small business size standard for businesses, including its affiliates, whose primary industry is commercial fishing (see 50 CFR 200.2). A business primarily engaged in commercial fishing (North American Industry Classification System code 11411) is classified as a small business if it is independently owned and operated, is not dominant in its field of operation (including its affiliates), and has combined annual receipts not in excess of $11 million for all its affiliated operations worldwide. All of the commercial fishing businesses directly regulated by this proposed rule are believed to be small entities based on the NMFS size standard. No other small entities that would be directly affected by this proposed rule have been identified.

The proposed extension of the moratorium on the issuance of new Federal shrimp permits would preserve the asset value of the permits to existing commercial fishing businesses that currently hold Federal shrimp permits. It would also prevent costs associated with overcapitalization and increased competition within the shrimp industry under open access, which would reduce profitability for commercial fishing businesses. These effects cannot be quantified with existing data. In summary, the proposed extension of the moratorium would improve the economic profitability of shrimp harvesters relative to the status quo in which the moratorium is set to expire after October 26, 2026. The extension of the moratorium would also increase barriers to entry for new participants relative to the status quo. However, factors such as increasing fuel prices, decreasing shrimp prices, and increased competition with imports are assumed to have a greater influence than the cost of a permit on the decision to enter the shrimp fishery.

Two alternatives to the proposed action to extend the Gulf Federal shrimp permit moratorium for 10 years were considered. The first alternative, the no action alternative, would allow the moratorium to expire after October 26, 2026. This alternative would revert the commercial shrimp fishery to open access. Under this alternative, Federal shrimp permits would cease to have any market value. From 2022 through 2024, the median price of a Federal Gulf shrimp permit was estimated to be $5,250. Although the number of potential permit buyers is not known, this loss in asset value would constitute adverse economic effects borne by current permit holders. Reverting to open access would, however, make it cheaper for new participants to obtain a permit and enter the fishery. This alternative was not selected because reverting to open access would fail to accomplish the intent of the moratorium, which was to help stabilize the shrimp fishery and prevent overcapacity. Open access would directly eliminate permit asset value and lead to broader negative impacts on fleet profitability, including overcapitalization, heightened competition, reduced catch per unit effort, and increasing the risk of exceeding thresholds of sea turtle and juvenile red snapper bycatch.

The second alternative would establish a limited access program for commercial shrimp vessels in the Gulf, replacing the open access permit and

temporary moratorium with a new limited access permit. The only operational difference between the current open access permit with the moratorium and a new limited access permit is that the limited access permit would not have an expiration date. Current permit holders would receive the limited access permit if the vessel has a valid or renewable Federal Gulf commercial shrimp permit on October 26, 2026. The new Federal Gulf commercial shrimp vessel limited access permits would still need to be renewed every year, and all previous renewal, transfer, and reporting requirements would still be in effect. This alternative would provide long-term fleet stability and preserve permit asset value similar to the proposed rule, but without a built-in regulatory expiration date. Under this alternative, the previously described barriers to entry for new participants would be extended indefinitely. This alternative was not selected because establishing a limited access program without a mandatory sunset provision reduces the administrative imperative for timely, structured re-evaluations of fleet capacity. A fixed 10-year moratorium ensures that the Council and NMFS re-assess the appropriate threshold number of permits in a timely manner, incorporating updated scientific information, revised effort thresholds for fish bycatch and evolving protected species take limits.

This proposed rule does not contain a change to a collection of information requirement for purposes of the Paperwork Reduction Act of 1995. The existing collection of information requirements would continue to apply under the Office of Management and Budget Control Number 0648–0205, Southeast Region Permit Family of Forms.

List of Subjects in 50 CFR Part 622

Fisheries, Fishing, Recordkeeping and reporting, Shrimp.

Dated: August 19, 2026.

Samuel D. Rauch III,

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

For the reasons set out in the preamble, NMFS proposes to amend 50 CFR part 622 as follows:

PART 622—FISHERIES OF THE CARIBBEAN, GULF OF AMERICA, AND SOUTH ATLANTIC

■ 1. The authority citation for part 622 continues to read as follows:

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

■ 2. Amend § 622.50, by revising the section heading and introductory paragraph (b) to read as follows:

§ 622.50 Permits, permit issuance moratorium, permit endorsement, and transit provision.

* * * * *

(b) *Moratorium on commercial vessel permits for Gulf shrimp.* The provisions of this paragraph (b) are applicable through October 26, 2036.

* * * * *

[FR Doc. 2026–17300 Filed 8–24–26; 8:45 am]

BILLING CODE 3510–22–P

Notices

Federal Register
Vol. 91, No. 163
Tuesday, August 25, 2026

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

DEPARTMENT OF AGRICULTURE

Agricultural Marketing Service

[Doc. No. AMS–SC–25–0056]

Revising U.S. Standards for Grades of Mushrooms

AGENCY: Agricultural Marketing Service, USDA.

ACTION: Final notice.

SUMMARY: The Agricultural Marketing Service (AMS) of the Department of Agriculture (USDA) is revising the U.S. Standards for Grades of Mushrooms to add a grade for portabella mushrooms, remove size from the criteria for each grade and create a separate section for size, and revise the tolerances for defects consistent with modern production and handling practices. In addition, AMS is updating terminology, definitions, and defect scoring guides throughout the grade standards. These changes align the grade standards with modern harvesting practices and provide guidance for the effective utilization of this commodity.

DATES: Applicable September 24, 2026.

FOR FURTHER INFORMATION CONTACT: Andrew Buss, by phone at (231) 260–5913; fax at (540) 361–1199; or email at *andrew.buss@usda.gov.* Copies of the U.S. Standards for Grades of Mushrooms are available at *https://www.ams.usda.gov/grades-standards/mushrooms-grades-and-standards.*

SUPPLEMENTARY INFORMATION: Section 203(c) of the Agricultural Marketing Act of 1946 (7 U.S.C. 1621–1627), as amended, directs and authorizes the Secretary of Agriculture ''[t]o develop and improve standards of quality, condition, quantity, grade, and packaging, and recommend and demonstrate such standards in order to encourage uniformity and consistency in commercial practices.''

AMS is committed to carrying out this authority in a manner that facilitates the marketing of agricultural commodities and makes copies of official standards upon request. The U.S. Standards for Grades of Fruits and Vegetables which no longer appear in the Code of Federal Regulations (CFR) are maintained by AMS at *https://www.ams.usda.gov/grades-standards.* AMS is revising the U.S. Standards for Grades of Mushrooms (the Standards) using the procedures that appear in part 36 of title 7 of the CFR (7 CFR part 36).

Background

On April 2, 2020, the American Mushroom Institute (AMI), a trade association representing growers, retailers, and shippers from the United States, petitioned AMS to revise the Standards. From 2020 to 2024, AMS worked closely with AMI to provide guidance and discuss the proposal, including relevant revisions. In its petition, AMI stated that USDA standards for mushrooms do not conform to current industry practices, and no standards for ''Portabella'' mushroom varieties exist. AMI also requested new definitions to cover defects that are not currently defined in the Standards. AMS reviewed and incorporated recommendations from AMI's petition and subsequent feedback into this revision, which reflects a collaborative effort between AMS and industry. The updates to the Standards, identified below, affect definitions, grades, size, and defects of mushrooms. On April 10, 2026, AMS published in the **Federal Register** (91 FR 18390; Docket No. AMS–SC–25–0056) a Notice and request for comments (Notice) on proposed revisions to the Standards. AMS also made publicly available AMI's petition for proposed changes to the Standards and a discussion draft of the Standards implementing such proposed changes.

Through this action, AMS is implementing the following revisions to the Standards to align with modern production, handling and harvesting practices, and to provide guidance for the effective utilization of this commodity:

- Add a new ''General'' section (51.3385) to describe the types of mushrooms covered by the Standards: the *Agaricus bisporus* species of cultivated white button, brown button (commonly called crimini or cremini (alternative spelling), baby, and baby bella), and portabella (including portobello (alternative spelling), ports, and giant crimini) mushrooms.
- Redesignate existing sections 51.3385 through 51.3398 as sections 51.3386 through 51.3399.
- Add a new grade section (51.3388) ''U.S. No. 1 Portabella'' and its associated tolerances in section 51.3389(a)(3).
- Remove tolerance and size specifications from the criteria for each grade and create new separate sections (51.3389 and 51.3391, respectively) for those specifications.
- Revise the definition of ''Open veils'' (now section 51.3392(f)) to allow for a small degree of exposed gills before open veils are considered damage (materially detracting) in mushrooms other than portabella mushrooms, while also recognizing that open veils are a characteristic of and are not considered damage in portabella type mushrooms.
- Add a separate tolerance for open veils ''at shipping point'' for U.S. No. 1 grade button mushrooms (section 51.3389(a)(1)(i)).
- Revise the defect tolerances for ''at shipping point'' and ''en route or at destination'' for both U.S. No. 1 and U.S. No. 2 grades (section 51.3389 (a)(1)–(2)).
- Reorganize and update the definition section to reflect current industry practices and terminology, and revise ''Damage'' to now include the following specific defects that are considered as damage: ''Bruising,'' ''Cuts or mechanical defects,'' ''Discoloration,'' ''Extraneous material,'' ''Feathering,'' ''Open veils,'' and ''Spots'' (now sections 51.3392(a)–(g)). The existing defect at current 51.3395(b) (''Dirt when any amount is embedded in the cap or stem'') is now included under ''Extraneous Material'' at new 51.3392(d).
- Revise ''Application of Tolerances'' section (now 51.3390(a)–(c)) to establish different package tolerance limits based on the size of the packaging. The ''Application of Tolerances'' section of the Standards identifies the maximum limit of defects and off-size mushrooms that are allowed in an individual package of mushrooms.
- Add language to the newly designated grades provisions for ''U.S. No. 1'' (section 51.3386), ''U.S. No. 1 Portabella'' (section 51.3388) and definition of ''Similar varietal

characteristics'' (section 51.3398) to permit mixed specialty packs of white and brown mushrooms. When lots are not intentionally packed as mixed/specialty packs, a dissimilar colored mushroom is considered a defect. This revision recognizes mixed color specialty packs and better reflects current marketing trends.

Comments

AMS provided a 60-day comment period for interested parties to submit comments on the proposed grade standards. In response to its request, AMS received and considered 9 comments. All comments were posted on *https://www.regulations.gov.* All 9 commentors expressed their support for the proposed revisions to the U.S. Standards for Grades of Mushrooms.

AMS is moving forward with the revisions to the U.S. Standards for Grades of Mushrooms as proposed by the American Mushroom Institute, as these updates will provide the clarity and consistency industry seeks by better aligning with modern mushroom production practices and current marketing trends.

Authority: 7 U.S.C. 1621–1627.

Erin Morris,

Administrator, Agricultural Marketing Service.

[FR Doc. 2026–17309 Filed 8–24–26; 8:45 am]

BILLING CODE 3410–02–P

DEPARTMENT OF COMMERCE

Bureau of Industry and Security

Agency Information Collection Activities; Submission to the Office of Management and Budget (OMB) for Review and Approval; Comment Request; Directive Allocation Orders Under the Defense Priorities and Allocations System in Response to Presidential Determination on Recoverable Critical Minerals and Materials

AGENCY: Bureau of Industry and Security, Commerce.

ACTION: Notice of information collection, request for comment.

SUMMARY: The Department of Commerce, in accordance with the Paperwork Reduction Act of 1995 (PRA), invites the general public and other Federal agencies to comment on proposed, and continuing information collections, which helps us assess the impact of our information collection requirements and minimize the public's reporting burden. The purpose of this notice is to allow for 60 days of public comment on the OMB approved emergency collection for the Temporary Final Rule ''*DPAS Directive Allocation Order and Additional Requirements for Recoverable Critical Minerals and Materials*'' (August 6, 2026, 91 FR 50701).

DATES: To ensure consideration, comments regarding this proposed information collection must be received on or before October 26, 2026.

ADDRESSES: Interested persons are invited to submit comments by email to Nancy Kook, IC Liaison, Bureau of Industry and Security, at *PRA@bis.doc.gov* or to *PRAcomments@doc.gov*. Please reference OMB Control Number 0694–0148 in the subject line of your comments. Do not submit Confidential Business Information or otherwise sensitive or protected information.

FOR FURTHER INFORMATION CONTACT: Requests for additional information or specific questions related to collection activities should be directed to Nancy Kook, IC Liaison, Bureau of Industry and Security, phone 202–482–2440 or by email at *PRA@bis.doc.gov.*

SUPPLEMENTARY INFORMATION:

I. Abstract

Bureau of Industry and Security's Office of Strategic Industries and Economic Security administers the Defense Priorities and Allocations System regulation which implements the priorities and allocations authority under Title I of the Defense Production Act of 1950, as amended (50 U.S.C. 4501, *et seq.*), delegated to the Secretary of Commerce (the Secretary) under Executive Order (E.O.) 13603 with respect to all materials, services, and facilities, including construction materials (''industrial resources''), not delegated to other Secretaries. On July 30, 2026, the President issued a Presidential Determination, ''Presidential Determination Pursuant to Section 101 of the Defense Production Act of 1950, as Amended, on Recoverable Critical Minerals and Materials'' (Presidential Determination No. 2026–19). Under Presidential Determination No. 2026–19, the President found that recoverable Critical Minerals and Materials (CMMs) are scarce and critical materials essential to the national defense and authorized the Secretary to take all appropriate action under section 101 of the DPA with respect to recoverable CMMs and to use this authority to determine the proper nationwide priorities and allocations of all materials, services, and facilities necessary to ensure a continued and adequate supply of recoverable CMMs.

Directive Allocation Orders issued under the DPAS regulation will collect certain critical information from companies as specified in rules issued to effectuate Presidential Determination No. 2026–19 and ensure compliance with the DPAS regulation and the Directive Allocation Orders issued, as described in section 700.91 of the DPAS regulation. The details of the Directive Allocation Orders issued, including the records required to be submitted in accordance with section 700.91 of the DPAS regulation, were published in the August 6, 2026 Temporary Final Rule.

II. Method of Collection

Electronic.

III. Data

OMB Control Number: 0694–0148.

Type of Information Collection: Regular submission, extension of a current information collection.

Affected Public: Business or other for-profit organizations.

Estimated Number of Respondents: 600.

Average Responses per Year: 1.

Average Number of Responses: 600.

Estimated Time per Response: 5.21 hours.

Estimated Total Annual Burden Hours: 3,126 hours.

Respondent's Obligation: Voluntary.

Legal Authority: Presidential Determination No. 2026–19; Title I of the Defense Production Act of 1950, as amended (DPA).

IV. Request for Comments

We are soliciting public comments to permit the Department/Bureau to: (a) Evaluate whether the proposed information collection is necessary for the proper functions of the Department, including whether the information will have practical utility; (b) Evaluate the accuracy of our estimate of the time and cost burden for this proposed collection, including the validity of the methodology and assumptions used; (c) Evaluate ways to enhance the quality, utility, and clarity of the information to be collected; and (d) Minimize the reporting burden on those who are to respond, including the use of automated collection techniques or other forms of information technology.

Comments that you submit in response to this notice are a matter of public record. We will include or summarize each comment in our request to OMB to approve this ICR. Before including your address, phone number, email address, or other personal identifying information in your comment, you should be aware that your entire comment—including your

personal identifying information—may be made publicly available at any time. While you may ask us in your comment to withhold your personal identifying information from public review, we cannot guarantee that we will be able to do so.

Sheleen Dumas,

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

[FR Doc. 2026–17323 Filed 8–24–26; 8:45 am]

BILLING CODE 3510–33–P

DEPARTMENT OF COMMERCE

International Trade Administration

New Mexico Institute of Mining and Technology et al.; Application(s) for Duty-Free Entry of Scientific Instruments

Pursuant to Section 6(c) of the Educational, Scientific and Cultural Materials Importation Act of 1966 (Pub. L. 89–651, as amended by Pub. L. 106–36; 80 Stat. 897; 15 CFR part 301), we invite comments on the question of whether instruments of equivalent scientific value, for the purposes for which the instruments shown below are intended to be used, are being manufactured in the United States. Further information on the application can be found here: *https://www.trade.gov/sips-florence-frs.*

Comments must comply with 15 CFR 301.5(a)(3) and (4) of the regulations and be postmarked on or before September 14, 2026. Address written comments to Statutory Import Programs Staff, Room 40005, U.S. Department of Commerce, Washington, DC 20230. Please also email a copy of those comments to *SIPS-Florence@trade.gov.*

Docket No.	Applicant	Instrument
25–067	New Mexico Institute of Mining and Technology	JXA–IHP200F Field Emission Electron Probe MicroAnalyzer (EPMA).
25–074	University of Illinois	FaunaScan MR2 Portable Radar System.
26–003	Washington University in St. Louis	Externally Adjustable Four-Probe Stage.
26–004	University of Washington	Walk Away Specimen Professor (WASP).
26–005	University of Illinois	Pico Emerald Laser System with Laser Head, Control Unit and Chiller.
26–006	Washington State University	JEOL F–200 STEM featuring dual EDS detectors, a Gatan ClearView 16MP Camera, a Gatan Alpine Direct Electron Detector.
26–007	University of Iowa	Zantiks MWP Z2S.
26–015	Rector & Visitors of the University of Virginia	Transmission Electron Microscope with Lorentz lens and Bi-Prism.
26–016	University of Illinois	Multimesh Terahertz Filter System.
26–020	University of Chicago	ASWAXS Flight Tube.
26–024	University of Buffalo	Transmission Electron Microscope—Thermo Scientific FEI Talos F200i.
26–025	University of Alaska	MICADAS.
26–028	Wesleyan University	High Performance Photoluminescence Lifetime and Steady-State Spectrometer.
26–030	The Board of Trustees of the University of Illinois	Side Bounce Monochromator (SBM).
26–033	Virginia Commonwealth University	Cryo-System for Kerr Microscopy and Heating System.
26–038	University of Nevada at Reno	CytoSub Deep.
26–043	Rush University Medical Center	Laser Microtome.
26–045	Battelle Memorial Institute, Pacific Northwest Division	Treble+ Distributed Acoustic Sensing (DAS) Interrogator.
26–046	The Board of Trustees of the University of Illinois	Surface Diffractometer with Double Crystal Deflector (DCD).
26–048	Murray State University	Bruker Avance NEO 400 MHz NMR Nanobay Spectrometer.
26–050	Michigan Technological University	Dielectrophoresis Instrument.
26–053	Applicant: Battelle Memorial Institute	Tunable Laser System.
26–056	Rochester Institute of Technology	Ultrafast Ti: Sapphire Laser.
26–058	Fermi Forward Discovery Group, LLC	Two Low-Voltage, High-Current Switch Mode Power Supply (SMPS) Systems.
26–060	University of Pennsylvania	Optical Amplifier ORPHEUS.
26–061	Washington University in St. Louis	Biospec 15.2-Tesla Pre-Clinical MRI System.
26–062	University of Pennsylvania	Electrochemical Mass Spectrometry (EC–MS) System with Integrated Microchip Inlet.
26–065	University of Southern Indiana	Bruker Avance NEO Nanobay 400 MHz NMR.
26–067	State University of Iowa	HE–TOPAS-PrimePlus OPA System.
26–069	Syracuse University	KiwiSat Argos Satellite Marker.
26–071	Hobart and William Smith Colleges	JNM–ECZL 500G: 500MHz 11.7 T NMR Spectrometer.
26–074	Colorado State University	Compact Ultra High Contrast OPCPA Laser.
26–082	Yale University	Satsuma HP^2 High Power Femtosecond Laser.
26–088	Northwestern University	CARBIDE pump laser with iOPA–F tunable-wavelength optical parametric amplifier.
26–089	Children's Mercy Hospital	SKYSCAN 1273.
26–090	University of Illinois, Urbana-Champaign	Cytomat 24C Automated Incubator.
26–096	Wesleyan University	Nuclear Magnetic Resonance Spectroecopy magnet (NMR Magnet).
26–097	Trustees of Dartmouth College	nanoindenter.
26–098	Fermi Forward Discovery Group, LLC.	40kW 650 MHz RF Amplifier.
26–101	University of Washington	FetchAZA HP Rel 504 Pressure Recorder with Acoustic Release.
26–103	Indiana University Bloomington	IBEX Clumped Isotope sample preparation system V2.
26–110	Battelle Memorial Institute, Pacific Northwest Division	RT6–1000 Acoustic Release Transponders.

Docket No.	Applicant	Instrument
26–114	University of Louisville	NMRSpectrometer Instrument.

Dated: August 20, 2026.

Lana Nigro,

Acting Director, Subsidies Enforcement, Enforcement and Compliance.

[FR Doc. 2026–17304 Filed 8–24–26; 8:45 am]

BILLING CODE 3510–DS–P

DEPARTMENT OF COMMERCE

National Institute of Standards and Technology

Information Collection Activities; Submission to the Office of Management and Budget (OMB) for Review and Approval; Comment Request; Form NIST–366A: Request for Personal Radiation Monitoring Services

The Department of Commerce will submit the following information collection request to the Office of Management and Budget (OMB) for review and clearance in accordance with the Paperwork Reduction Act of 1995, on or after the date of publication of this notice. We invite the general public and other Federal agencies to comment on proposed, and continuing information collections, which helps us assess the impact of our information collection requirements and minimize the public's reporting burden. Public comments were previously requested via the **Federal Register** on May 29, 2026, during a 60-day comment period. This notice allows for an additional 30 days for public comments.

Agency: National Institute of Standards and Technology (NIST), Commerce.

Title: Form NIST–366A: Request for Personal Radiation Monitoring Services.

OMB Control Number 0693–0086.

Form Number(s): NIST–366A.

Type of Request: Regular.

Number of Respondents: 600.

Average Hours per Response: 15 minutes.

Burden Hours: 150 hours.

Needs and Uses: This request is to extend clearance for the collection of routine information requested of individuals (including but not limited to federal employees, visitors, contractors, associates) who work with or around sources of ionizing radiation on the NIST campus.

The information is collected for the following purposes:

(1) NIST is required by 10 CFR 20.1502 to monitor individuals who may be exposed to ionizing radiation above specific levels. This form will be used to collect information associated with this monitoring and to determine the type of monitoring required.

(2) NIST is required by 10 CFR 20.2106 to maintain records of radiation exposure monitoring. This form will be used to ensure the exposure information collected is properly associated with the individual using unique identifiers. In addition, NIST must provide reports to the monitored individuals when requested and to the NRC annually. This form will be used to ensure the correct information is provided to the individual.

Affected Public: Individuals.

Frequency: On occasion.

Respondent's Obligation: Mandatory.

Legal Authority: 10 CFR 20.1502 and 10 CFR 20.2106.

This information collection request may be viewed at *www.reginfo.gov.* Follow the instructions to view the Department of Commerce collections currently under review by OMB.

Written comments and recommendations for the proposed information collection should be submitted within 30 days of the publication of this notice on the following website *www.reginfo.gov/public/do/PRAMain.* Find this particular information collection by selecting ''Currently under 30-day Review—Open for Public Comments'' or by using the search function and entering either the title of the collection or the OMB Control Number 0693–0086.

Sheleen Dumas,

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

[FR Doc. 2026–17319 Filed 8–24–26; 8:45 am]

BILLING CODE 3510–13–P

DEPARTMENT OF COMMERCE

National Telecommunications and Information Administration

Agency Information Collection Activities; Submission to the Office of Management and Budget (OMB) for Review and Approval; Comment Request; Application for Competitive Grant Program

AGENCY: National Telecommunications and Information Administration (NTIA), Commerce.

ACTION: Notice of information collection, request for comment.

SUMMARY: The Department of Commerce, in accordance with the Paperwork Reduction Act of 1995 (PRA), invites the general public and other Federal agencies to comment on proposed and continuing information collections, which help us assess the impact of our information collection requirements and minimize the public's reporting burden. The purpose of this notice is to allow for 60 days of public comment preceding submission of the collection to OMB.

DATES: To ensure consideration, comments regarding this proposed information collection must be received on or before October 26, 2026.

ADDRESSES: Interested persons are invited to submit written comments by mail to Jennifer Duane, Director, Grants Management, Administration, and Compliance, Office of Internet Connectivity and Growth, National Telecommunications and Information Administration, U.S. Department of Commerce, 1401 Constitution Avenue NW, Room 4874, Washington, DC 20230, or by email to *broadbandusa@ntia.gov.* Please reference ''Competitive Grant Program Application Forms Comment'' in the subject line of your comments. Do not submit Confidential Business Information or otherwise sensitive or protected information.

FOR FURTHER INFORMATION CONTACT: Requests for additional information or specific questions related to collection activities should be directed to Jennifer Duane, Director, Grants Management, Administration, and Compliance, via telephone at (202) 482–1763, or via email at *jduane@ntia.gov.*

SUPPLEMENTARY INFORMATION:

I. Abstract

The Infrastructure Investment and Jobs Act, 2021 (Infrastructure Act or Act), which was adopted on November 15, 2021, provided $65 billion of funding for programs to close the digital divide and ensure that all Americans have access to high-speed broadband. NTIA administers multiple broadband connectivity grant programs funded by the Act, including the Competitive Grant Program (CGP) which is authorized under 47 U.S.C. 1724 (*https://www.govinfo.gov/link/uscode/47/1724*). CGP provides federal funding

for grants to eligible applicants for the purpose of, among other things, advancing broadband adoption, digital skills development, and access to public connectivity resources.

NTIA will use the information collected from each applicant to effectively review the proposed applications and budgets from eligible entities as defined by 47 U.S.C. 1724(b).

II. Method of Collection

NTIA will collect data through both electronic and mail submission.

III. Data

OMB Control Number: 0660–0055.

Form Number(s): TBD.

Type of Review: Revision of a current information collection.

Affected Public: Eligible entities applying for Competitive Grant Program funding, including political subdivisions, agencies, or instrumentalities of a State; Indian Tribes, Alaska Native entities, and Native Hawaiian organizations; foundations, qualifying corporations, institutions, and associations that are not-for-profit entities and not schools; community anchor institutions; local educational agencies; and entities that carry out workforce development programs; and other eligible entities (or partnerships between such entities).

Estimated Number of Respondents: 800.

Estimated Time per Response: 18 hours per applicant.

Estimated Total Annual Burden Hours: 14,400 hours.

Estimated Total Annual Cost to Public: $696,240.00.

Respondent's Obligation: Mandatory.

Legal Authority: Section 60305 of the Infrastructure Investment and Jobs Act of 2021, Public Law 117–58, 135 Stat. 429 (November 15, 2021).

IV. Request for Comments

We are soliciting public comments to permit the Department/Bureau to:

(a) Evaluate whether the proposed information collection is necessary for the proper functions of the Department, including whether the information will have practical utility.

(b) Evaluate the accuracy of our estimate of the time and cost burden for this proposed collection, including the validity of the methodology and assumptions used.

(c) Evaluate ways to enhance the quality, utility, and clarity of the information to be collected.

(d) Minimize the reporting burden on those who are to respond, including the use of automated collection techniques or other forms of information technology.

Comments that you submit in response to this notice are a matter of public record. We will include or summarize each comment in our request to OMB to approve this ICR. Before including your address, phone number, email address, or other personal identifying information in your comment, you should be aware that your entire comment—including your personal identifying information—may be made publicly available at any time. While you may ask us in your comment to withhold your personal identifying information from public review, we cannot guarantee that we will be able to do so.

Sheleen Dumas,

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

[FR Doc. 2026–17322 Filed 8–24–26; 8:45 am]

BILLING CODE 3510–60–P

CORPORATION FOR NATIONAL AND COMMUNITY SERVICE

Agency Information Collection Activities; Submission to the Office of Management and Budget for Review and Approval; Comment Request; Current Population Survey Civic Engagement and Volunteering Supplement

AGENCY: Corporation for National and Community Service.

ACTION: Notice of information collection; request for comment.

SUMMARY: The Corporation for National and Community Service, operating as AmeriCorps, has submitted an information collection request (ICR) for the Current Population Survey Civic Engagement and Volunteering Supplement.

DATES: Written comments must be submitted to the individual and office listed in the **ADDRESSES** section by September 24, 2026.

ADDRESSES: Written comments and recommendations for the proposed information collection should be sent within 30 days of publication of this notice to *www.reginfo.gov/public/do/PRAMain.* Find this particular information collection by selecting ''Currently under 30-day Review—Open for Public Comments'' or by using the search function.

FOR FURTHER INFORMATION CONTACT: Copies of this ICR, with applicable supporting documentation, may be obtained by contacting Laura Schlachter, Ph.D., 202–855–2358, or by email at *LSchlachter@americorps.gov.*

SUPPLEMENTARY INFORMATION: The OMB is particularly interested in comments which:

- Evaluate whether the proposed collection of information is necessary for the proper performance of the functions of CNCS, 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;
- Propose ways to enhance the quality, utility, and clarity of the information to be collected; and
- Propose ways to minimize the burden of the collection of information on those who are to respond, including through the use of appropriate automated, electronic, mechanical, or other technological collection techniques or other forms of information technology.

A 60-day Notice requesting public comment on this information collection was published in the **Federal Register** on May 14, 2026 at 91 FR 27309. The comment period ended July 13, 2026. Two public comments were received. Both comments emphasized the utility of the CEV for both research and practice, as well as the importance of AmeriCorps' continued investment of meaningful time and energy into the analysis and reporting of the supplement data. Commenters' primary concerns were related to the reduction in the number of questions about formal volunteering activity in the CEV relative to the 2017 version of the Volunteering supplement.

The Serve America Act (2009) directs AmeriCorps to collect data that captures the broader concept of civic engagement (which includes but is not limited to formally volunteering through organizations). AmeriCorps' Office of Research and Evaluation recognizes that certain stakeholders would value more detailed data on formal volunteering. At this time, however, due to a policy Census introduced in 2022 to minimize respondent burden, AmeriCorps cannot add questions that would increase the length of the CEV. If Census recommendations change and resources allow AmeriCorps to add formal volunteering questions suggested by commenters in future rounds of data collection, the agency would seek a revision to reinstate two questions from the 2017 CEV about types of volunteer organizations (Q16b) and activities (Q16c). These questions underwent cognitive testing and validation as part of the original CEV design process and would generate valuable knowledge

about formal volunteering. In contrast, other questions suggested by commenters have not been validated, would substantially increase respondent burden, violate the 2022 Census supplement policy requiring CPS supplements to use behavioral measures, and/or are inconsistent with National Academy of Sciences recommendations that alternative data collections are better suited for attitudinal and outcome measures.

Title of Collection: Current Population Survey Civic Engagement and Volunteering Supplement.

OMB Control Number: 3045–0139.

Type of Review: Revision.

Respondents/Affected Public: Individuals and households.

Total Estimated Number of Annual Responses: 60,000.

Total Estimated Number of Annual Burden Hours: 6,670.

Abstract: AmeriCorps is mandated by the Serve America Act of 2009 to facilitate the establishment of a Civic Health Assessment in partnership with the National Conference on Citizenship. AmeriCorps aggregates and presents key indicators of civic health through its Volunteering and Civic Life in America (VCLA) research. The agency makes reports, tables, and data publicly available on the AmeriCorps website. Specialized tables are made available upon request. The survey is the only source of nationally representative data on civic engagement trends across the United States and over time. Key measures include formally volunteering through an organization; informally interacting with family, friends, and neighbors; participating in associations; charitable giving; learning about and engaging with issues of public concern; and interacting with public and private institutions. AmeriCorps has partnered with the U.S. Census Bureau (Census) to collect data and publish reports on civic engagement trends since 2002. This request is a revision because AmeriCorps is seeking clearance of rephrased questions to expedite testing in the event that Census introduces an internet self-response mode to the CEV before this OMB Control Number expires. Census is currently field-testing an internet self-response mode for the core CPS module as part of its modernization efforts. AmeriCorps is directed by Congress to collect data and produce reports on the nation's civic health (Authority: 42 U.S.C. 12639(a); 13 U.S.C. 8(b), 182; 29 U.S.C. 1.). The currently approved information collection is due to expire on August 31, 2026.

Mary Hyde,

Director, Office of Research and Evaluation.

[FR Doc. 2026–17264 Filed 8–24–26; 8:45 am]

BILLING CODE 6050–28–P

DEPARTMENT OF DEFENSE

Office of the Secretary

[Docket ID: DOD–2026–OS–1750]

Privacy Act of 1974; System of Records

AGENCY: Office of the Secretary of Defense (OSD), Department of Defense (DoD).

ACTION: Notice of a modified system of records.

SUMMARY: In accordance with the Privacy Act of 1974, the DoD is modifying and reissuing a current system of records titled, Defense Travel System (DTS), DHRA 08 DoD. DTS provides a DoD-wide travel management process which covers all official travel, from pre-travel arrangements to post travel payments. This system of records is being combined with the DHRA system of records ''Commercial Travel Information Management System (CTIM),'' DHRA 14 DoD, to consolidate travel data management, enhance operational efficiency, and streamline reporting across the Department. DHRA 14 DoD will be rescinded upon publication of this modification. Additionally, the routine uses section (routine uses A, M, and R) was updated to expand and clarify the scope of disclosures. The DoD is also modifying various other sections within the system of records notice (SORN) to improve clarity or update information that has changed.

DATES: This system of records is effective upon publication; however, comments on the Routine Uses will be accepted on or before September 24, 2026. The Routine Uses are effective at the close of the comment period, unless comments have been received from interested members of the public that require modification and republication of the notice.

ADDRESSES: You may submit comments, identified by docket number and title, by either of the following methods:

* *Federal Rulemaking Portal: https://www.regulations.gov.* Follow the instructions for submitting comments.

* *Mail:* Department of Defense, Office of the Director of Administration and Management, Oversight and Compliance Directorate, Regulatory Division, 4800 Mark Center Drive, Attn: Mailbox #24, Suite 05F16, Alexandria, VA 22350–1700.

Instructions: All submissions received must include the agency name and docket number for this **Federal Register** document. The general policy for comments and other submissions from members of the public is to make these submissions available for public viewing on the internet at *https://www.regulations.gov* as they are received without change, including any personal identifiers or contact information.

FOR FURTHER INFORMATION CONTACT: Samuel Peterson, DHRA Component Privacy Officer, 400 Gigling Rd., Rm. DODC–MB 7028, Seaside, CA 93955, *dodhra.mc-alex.dhra-hq.mbx.privacy@mail.mil* or 831–220–7330.

SUPPLEMENTARY INFORMATION:

I. Background

DTS supports the DoD in managing temporary duty (TDY) travel by collecting and maintaining records necessary for the authorization, processing, and reimbursement of official travel. Records maintained in DTS include personal information, travel itineraries, financial data, and supporting documentation related to travel claims. These records are used to verify eligibility, facilitate travel arrangements, ensure compliance with applicable regulations, and process payments. DTS also captures audit trails and approval workflows to support oversight, accountability, and reporting requirements across DoD components. Subject to public comment, the DoD proposes revisions to the routine uses section. The routine uses section has been reorganized to present the DoD standard routine uses (A through J) at the beginning of the list, enhancing clarity and consistency. Routine Use (M) has been updated to expand and clarify the scope of disclosures to banking establishments, and routine use (R) was added to include the Department of the Treasury's Do Not Pay routine use clause. Additionally, the system purpose, categories of individuals, and categories of records have been restructured to reflect consolidation with the DHRA 14 DoD system of records. Additional updates include changes to the system location, system manager, authority for maintenance, record source categories, policies and practices for storage, retrieval, and disposal, safeguards, and procedures for access, contesting records, and notification.

DoD SORNs have been published in the **Federal Register** and are available from the address in **FOR FURTHER INFORMATION CONTACT** or at the Oversight and Compliance Directorate, Privacy and Civil Liberties Division website at *https://doc.defense.gov/DIRECTORATES/Privacy-and-Civil-Liberties-Directorate/Privacy/SORNs/.*

II. Privacy Act

Under the Privacy Act, a ''system of records'' is a group of records under the control of an agency from which information is retrieved by the name of an individual or by some identifying number, symbol, or other identifying particular assigned to the individual. In the Privacy Act, an individual is defined as a U.S. citizen or lawful permanent resident.

In accordance with 5 U.S.C. 552a(r) and Office of Management and Budget (OMB) Circular No. A–108, DoD has provided a report of this system of records to the OMB and to Congress.

Dated: August 20, 2026.

Aaron T. Siegel,

Alternate OSD Federal Register Liaison Officer, Department of Defense.

SYSTEM NAME AND NUMBER:

Defense Travel System, DHRA 08 DoD.

SECURITY CLASSIFICATION:

Unclassified.

SYSTEM LOCATION:

A. Department of Defense (Department or DoD), located at 1000 Defense Pentagon, Washington, DC 20301–1000, and other Department installations, offices, or mission locations.

B. Information may also be stored within a government-certified cloud, implemented and overseen by the Department's Chief Information Officer (CIO), 6000 Defense Pentagon, Washington, DC 20301–6000.

SYSTEM MANAGER(S):

The system managers for this system of records are as follows:

A. Deputy Director, Defense Travel Management Office, 4800 Mark Center Drive, Suite 04J25–01, Alexandria, VA 22350–6000; email: *dodhra.mc-alex.dhra-hq.mbx.ctim@mail.mil.*

B. For DTS Archive records: Deputy Director, Defense Travel System Archive, Defense Manpower Data Center, 4800 Mark Center Drive, Alexandria, VA 22350–9000; email: *dodhra.dodc-mb.dmdc.mbx.webmaster@mail.mil.*

C. For ATRIP records: Chief, Program Integration Office, Cooperative Threat Reduction, Defense Threat Reduction Agency, 8725 John J. Kingman Road, Stop 6201, Fort Belvoir, VA 22060–6201; email: *dtra.belvoir.ct.list.ct-travel-team@mail.mil.*

AUTHORITY FOR MAINTENANCE OF THE SYSTEM:

5 U.S.C. 57, Travel, Transportation, and Subsistence; 10 U.S.C. 135, Under Secretary of Defense (Comptroller); 10 U.S.C. 136, Under Secretary of Defense for Personnel and Readiness; 37 U.S.C. 463, Programs of Compliance, Electronic Processing of Travel Claims; 50 U.S.C. 3711, Authority to carry out Department of Defense Cooperative Threat Reduction Program; 41 CFR 300–304, The Federal Travel Regulation (FTR); DTR 4500.9–R, Defense Transportation Regulation, Parts I—Passenger Movement, II Cargo Movement, III Mobility, IV Personal Property, V Customs; The Joint Travel Regulations (JTR), Uniformed Service Members and DoD Civilian Employees; Department of Defense (DoD) Directive 5100.87, Department of Defense Human Resources Activity; DoDD 5105.62, Defense Threat Reduction Agency (DTRA); DoD Instruction 5154.31, Volumes 1–6, Commercial Travel Management: Defense Travel System (DTS); DoD Financial Management Regulation 7000.14–R, Vol. 9, Defense Travel System Regulation, current edition; DoD Directive 4500.09, Transportation and Traffic Management; DoD Instruction 1100.13, Surveys of DoD Personnel and E.O. 9397 (SSN), as amended.

PURPOSE(S) OF THE SYSTEM:

A. DTS provides a DoD-wide travel management process that covers official TDY travel, from pre-travel arrangements to post-travel payments. DTS verifies individual travel information is accurate, current, and meets DoD foreign nation requirements for travel within the continental United States and outside the continental United States. The system facilitates the processing of official travel requests for DoD personnel and other individuals traveling on DoD travel orders. DTS provides information to financial systems to reimburse individual travel expenses, as well as to a commercial system to facilitate a voluntary rewards program for travelers using government travel charge cards (GTCC) for select purchases. DTS includes a tracking and reporting system to monitor travel authorizations, obligations, and payments. Additionally, the DoD uses DTS data to conduct surveys of program effectiveness, provide insight into the gap between product/service delivery and customer expectations, and assist in understanding the drivers of customer satisfaction.

B. The DTS business intelligence tool and archives provide a repository for reporting and archiving travel records. It assists with planning, budgeting, and allocating resources for future DoD travel, conducting oversight operations, analyzing travel, budgetary, or other trends, detecting fraud and abuse, and provides a mechanism for responding to authorized internal and external requests for data relating to DoD official travel and travel-related services.

C. The Commercial Travel Information Management (CTIM) establishes a repository of DoD travel records consisting of travel booked within the DTS as well as through commercial travel vendors in order to satisfy reporting requirements, identify and notify travelers in potential distress due to natural or man-made disaster, assist in the planning, budgeting, and allocation of resources for future DoD travel, conduct oversight operations, analyze travel, budgetary, or other trends, detect potential fraud and abuse, conduct surveys for the evaluation of program effectiveness, calculate travel and housing allowances, provide insight into the gap between product/service delivery and customer expectations, and assist in understanding what drives customer satisfaction, and respond to authorized internal and external requests for data relating to DoD official travel and travel related services, including premium class travel. In addition, CTIM contains rental car program data for US Federal Government travelers. CTIM also provides website-registered guests an online customer support site for submitting inquiries regarding commercial travel within the DoD, including assistance with DTS.

CATEGORIES OF INDIVIDUALS COVERED BY THE SYSTEM:

DoD civilian personnel, active, former, and retired military members, Reserve and National Guard personnel, military academy nominees, applicants, and cadets, all other individuals in receipt of DoD travel orders, dependents of DoD sponsors accompanying the DoD sponsors on travel, and registered website guests submitting inquiries regarding DoD commercial travel.

CATEGORIES OF RECORDS IN THE SYSTEM:

The following personal information is collected across both the Defense Travel System (DTS) and the Commercial Travel Information Management (CTIM) repository for managing DoD Travel.

A. *Personal information* to include full name, Social Security Number

(SSN) or Truncated SSN, DoD ID Number, sex, date of birth, mailing, home, business addresses, email addresses, phone numbers (home, cellular, business), emergency contact information.

B. *Employment information* to include service/agency, duty station and organizational information, title/rank, civilian/military status information.

C. *Travel and Identification* to include passport and visa information, frequent flier information and travel preferences, itineraries, reservations, vouchers, receipts, and supporting documentation.

D. *Financial information* to include government travel charge card (GTCC) and expiration date, personal checking and savings account numbers.

Note 1. Information collected that is unique to DTS includes the last four of the SSN (if requiring assistance with DTS), and bank routing information.

Note 2. Information collected that is unique to the CTIM Repository include truncated SSN, GTCC transactions, government accounting code, budget information, cellular phone provider (for users desiring travel alerts), and Foreign Identification (ID) Numbers or Individual Taxpayer ID Number (for foreign national on invitational orders).

RECORD SOURCE CATEGORIES:

Records and information stored in this system of records are obtained from: individual, authorized DoD personnel, the Defense Travel System Datamart, the General Services Administration data repository, commercial systems (travel global distribution systems including Sabre, Citi), DoD information systems via electronic import such as the Consolidated Travel Information Management (CTIM), Air Reserve Orders Writing System and Navy Reserve Order Writing System.

ROUTINE USES OF RECORDS MAINTAINED IN THE SYSTEM, INCLUDING CATEGORIES OF USERS AND PURPOSES OF SUCH USES:

In addition to those disclosures generally permitted under 5 U.S.C. 552a(b) of the Privacy Act of 1974, as amended, all or a portion of the records or information contained herein may specifically be disclosed outside the DoD as a Routine Use pursuant to 5 U.S.C. 552a(b)(3) as follows:

A. To contractors, grantees, experts, consultants, students, and others performing or working on a contract, service, grant, cooperative agreement, or other assignment for the Federal government when necessary to accomplish an agency function related to this system of records.

B. To the appropriate Federal, State, local, territorial, tribal, foreign, or international law enforcement authority or other appropriate entity where a record, either alone or in conjunction with other information, indicates a violation or potential violation of law, whether criminal, civil, or regulatory in nature.

C. To any component of the Department of Justice for the purpose of representing the DoD, or its components, officers, employees, or members in pending or potential litigation to which the record is pertinent.

D. In an appropriate proceeding before a court, grand jury, or administrative or adjudicative body or official, when the DoD or other Agency representing the DoD determines that the records are relevant and necessary to the proceeding; or in an appropriate proceeding before an administrative or adjudicative body when the adjudicator determines the records to be relevant and necessary to the proceeding.

E. To the National Archives and Records Administration for the purpose of records management inspections conducted under the authority of 44 U.S.C. 2904 and 2906.

F. To a Member of Congress or staff acting upon the Member's behalf when the Member or staff requests the information on behalf of, and at the request of, the individual who is the subject of the record.

G. To appropriate agencies, entities, and persons when (1) the DoD suspects or confirms a breach of the system of records; (2) the DoD determines as a result of the suspected or confirmed breach there is a risk of harm to individuals, the DoD (including its information systems, programs, and operations), the Federal Government, or national security; and (3) the disclosure made to such agencies, entities, and persons is reasonably necessary to assist in connection with the DoD's efforts to respond to the suspected or confirmed breach or to prevent, minimize, or remedy such harm.

H. To another Federal agency or Federal entity, when the DoD determines that information from this system of records is reasonably necessary to assist the recipient agency or entity in (1) responding to a suspected or confirmed breach or (2) preventing, minimizing, or remedying the risk of harm to individuals, the recipient agency or entity (including its information systems, programs and operations), the Federal Government, or national security, resulting from a suspected or confirmed breach.

I. To another Federal, State or local agency for the purpose of comparing to the agency's system of records or to non-Federal records, in coordination with an Office of Inspector General in conducting an audit, investigation, inspection, evaluation, or other review as authorized by the Inspector General Act of 1978, as amended.

J. To such recipients and under such circumstances and procedures as are mandated by Federal statute or treaty.

K. To Federal and private entities providing travel services for purposes of arranging transportation at Government expense for official business.

L. To the Internal Revenue Service to provide information concerning the pay of travel allowances which are subject to federal income tax.

M. To banking establishments for the purpose of confirming billing or expense data, reconciling financial transactions, validating payment accuracy, and supporting audits or investigations related to travel expenditures.

N. To foreign or international law enforcement, security, or investigatory authorities to comply with requirements imposed by, or to claim rights conferred in, international agreements and arrangements, including those regulating the stationing and status in foreign countries of DoD military and civilian personnel.

O. To a federal agency, in response to its request in connection with an investigation of an employee, service member, or other authorized individual to the extent that the information is relevant and necessary to the requesting agency's decision on the matter.

P. To the Office of Personnel Management (OPM) concerning information on pay and leave, benefits, retirement deduction, and any other information necessary for the OPM to carry out its legally authorized government-wide personnel management functions and studies.

Q. To the Merit Systems Protection Board, including the Office of the Special Counsel, for the purpose of litigation, including administrative proceedings, appeals, special studies of the civil service and other merit systems, review of OPM or component rules and regulations, investigation of alleged or possible prohibited personnel practices; and administrative proceedings involving any individual subject of a DoD investigation, and such other functions, promulgated in 5 U.S.C. 1205 and 1206, or as may be authorized by law.

R. To the U.S. Department of the Treasury when disclosure of the information is relevant to review payment and award eligibility through the Do No Pay Working System for the purposes of identifying, preventing, or

recouping improper payments to an applicant for, or recipient of, Federal funds, including funds disbursed by a state (meaning a state of the United States, the District of Columbia, a territory or possession of the United States, or a federally recognized Indian tribe) in a state-administered, federally funded program.

POLICIES AND PRACTICES FOR STORAGE OF RECORDS:

Records may be stored electronically or on paper in secure facilities in a locked drawer behind a locked door. Electronic records may be stored locally on digital media; in agency-owned cloud environments; or in vendor Cloud Service Offerings certified under the Federal Risk and Authorization Management Program (FedRAMP).

POLICIES AND PRACTICES FOR RETRIEVAL OF RECORDS:

Records may be retrieved by an individual's name, partial or full SSN, DoD Identification Number, passport number, email address, trip number, travel dates, travel destination, and DoD component. For U.S. citizens, retrieval may also include trip-specific details. For dependents, records may be accessed using the host employee's name, SSN, and DoD component affiliation.

POLICIES AND PRACTICES FOR RETENTION AND DISPOSAL OF RECORDS:

A. *For DTS records:* Most records will be destroyed 6 years after the final payment or cancellation. Records relating to a claim will be destroyed 6 years and 3 months after the claim is closed, or when any applicable court order is lifted. In the case of a waiver of a claim, the record will be destroyed 6 years and 3 months after the close of the fiscal year in which the waiver was approved. In the case of a claim for which the Government's right to collect was not extended, the record will be destroyed 10 years and 3 months after the year in which the Government's right to collect first accrued. Employee Rewards System records are cutoff and destroyed when no longer needed for business use. ATRIP records will be destroyed 6 years after the final payment or cancellation.

B. *CTIM:* Records are destroyed 6 years after final payment or cancellation.

ADMINISTRATIVE, TECHNICAL, AND PHYSICAL SAFEGUARDS:

Records are stored in office buildings protected by security guards, closed circuit TV, controlled screening, use of visitor registers, electronic access, key cards, ID badges, and/or locks. Access to the system's data is controlled using intrusion detection systems, firewalls, a virtual private network, and DoD public key infrastructure certificates. Procedures are in place to deter and detect browsing and unauthorized access. To access the records, personnel are assigned role-based access and must complete two-factor authentication using a common access card credential and password/PIN. Access to records is limited to individuals who are properly screened and cleared on a need-to-know basis in the performance of their official duties. Physical and electronic access is limited to persons responsible for servicing and authorized to use the record system. The backups of data are encrypted and secured. The program office conducts security audits and monitors security practices.

RECORD ACCESS PROCEDURES:

Individuals seeking access to their records should follow the procedures in 32 CFR part 310. Individuals seeking access to the records contained in DTS, the DTS Archive, or CTIM should address written inquiries to: Office of the Secretary of Defense/Joint Staff, Freedom of Information Act Requester Service Center, Office of Freedom of Information, 1155 Defense Pentagon, Washington, DC 20301–1155.

Requests for records maintained in the ATRIP: the Defense Threat Reduction Agency (DTRA) Freedom of Information/Privacy Act Office Request Center, Defense Threat Reduction Agency (DTRA), 8725 John J. Kingman Road, Stop 6201, Fort Belvoir, VA 22060–6201.

Signed, written requests for DTS, DTS Archive, and ATRIPS records should include: the name and number of this system of records notice, along with full name, SSN (if applicable), office or organization where assigned when trip was taken, travel destination, and dates of travel.

Signed, written requests for CTIM records should include: the name and number of this system of records notice along with full name, current address, phone number, and personal email address of the individual. In addition, the requester must provide either a notarized statement or an unsworn declaration made in accordance with 28 U.S.C. 1746, in the appropriate format:

If executed outside the United States: ''I declare (or certify, verify, or state) under penalty of perjury under the laws of the United States of America that the foregoing is true and correct. Executed on (date). (Signature).''

If executed within the United States, its territories, possessions, or commonwealths: ''I declare (or certify, verify, or state) under penalty of perjury that the foregoing is true and correct. Executed on (date). (Signature).''

CONTESTING RECORD PROCEDURES:

Individuals seeking to amend or correct the content of records about them should follow the procedures in 32 CFR part 310.

NOTIFICATION PROCEDURES:

Individuals seeking to determine whether information about themselves is contained in this system of records should follow the instructions for Record Access Procedures above.

EXEMPTIONS PROMULGATED FOR THE SYSTEM:

None

HISTORY:

March 27, 2020, 85 FR 17319; March 24, 2010, 75 FR 14142.

[FR Doc. 2026–17278 Filed 8–24–26; 8:45 am]

BILLING CODE 6001–FR–P

DEPARTMENT OF DEFENSE

Office of the Secretary

[Docket ID: DOD–2026–HA–1816]

Privacy Act of 1974; Matching Program

AGENCY: Office of the Secretary, Department of Defense (DoD).

ACTION: Notice of a new matching program.

SUMMARY: This Computer Matching Agreement verifies the eligibility of Military Health System (MHS) beneficiaries who are Medicare eligible to receive TRICARE Benefits.

DATES: Comments will be accepted on or before September 24, 2026. This proposed action will be effective the day following the end of the comment period unless comments have been received from interested members of the public that require modification and republication of the notice.

ADDRESSES: You may submit comments, identified by docket number and title, by any of the following methods:

* *Federal Rulemaking Portal: https://www.regulations.gov.* Follow the instructions for submitting comments.

* *Mail:* Department of Defense, Office of the Director of Administration and Management, Oversight and Compliance Directorate, Regulatory Division, 4800 Mark Center Drive, Attn: Mailbox 24, Suite 05F16, Alexandria, VA 22350–1700.

Instructions: All submissions received must include the agency name and docket number for this **Federal Register** document. The general policy for comments and other submissions from

members of the public is to make these submissions available for public viewing on the internet at *https://www.regulations.gov* as they are received without change, including any personal identifiers or contact information.

FOR FURTHER INFORMATION CONTACT: Ms. Rahwa Keleta, Chief, Privacy and Civil Liberties Division at (703) 571–0070.

SUPPLEMENTARY INFORMATION: The DoD, Defense Manpower Data Center (DMDC) will provide the Department of Health and Human Services (HHS), Centers for Medicare and Medicaid Services (CMS) a list of specific data elements for all DoD eligible beneficiaries both over and under the age of 65. CMS will: (1) match the individuals provided by DMDC against the information found in CMS's ''Enrollment Database (EDB)'' system of records; (2) validate the identification of the individual against CMS beneficiary records based on Social Security Number (SSN) and date of birth; (3) provide the individual's Medicare Beneficiary Identifier (MBI), Medicare enrollment status, and address in the response file to DMDC. After receipt of the response file from CMS, DMDC will update the Defense Enrollment Eligibility Reporting System (DEERS) with appropriate Medicare information provided in the response file. The verified identification of eligible beneficiaries and their current Medicare enrollment status is maintained in DEERS for use by the Defense Health Agency in the management of its programs.

Participating Agencies: The Department of Defense, Defense Manpower Data Center, and the Department of Health and Human Services, Centers for Medicare and Medicaid Services.

Authority for Conducting the Matching Program: 10 U.S.C. 1086(d).

Purpose(s): The purpose of this matching program is to verify the eligibility of MHS beneficiaries who are Medicare-eligible to receive TRICARE benefits.

Categories of Individuals: The categories of individuals whose information is involved in the matching program is all eligible MHS beneficiaries both over and under the age of 65 (*e.g.,* dependent family members, legal guardians and other protectors and prior military members eligible for Department of Veterans Affairs benefits). Data for these individuals is matched against Medicare beneficiaries assigned a CMS MBI found in CMS's Enrollment Database.

Categories of Records: The categories of records involved in the matching program are SSN, date of birth, sex code, first name, last name, and Medicare eligibility and enrollment data. DMDC will provide CMS with a finder file for the Under and Over 65 Populations to match against information in CMS's EDB. The finder file sent from DMDC will contain SSN, date of birth, sex code, and first and last name. CMS will provide DMDC with a response file which will contain SSN, date of birth, sex code, first name, last name, and Medicare data.

System of Records: ''Defense Enrollment Eligibility Reporting System (DEERS),'' DMDC 02 DoD, published in full at 87 FR 32384 (May 31, 2022). ''Military Health Information System (MHIS),'' EDHA 07, published at 85 FR 36190 (June 15, 2020). ''Enrollment Database (EDB),'' 09–70–0502, published in full at 73 FR 10249 (February 26, 2008), updated at 78 FR 23938 (April 23, 2013), 81 FR 8204 (February 18, 2016), and 83 FR 6591 (February 14, 2018).

Dated: August 20, 2026.

Aaron T. Siegel,

Alternate OSD Federal Register Liaison Officer, Department of Defense.

[FR Doc. 2026–17268 Filed 8–24–26; 8:45 am]

BILLING CODE 6001–FR–P

DEPARTMENT OF DEFENSE

Office of the Secretary

Revised Non-Foreign Overseas Per Diem Rates

AGENCY: Personnel Readiness Management Activity (PRMA), Department of Defense (DoD).

ACTION: Notice of revised per diem rates in non-foreign areas outside the continental United States (U.S.).

SUMMARY: PRMA publishes this Civilian Personnel Per Diem Bulletin Number 332. Bulletin Number 332 lists current per diem rates prescribed for reimbursement of subsistence expenses while on official Government travel to Alaska, Hawaii, the Commonwealth of Puerto Rico, and the possessions of the U.S. The Calendar Year (CY) 2026 lodging rate review for Guam, Northern Mariana Islands, and American Samoa resulted in rate changes for multiple locations.

DATES: The updated rates take effect September 1, 2026.

FOR FURTHER INFORMATION CONTACT: Dwayne A. Norman II, 571–372–1300, *dwayne.a.norman2.civ@mail.mil.*

SUPPLEMENTARY INFORMATION: This document notifies the public of revisions in per diem rates prescribed by the Per Diem, Travel, and Transportation Allowance Committee for travel to non-foreign areas outside the continental United States. The CY 2026 lodging rate review for Guam, Northern Mariana Islands, and American Samoa resulted in lodging rate increases for multiple locations. Bulletin Number 332 is published in the **Federal Register** to ensure that Government travelers outside the DoD are notified of revisions to the current reimbursement rates.

If you believe the lodging, meal or incidental allowance rate for a locality listed in the following table is insufficient, you may request a rate review for that location. For more information about how to request a review, please see the Defense Travel Management Office's Per Diem Rate Review Frequently Asked Questions page at *https://www.travel.dod.mil/Travel-Transportation-Rates/Per-Diem/.*

State or territory	Locality	Season start	Season end	Lodging	M&IE	Total per diem	Effective date
ALASKA	[OTHER]	01/01	12/31	239	143	382	01/01/2026
ALASKA	ADAK	01/01	12/31	239	143	382	01/01/2026
ALASKA	ANCHORAGE	04/01	09/30	329	148	477	01/01/2026
ALASKA	ANCHORAGE	10/01	03/31	239	148	387	01/01/2026
ALASKA	BARROW	05/01	08/31	301	143	444	01/01/2026
ALASKA	BARROW	09/01	04/30	266	143	409	01/01/2026
ALASKA	BARTER ISLAND LRRS	01/01	12/31	239	143	382	01/01/2026
ALASKA	BETHEL	01/01	12/31	239	143	382	01/02/2026
ALASKA	BETTLES	01/01	12/31	239	143	*382	01/01/2026
ALASKA	CAPE LISBURNE LRRS	01/01	12/31	239	143	382	01/01/2026

State or territory	Locality	Season start	Season end	Lodging	M&IE	Total per diem	Effective date
ALASKA	CAPE NEWENHAM LRRS	01/01	12/31	239	143	382	01/01/2026
ALASKA	CAPE ROMANZOF LRRS	01/01	12/31	239	143	382	01/01/2026
ALASKA	CLEAR AB	01/01	12/31	239	143	382	01/01/2026
ALASKA	COLD BAY	01/01	12/31	239	143	382	01/01/2026
ALASKA	COLD BAY LRRS	01/01	12/31	239	143	382	01/01/2026
ALASKA	COLDFOOT	01/01	12/31	249	143	392	01/01/2026
ALASKA	COPPER CENTER	01/01	12/31	239	143	382	01/01/2026
ALASKA	CORDOVA	01/01	12/31	239	143	382	01/01/2026
ALASKA	CRAIG	05/01	09/30	275	143	418	01/01/2026
ALASKA	CRAIG	10/01	04/30	199	143	342	01/01/2026
ALASKA	DEADHORSE	01/01	12/31	239	143	*382	01/01/2026
ALASKA	DELTA JUNCTION	01/01	12/31	239	143	382	01/01/2026
ALASKA	DENALI NATIONAL PARK	05/01	09/30	275	143	418	01/01/2026
ALASKA	DENALI NATIONAL PARK	10/01	04/30	199	143	342	01/01/2026
ALASKA	DILLINGHAM	01/01	12/31	320	143	463	01/01/2026
ALASKA	DUTCH HARBOR–UNALASKA	01/01	12/31	239	143	382	01/01/2026
ALASKA	EARECKSON AIR STATION	01/01	12/31	146	74	220	01/01/2026
ALASKA	EIELSON AFB	04/16	11/30	279	133	412	01/01/2026
ALASKA	EIELSON AFB	12/01	04/15	199	143	332	01/01/2026
ALASKA	ELFIN COVE	01/01	12/31	239	143	382	01/01/2026
ALASKA	ELMENDORF AFB	04/01	09/30	329	148	477	01/01/2026
ALASKA	ELMENDORF AFB	10/01	03/31	239	148	387	01/01/2026
ALASKA	FAIRBANKS	04/16	11/30	279	133	412	01/01/2026
ALASKA	FAIRBANKS	12/01	04/15	199	133	332	01/01/2026
ALASKA	FORT YUKON LRRS	01/01	12/31	239	143	382	01/01/2026
ALASKA	FT. GREELY	01/01	12/31	239	143	382	01/01/2026
ALASKA	FT. RICHARDSON	04/01	09/30	329	148	477	01/01/2026
ALASKA	FT. RICHARDSON	10/01	03/31	239	148	387	01/01/2026
ALASKA	FT. WAINWRIGHT	04/16	11/30	279	133	412	01/01/2026
ALASKA	FT. WAINWRIGHT	12/01	04/15	199	133	332	01/01/2026
ALASKA	GAMBELL	01/01	12/31	239	143	382	01/01/2026
ALASKA	GLENNALLEN	01/01	12/31	239	143	382	01/01/2026
ALASKA	HAINES	01/01	12/31	239	143	382	01/01/2026
ALASKA	HEALY	05/01	09/30	275	143	418	01/01/2026
ALASKA	HEALY	10/01	04/30	199	143	342	01/01/2026
ALASKA	HOMER	05/01	09/30	275	143	418	01/01/2026
ALASKA	HOMER	10/01	04/30	199	143	342	01/01/2026
ALASKA	JB ELMENDORF–RICHARDSON	04/01	09/30	329	148	477	01/01/2026
ALASKA	JB ELMENDORF–RICHARDSON	10/01	03/31	239	148	387	01/01/2026
ALASKA	JUNEAU	02/01	10/31	274	143	417	01/01/2026
ALASKA	JUNEAU	11/01	01/31	239	143	382	01/01/2026
ALASKA	KAKTOVIK	01/01	12/31	239	143	*382	01/01/2026
ALASKA	KAVIK CAMP	01/01	12/31	239	143	*382	01/01/2026
ALASKA	KENAI–SOLDOTNA	05/01	10/31	275	143	418	01/01/2026
ALASKA	KENAI–SOLDOTNA	11/01	04/30	199	143	342	01/01/2026
ALASKA	KENNICOTT	01/01	12/31	239	143	382	01/01/2026
ALASKA	KETCHIKAN	05/01	09/30	275	143	418	01/01/2026
ALASKA	KETCHIKAN	10/01	04/30	188	143	331	01/01/2026
ALASKA	KING SALMON	01/01	12/31	239	143	382	01/01/2026
ALASKA	KING SALMON LRRS	01/01	12/31	239	143	382	01/01/2026
ALASKA	KLAWOCK	01/01	12/31	239	143	382	01/01/2026
ALASKA	KODIAK	05/01	11/30	231	139	370	01/01/2026
ALASKA	KODIAK	12/01	04/30	145	139	284	01/01/2026
ALASKA	KOTZEBUE	01/01	12/31	239	143	382	01/01/2026
ALASKA	KULIS AGS	04/01	09/30	329	148	477	01/01/2026
ALASKA	KULIS AGS	10/01	03/31	239	148	387	01/01/2026
ALASKA	MCCARTHY	01/01	12/31	239	143	382	01/01/2026
ALASKA	MCGRATH	01/01	12/31	239	143	*382	01/01/2026
ALASKA	MURPHY DOME	04/16	11/30	279	133	412	01/01/2026
ALASKA	MURPHY DOME	12/01	04/15	199	133	332	01/01/2026
ALASKA	NOME	05/01	08/31	275	143	418	01/01/2026
ALASKA	NOME	09/01	04/30	242	143	385	01/01/2026
ALASKA	NOSC ANCHORAGE	04/01	09/30	329	148	477	01/01/2026
ALASKA	NOSC ANCHORAGE	10/01	03/31	239	148	387	01/01/2026
ALASKA	NUIQSUT	01/01	12/31	239	143	*382	01/01/2026
ALASKA	OLIKTOK LRRS	01/01	12/31	239	143	382	01/01/2026
ALASKA	PALMER	05/01	09/30	275	143	418	01/01/2026
ALASKA	PALMER	10/01	04/30	199	143	342	01/01/2026
ALASKA	PETERSBURG	01/01	12/31	239	143	382	01/01/2026
ALASKA	POINT BARROW LRRS	01/01	12/31	239	143	382	01/01/2026
ALASKA	POINT HOPE	01/01	12/31	239	143	*382	01/01/2026
ALASKA	POINT LONELY LRRS	01/01	12/31	239	143	382	01/01/2026
ALASKA	PORT ALEXANDER	01/01	12/31	239	143	*382	01/01/2026

State or territory	Locality	Season start	Season end	Lodging	M&IE	Total per diem	Effective date
ALASKA	PORT ALSWORTH	01/01	12/31	239	143	382	01/01/2026
ALASKA	PRUDHOE BAY	01/01	12/31	239	143	*382	01/01/2026
ALASKA	SELDOVIA	05/01	09/30	275	143	418	01/01/2026
ALASKA	SELDOVIA	10/01	04/30	199	143	342	01/01/2026
ALASKA	SEWARD	04/01	09/30	284	189	473	01/01/2026
ALASKA	SEWARD	10/01	03/31	199	189	388	01/01/2026
ALASKA	SITKA–MT. EDGECUMBE	05/01	09/30	275	143	418	01/01/2026
ALASKA	SITKA–MT. EDGECUMBE	10/01	04/30	199	143	342	01/01/2026
ALASKA	SKAGWAY	05/01	09/30	275	143	418	01/01/2026
ALASKA	SKAGWAY	10/01	04/30	199	143	342	01/01/2026
ALASKA	SLANA	01/01	12/31	239	143	382	01/01/2026
ALASKA	SPARREVOHN LRRS	01/01	12/31	239	143	382	01/01/2026
ALASKA	SPRUCE CAPE	03/01	09/30	275	143	418	01/01/2026
ALASKA	SPRUCE CAPE	10/01	02/28	199	143	342	01/01/2026
ALASKA	ST. GEORGE	01/01	12/31	239	143	382	01/01/2026
ALASKA	TALKEETNA	01/01	12/31	239	148	387	01/01/2026
ALASKA	TANANA	05/01	08/31	275	143	418	01/01/2026
ALASKA	TANANA	09/01	04/30	242	143	385	01/01/2026
ALASKA	TATALINA LRRS	01/01	12/31	239	143	382	01/01/2026
ALASKA	TIN CITY LRRS	01/01	12/31	239	143	382	01/01/2026
ALASKA	TOK	01/01	12/31	239	143	382	01/01/2026
ALASKA	VALDEZ	05/16	09/15	275	143	418	01/01/2026
ALASKA	VALDEZ	09/16	05/15	199	143	342	01/01/2026
ALASKA	WAINWRIGHT	01/01	12/31	295	143	438	01/01/2026
ALASKA	WASILLA	06/01	09/30	275	129	404	01/01/2026
ALASKA	WASILLA	10/01	05/31	199	129	328	01/01/2026
ALASKA	WRANGELL	05/01	09/30	275	143	418	01/01/2026
ALASKA	WRANGELL	10/01	04/30	188	143	331	01/01/2026
ALASKA	YAKUTAT	06/01	09/30	350	143	493	01/01/2026
ALASKA	YAKUTAT	10/01	05/31	199	143	342	01/01/2026
AMERICAN SAMOA	AMERICAN SAMOA	01/01	12/31	179	138	317	09/01/2026
AMERICAN SAMOA	PAGO PAGO	01/01	12/31	179	138	317	09/01/2026
GUAM	GUAM (INCL ALL MIL INSTAL)	01/01	12/31	179	138	317	09/01/2026
GUAM	JOINT REGION MARIANAS (ANDERSEN).	01/01	12/31	179	138	317	09/01/2026
GUAM	JOINT REGION MARIANAS (NAVAL BASE).	01/01	12/31	179	138	317	09/01/2026
GUAM	TAMUNING	01/01	12/31	179	138	317	09/01/2026
HAWAII	[OTHER]	01/01	12/31	242	163	405	10/01/2025
HAWAII	CAMP H M SMITH	01/01	12/31	202	163	365	10/01/2025
HAWAII	CNI NAVMAG PEARL HARBOR–HICKAM.	01/01	12/31	202	163	365	10/01/2025
HAWAII	FT. DERUSSEY	01/01	12/31	202	163	365	10/01/2025
HAWAII	FT. SHAFTER	01/01	12/31	202	163	365	10/01/2025
HAWAII	HICKAM AFB	01/01	12/31	202	163	365	10/01/2025
HAWAII	HONOLULU	01/01	12/31	202	163	365	10/01/2025
HAWAII	ISLE OF HAWAII: HILO	01/01	12/31	199	146	345	10/01/2025
HAWAII	ISLE OF HAWAII: LOCATIONS OTHER THAN HILO.	01/01	12/31	242	180	422	10/01/2025
HAWAII	ISLE OF KAUAI	01/01	12/31	350	165	515	10/01/2025
HAWAII	ISLE OF LANAI	01/01	12/31	242	163	405	10/01/2025
HAWAII	ISLE OF MAUI	01/01	12/31	354	153	507	10/01/2025
HAWAII	ISLE OF MOLOKAI	01/01	12/31	242	163	405	10/01/2025
HAWAII	ISLE OF OAHU	01/01	12/31	202	163	365	10/01/2025
HAWAII	JB PEARL HARBOR–HICKAM	01/01	12/31	202	163	365	10/01/2025
HAWAII	KAPOLEI	01/01	12/31	202	163	365	10/01/2025
HAWAII	KEKAHA PACIFIC MISSILE RANGE FAC.	01/01	12/31	350	165	515	10/01/2025
HAWAII	KILAUEA MILITARY CAMP	01/01	12/31	199	146	345	10/01/2025
HAWAII	LIHUE	01/01	12/31	350	165	515	10/01/2025
HAWAII	MCB HAWAII	01/01	12/31	202	163	365	10/01/2025
HAWAII	NCTAMS PAC WAHIAWA	01/01	12/31	202	163	365	10/01/2025
HAWAII	NOSC PEARL HARBOR	01/01	12/31	202	163	365	10/01/2025
HAWAII	PEARL HARBOR	01/01	12/31	202	163	365	10/01/2025
HAWAII	PMRF BARKING SANDS	01/01	12/31	350	165	515	10/01/2025
HAWAII	SCHOFIELD BARRACKS	01/01	12/31	202	163	365	10/01/2025
HAWAII	TRIPLER ARMY MEDICAL CENTER	01/01	12/31	202	163	365	10/01/2025
HAWAII	WHEELER ARMY AIRFIELD	01/01	12/31	202	163	365	10/01/2025
MIDWAY ISLANDS	MIDWAY ISLANDS	01/01	12/31	125	81	206	05/01/2023
NORTHERN MARIANA ISLANDS	ROTA	01/01	12/31	179	138	317	09/01/2026
NORTHERN MARIANA ISLANDS	SAIPAN	01/01	12/31	179	138	317	09/01/2026
NORTHERN MARIANA ISLANDS	TINIAN	01/01	12/31	179	138	317	09/01/2026
PUERTO RICO	[OTHER]	01/01	12/31	184	116	300	04/01/2026

State or territory	Locality	Season start	Season end	Lodging	M&IE	Total per diem	Effective date
PUERTO RICO	AGUADILLA	06/01	08/31	168	97	265	04/01/2026
PUERTO RICO	AGUADILLA	09/01	05/31	149	97	246	04/01/2026
PUERTO RICO	BAYAMON	01/01	12/31	295	148	443	04/01/2026
PUERTO RICO	CAROLINA	01/01	12/31	295	148	443	04/01/2026
PUERTO RICO	CEIBA	01/01	12/31	184	110	294	04/01/2026
PUERTO RICO	CULEBRA	01/01	12/31	184	116	300	04/01/2026
PUERTO RICO	FAJARDO [INCL ROOSEVELT RDS NAVSTAT].	01/01	12/31	184	110	294	04/01/2026
PUERTO RICO	FT. BUCHANAN [INCL GSA SVC CTR, GUAYNABO].	01/01	12/31	295	148	443	04/01/2026
PUERTO RICO	HUMACAO	01/01	12/31	184	110	294	04/01/2026
PUERTO RICO	LUIS MUNOZ MARIN IAP AGS	01/01	12/31	295	148	443	04/01/2026
PUERTO RICO	LUQUILLO	01/01	12/31	184	110	294	04/01/2026
PUERTO RICO	MAYAGUEZ	01/01	12/31	129	116	245	04/01/2026
PUERTO RICO	PONCE	01/01	12/31	149	146	295	04/01/2026
PUERTO RICO	RIO GRANDE	01/01	12/31	219	103	322	04/01/2026
PUERTO RICO	SABANA SECA [INCL ALL MILITARY].	01/01	12/31	295	148	443	04/01/2026
PUERTO RICO	SAN JUAN & NAV RES STA	01/01	12/31	295	148	443	04/01/2026
PUERTO RICO	VIEQUES	01/01	12/31	184	125	309	04/01/2026
VIRGIN ISLANDS (U.S.)	ST. CROIX	07/01	10/31	247	115	362	10/01/2024
VIRGIN ISLANDS (U.S.)	ST. CROIX	11/01	06/30	299	115	414	10/01/2024
VIRGIN ISLANDS (U.S.)	ST. JOHN	04/15	12/15	324	150	474	10/01/2024
VIRGIN ISLANDS (U.S.)	ST. JOHN	12/16	04/14	414	150	564	10/01/2024
VIRGIN ISLANDS (U.S.)	ST. THOMAS	04/15	12/15	324	150	474	10/01/2024
VIRGIN ISLANDS (U.S.)	ST. THOMAS	12/16	04/14	414	150	564	10/01/2024
WAKE ISLAND	WAKE ISLAND	01/01	12/31	136	78	214	03/01/2025

* Where meals are included in the lodging rate, a traveler is only allowed a meal rate on the first and last day of travel.

Dated: August 20, 2026.

Aaron T. Siegel,

Alternate OSD Federal Register Liaison Officer, Department of Defense.

[FR Doc. 2026–17262 Filed 8–24–26; 8:45 am]

BILLING CODE 6001–FR–P

DEPARTMENT OF EDUCATION

[Docket ID ED–2026–OFO–2410]

Privacy Act of 1974; Matching Program

AGENCY: Federal Student Aid, U.S. Department of Education.

ACTION: Notice of a new matching program.

SUMMARY: Pursuant to the Privacy Act of 1974, as amended by the Computer Matching and Privacy Protection Act of 1988 and the Computer Matching and Privacy Protection Amendments of 1990 (Privacy Act), and Office of Management and Budget (OMB) guidance on the conduct of matching programs, notice is hereby given of the establishment of a matching program between the U.S. Department of Education (Department) and the U.S. Department of the Treasury, Bureau of the Fiscal Service (Fiscal Service). The matching program allows Fiscal Service to provide services relating to the identification, prevention, and/or recovery of improper payments pursuant to the Do Not Pay program operating under 31 U.S.C. 3554.

DATES: Submit your comments on the proposed establishment of the matching program on or before September 24, 2026.

The matching program will become effective 30 days after the publication of this notice on August 25, 2026, unless comments have been received from interested members of the public requiring modification and republication of the notice. The matching program will continue through September 10, 2029.

ADDRESSES: Comments must be submitted via the Federal eRulemaking Portal at *regulations.gov*. However, if you require an accommodation or cannot otherwise submit your comments via *regulations.gov,* please contact the program contact person listed under **FOR FURTHER INFORMATION CONTACT**. The Department will not accept comments submitted by fax or by email, or comments submitted after the comment period. To ensure that the Department does not receive duplicate copies, please submit your comments only once. In addition, please include the Docket ID at the top of your comments.

Federal eRulemaking Portal: Go to *www.regulations.gov* to submit your comments electronically. Information on using *Regulations.gov*, including instructions for accessing agency documents, submitting comments, and viewing the docket, is available on the site under the ''FAQ'' tab.

Privacy Note: The Department's policy is to make all comments received from members of the public available for public viewing in their entirety on the Federal eRulemaking Portal at *www.regulations.gov*. Therefore, commenters should be careful to include in their comments only information that they wish to make publicly available.

FOR FURTHER INFORMATION CONTACT: Carolyn Dempster, Supervisory Financial Management Analyst, Office of Finance and Operations, U.S. Department of Education, 400 Maryland Avenue SW, Washington, DC 20202. Telephone: (202) 453–6303.

If you are deaf, hard of hearing, or have a speech disability and wish to access telecommunications relay services, please dial 7–1–1.

SUPPLEMENTARY INFORMATION: In accordance with the Privacy Act of 1974, as amended (Privacy Act) (5 U.S.C. 552a); Office of Management and Budget (OMB) Final Guidance Interpreting the Provisions of Public Law 100–503, the Computer Matching and Privacy Protection Act of 1988, published in the **Federal Register** on June 19, 1989 (54 FR 25818); and OMB Circular No. A–108, notice is hereby provided of the establishment of a matching program between the Department and Treasury.

The Payment Integrity Information Act of 2019 (31 U.S.C. 3351 *et seq.*) provides the head of the agency

operating the Do Not Pay (DNP) Working System with the authority, in consultation with OMB, to waive the requirements in 5 U.S.C. 552a(o) in any case or class of cases for matching activities conducted under the DNP Initiative (31 U.S.C. 3354). Pursuant to this authority, the Secretary of the Treasury, after consulting with the OMB Director, authorized the issuance of a four-year waiver of the requirement for entering into a matching agreement under 5 U.S.C. 552a(o) for the class of matching programs that meet all of the criteria defined in OMB Memorandum M–25–32, *Preventing Improper Payments and Protecting Privacy through Do Not Pay*.

The Department, in coordination with Treasury, has determined that the DNP matching program described in this notice is eligible for the waiver described in OMB Memorandum M–25–32, which is effective from September 10, 2025 through September 10, 2029.

Participating Agencies: The U.S. Department of Education and the U.S. Department of the Treasury, Bureau of the Fiscal Service.

Authority for Conducting the Matching Program: The Payment Integrity Information Act of 2019 (31 U.S.C. 3351 *et seq.*) establishes the DNP Initiative and requires, for the purposes of identifying and preventing improper payments, each executive agency to have access to, and use of, the relevant databases in DNP to verify payment or award eligibility. Additional applicable authorities for this matching program include Executive Order 13520, Reducing Improper Payments (74 FR 62201); Executive Order 14249, *Protecting America's Bank Account Against Fraud, Waste, and Abuse* (90 FR 14011); and OMB Memorandum M–25–32, *Preventing Improper Payments and Protecting Privacy Through Do Not Pay*.

Authority for maintenance of the EDCAPS system includes section 415 of the Department of Education Organization Act (Pub. L. 96–88, 20 U.S.C. 3475); 31 U.S.C. 3321 (note); 31 U.S.C. 3512 (including the note) and 3515; 31 U.S.C. 7504; 31 U.S.C. 902(a); Executive Order (E.O.) 9397 (8 FR 16095), as amended by E.O. 13478 (73 FR 70239), and 31 U.S.C. 7701 (TIN); 31 U.S.C. 3711–3720E.

Authority for maintenance of the FMS system is Title IV of the Higher Education Act of 1965, as amended (HEA), (20 U.S.C. 1070 *et seq.*).

Purpose(s): The purposes of the matching program are identifying and preventing improper payments and conducting any related recovery activities by verifying through Do Not Pay prepayment or pre-award eligibility. Data elements that are necessary for eligibility determinations for a relevant Department program that are contained in records from the respective systems of records will be compared with records in the DNP Working System. When there is a match between a record provided by the Department and a record in the DNP Working System, the DNP Working System will provide the Department notice of a potentially matching record and will identify the database(s) that contain the potentially matching record(s). The Department will then review the information to determine whether additional action is needed.

Categories of Individuals: Applicants for, or recipients of, Federal funds from the Department. Specifically:

- Individuals who have received funds through the Rehabilitation Services Administration (RSA) Scholarship program and who have not provided evidence of fulfilling their obligations under that program.
- Current and former Department employees who received overpayments and the overpayments have not been waived by the Department.
- Individuals who were overpaid or inappropriately paid under grant programs administered by the Department other than Title IV of the Higher Education Act of 1965, as amended.
- Individual borrowers who are entitled to a refund of an overpayment or discharge, or both.
- Claims against individuals, including orders by a court or other authority to make restitution, for the misuse of Federal funds in connection with any program administered by the Department.

Categories of Records

Applicant's name (which may include individual name and/or business names, if applicable); Social Security Number (SSN); State and federal Taxpayer Identification Number (TIN); Individual Taxpayer Identification Number (ITIN); home and work address(es); bank account information, including account number and financial institution routing and transit number; and tracking numbers used to locate payment information.

System(s) of Records

Treasury will use the system of records entitled ''Department of the Treasury, Bureau of the Fiscal Service .017—Do Not Pay Payment Verification Records'', last published in full in the **Federal Register** on February 27, 2020 (85 FR 11776).

The Department will disclose data from the system of records entitled ''Education Central Automated Processing System (EDCAPS)'' (18–04–04), which was most recently published in the **Federal Register** on December 24, 2015 (80 FR 80331, as amended by 90 FR 57040) and the system of records entitled ''Financial Management System (FMS)'' (18–11–17), which was most recently published in the **Federal Register** on January 2, 2008 (73 FR 179, as amended by 90 FR 57040).

Accessible Format: On request to the program contact person listed under **FOR FURTHER INFORMATION CONTACT**, individuals with disabilities can obtain this document in an accessible format. The Department will provide the requestor with an accessible format that may include Rich Text Format (RTF) or text format (txt), a thumb drive, an MP3 file, braille, large print, audiotape, compact disc, or other accessible format.

Electronic Access to This Document: The official version of this document is the document published in the **Federal Register**. You may access the official edition of the **Federal Register** and the Code of Federal Regulations at *www.govinfo.gov*. At this site you can view this document, as well as all other documents of this Department published in the **Federal Register**, in text or Portable Document Format (PDF). To use PDF you must have Adobe Acrobat Reader, which is available free at the site.

You may also access documents of the Department published in the **Federal Register** by using the article search feature at *www.federalregister.gov*. Specifically, through the advanced search feature at this site, you can limit your search to documents published by the Department.

Appendix

Below is a list of the ED programs that will match records with the DNP Working System, and the applicable system of records notice(s) for each program. For purposes of this notice, matching activities conducted between the Federal benefit programs listed in the following appendix and the DNP Working System constitute a single agency-wide matching program.

Principal office	Program name	System of records notice(s)
Office of Finance and Operations.	Alaska Native Educational Programs	EDCAPS (18–04–04)
Office of Finance and Operations.	American History and Civics Education	EDCAPS (18–04–04)
Federal Student Aid	Federal Family Education Loan (FFEL)	EDCAPS (18–04–04); FMS (18–11–17)
Office of Finance and Operations.	Federal Pell Grant Program	EDCAPS (18–04–04)
Federal Student Aid	Federal Perkins Loan (Perkins)	EDCAPS (18–04–04); FMS (18–11–17)
Office of Finance and Operations.	Federal Supplemental Educational Opportunity Grant (FSEOG).	EDCAPS (18–04–04)
Office of Finance and Operations.	Federal Work-Study	EDCAPS (18–04–04)
Federal Student Aid	Health Education Assistance Loan (HEAL)	EDCAPS (18–04–04); FMS (18–11–17)
Office of Finance and Operations.	Teacher Education Assistance for College and Higher Education Grant (TEACH).	EDCAPS (18–04–04); FMS (18–11–17)
Federal Student Aid	William D. Ford Federal Direct Loan Program	EDCAPS (18–04–04); FMS (18–11–17)
Office of Finance and Operations.	American Overseas Research Centers	EDCAPS (18–04–04)
Office of Finance and Operations.	American Printing House for the Blind	EDCAPS (18–04–04)
Office of Finance and Operations.	Business and International Education Projects	EDCAPS (18–04–04)
Office of Finance and Operations.	Charter Schools	EDCAPS (18–04–04)
Office of Finance and Operations.	Comprehensive Centers	EDCAPS (18–04–04)
Office of Finance and Operations.	Congressionally Directed Spending—Rehabilitation Services and Disability Research.	EDCAPS (18–04–04)
Office of Finance and Operations.	Consolidated Grant to the Outlying Areas	EDCAPS (18–04–04)
Office of Finance and Operations.	Contractual Services	EDCAPS (18–04–04)
Office of Finance and Operations.	Credit Programs	EDCAPS (18–04–04)
Office of Finance and Operations.	Directed Grants and Awards	EDCAPS (18–04–04)
Office of Finance and Operations.	Disability Innovation Fund (DIF)	EDCAPS (18–04–04)
Office of Finance and Operations.	Education Evaluation and Technical Assistance Grants	EDCAPS (18–04–04)
Office of Finance and Operations.	Education Research, Development and Dissemination	EDCAPS (18–04–04)
Office of Finance and Operations.	Education Stabilization Fund	EDCAPS (18–04–04)
Office of Finance and Operations.	Federal Real Property Assistance Program	EDCAPS (18–04–04)
Office of Finance and Operations.	Higher Education Institutional Aid	EDCAPS (18–04–04)
Office of Finance and Operations.	Personnel Compensation and Benefits	EDCAPS (18–04–04)
Office of Finance and Operations.	Postsecondary Education Scholarships for Veteran's Dependents.	EDCAPS (18–04–04)
Office of Finance and Operations.	Rural Education	EDCAPS (18–04–04)
Office of Finance and Operations.	School Safely National Activities	EDCAPS (18–04–04)
Office of Finance and Operations.	Statewide Longitudinal Data Systems	EDCAPS (18–04–04)
Office of Finance and Operations.	Strengthening Minority-Serving Institutions	EDCAPS (18–04–04)
Office of Finance and Operations.	Supported Employment Services for Individuals with the Most Significant Disabilities.	EDCAPS (18–04–04)
Office of Finance and Operations.	Traditionally Underserved Populations	EDCAPS (18–04–04)
Office of Finance and Operations.	Twenty-First Century Community Learning Centers	EDCAPS (18–04–04)
Office of Finance and Operations.	Adult Education—Basic Grants to States	EDCAPS (18–04–04)
Office of Finance and Operations.	Adult Education National Leadership Activities	EDCAPS (18–04–04)
Office of Finance and Operations.	Career and Technical Education—Basic Grants to States.	EDCAPS (18–04–04)
Office of Finance and Operations.	Career and Technical Education—Grants to Native Americans and Alaska Natives.	EDCAPS (18–04–04)

Principal office	Program name	System of records notice(s)
Office of Finance and Operations.	Career and Technical Education—National Programs	EDCAPS (18–04–04)
Office of Finance and Operations.	Native Hawaiian Career and Technical Education	EDCAPS (18–04–04)
Office of Finance and Operations.	Tribally Controlled Postsecondary Career and Technical Institutions.	EDCAPS (18–04–04)
Office of Finance and Operations.	Civil Rights Training and Advisory Services (also known as Equity Assistance Centers).	EDCAPS (18–04–04)
Office of Finance and Operations.	Competitive Grants for State Assessments	EDCAPS (18–04–04)
Office of Finance and Operations.	Comprehensive Literacy Development	EDCAPS (18–04–04)
Office of Finance and Operations.	Credit Enhancement for Charter School Facilities	EDCAPS (18–04–04)
Office of Finance and Operations.	DC Opportunity Scholarship Program	EDCAPS (18–04–04)
Office of Finance and Operations.	Disaster Recovery Assistance for Education	EDCAPS (18–04–04)
Office of Finance and Operations.	Education for Homeless Children and Youth	EDCAPS (18–04–04)
Office of Finance and Operations.	Education Innovation and Research (formerly Investing in Innovation (i3) Fund).	EDCAPS (18–04–04)
Office of Finance and Operations.	Grants for State Assessments and Related Activities	EDCAPS (18–04–04)
Office of Finance and Operations.	Impact Aid	EDCAPS (18–04–04)
Office of Finance and Operations.	Impact Aid Facilities Maintenance	EDCAPS (18–04–04)
Office of Finance and Operations.	Indian Education—Special Programs for Indian Children	EDCAPS (18–04–04)
Office of Finance and Operations.	Indian Education Grants to Local Educational Agencies	EDCAPS (18–04–04)
Office of Finance and Operations.	Indian Education National Activities (State Tribal Education Partnership (STEP) and Native American Language (NAL).	EDCAPS (18–04–04)
Office of Finance and Operations.	Innovative Approaches to Literacy; Promise Neighborhoods; Full-Service Community Schools; and Congressionally Directed Spending for Elementary and Secondary Education Community Projects.	EDCAPS (18–04–04)
Office of Finance and Operations.	Javits Gifted and Talented Students Education	EDCAPS (18–04–04)
Office of Finance and Operations.	Magnet Schools Assistance	EDCAPS (18–04–04)
Office of Finance and Operations.	Migrant Education College Assistance Migrant Program	EDCAPS (18–04–04)
Office of Finance and Operations.	Migrant Education Coordination Program	EDCAPS (18–04–04)
Office of Finance and Operations.	Migrant Education High School Equivalency Program	EDCAPS (18–04–04)
Office of Finance and Operations.	Migrant Education State Grant Program	EDCAPS (18–04–04)
Office of Finance and Operations.	Native Hawaiian Education	EDCAPS (18–04–04)
Office of Finance and Operations.	Ready-To-Learn Television	EDCAPS (18–04–04)
Office of Finance and Operations.	Statewide Family Engagement Centers	EDCAPS (18–04–04)
Office of Finance and Operations.	Student Support and Academic Enrichment Program	EDCAPS (18–04–04)
Office of Finance and Operations.	Supporting Effective Educator Development Program	EDCAPS (18–04–04)
Office of Finance and Operations.	Supporting Effective Instruction State Grants (formerly Improving Teacher Quality State Grants).	EDCAPS (18–04–04)
Office of Finance and Operations.	Teacher and School Leader Incentive Grants (formerly the Teacher Incentive Fund).	EDCAPS (18–04–04)
Office of Finance and Operations.	Teacher Quality Partnership Grants	EDCAPS (18–04–04)
Office of Finance and Operations.	Title I Grants to Local Educational Agencies	EDCAPS (18–04–04)
Office of Finance and Operations.	Title I State Agency Program for Neglected and Delinquent Children and Youth.	EDCAPS (18–04–04)
Office of Finance and Operations.	Arts in Education	EDCAPS (18–04–04)

Principal office	Program name	System of records notice(s)
Office of Finance and Operations.	English Language Acquisition State Grants	EDCAPS (18–04–04)
Office of Finance and Operations.	Augustus F. Hawkins Centers of Excellence—Teacher Preparation and Development.	EDCAPS (18–04–04)
Office of Finance and Operations.	Centers for International Business Education	EDCAPS (18–04–04)
Office of Finance and Operations.	Child Care Access Means Parents in School	EDCAPS (18–04–04)
Office of Finance and Operations.	Fund for the Improvement of Postsecondary Education	EDCAPS (18–04–04)
Office of Finance and Operations.	Gaining Early Awareness and Readiness for Undergraduate Programs.	EDCAPS (18–04–04)
Office of Finance and Operations.	Graduate Assistance in Areas of National Need	EDCAPS (18–04–04)
Office of Finance and Operations.	Howard University	EDCAPS (18–04–04)
Office of Finance and Operations.	International Research and Studies	EDCAPS (18–04–04)
Office of Finance and Operations.	Language Resource Centers	EDCAPS (18–04–04)
Office of Finance and Operations.	Minority Science and Engineering Improvement	EDCAPS (18–04–04)
Office of Finance and Operations.	National Resource Centers Program for Foreign Language and Area Studies or Foreign Language and International Studies Program and Foreign Language and Area Studies Fellowship Program.	EDCAPS (18–04–04)
Office of Finance and Operations.	Overseas Programs—Doctoral Dissertation Research Abroad.	EDCAPS (18–04–04)
Office of Finance and Operations.	Overseas Programs—Faculty Research Abroad	EDCAPS (18–04–04)
Office of Finance and Operations.	Overseas Programs—Group Projects Abroad	EDCAPS (18–04–04)
Office of Finance and Operations.	Overseas Programs Special Bilateral Projects	EDCAPS (18–04–04)
Office of Finance and Operations.	Transition Programs for Students with Intellectual Disabilities into Higher Education.	EDCAPS (18–04–04)
Office of Finance and Operations.	TRIO Educational Opportunity Centers	EDCAPS (18–04–04)
Office of Finance and Operations.	TRIO McNair Post-Baccalaureate Achievement	EDCAPS (18–04–04)
Office of Finance and Operations.	TRIO Staff Training Program	EDCAPS (18–04–04)
Office of Finance and Operations.	TRIO Student Support Services	EDCAPS (18–04–04)
Office of Finance and Operations.	TRIO Talent Search	EDCAPS (18–04–04)
Office of Finance and Operations.	TRIO Upward Bound	EDCAPS (18–04–04)
Office of Finance and Operations.	Undergraduate International Studies and Foreign Language Programs.	EDCAPS (18–04–04)
Office of Finance and Operations.	Gallaudet University	EDCAPS (18–04–04)
Office of Finance and Operations.	Innovative Rehabilitation Training	EDCAPS (18–04–04)
Office of Finance and Operations.	National Technical Institute for the Deaf	EDCAPS (18–04–04)
Office of Finance and Operations.	Research in Special Education	EDCAPS (18–04–04)
Office of Finance and Operations.	Special Education—Personnel Development to Improve Services and Results for Children with Disabilities.	EDCAPS (18–04–04)
Office of Finance and Operations.	Special Education—Special Olympics Education Programs.	EDCAPS (18–04–04)
Office of Finance and Operations.	Special Education—State Personnel Development	EDCAPS (18–04–04)
Office of Finance and Operations.	Special Education Educational Technology Media, and Materials for Individuals with Disabilities.	EDCAPS (18–04–04)
Office of Finance and Operations.	Special Education Grants to States	EDCAPS (18–04–04)
Office of Finance and Operations.	Special Education Parent Information Centers	EDCAPS (18–04–04)
Office of Finance and Operations.	Special Education Preschool Grants	EDCAPS (18–04–04)
Office of Finance and Operations.	Special Education Studies and Evaluations	EDCAPS (18–04–04)

Principal office	Program name	System of records notice(s)
Office of Finance and Operations.	Special Education Technical Assistance and Dissemination to Improve Services and Results for Children with Disabilities.	EDCAPS (18–04–04)
Office of Finance and Operations.	Special Education Technical Assistance on State Data Collection.	EDCAPS (18–04–04)
Office of Finance and Operations.	Special Education—Grants for Infants and Families	EDCAPS (18–04–04)
Office of Finance and Operations.	American Indian Vocational Rehabilitation Services	EDCAPS (18–04–04)
Office of Finance and Operations.	Program of Protection and Advocacy of Individual Rights.	EDCAPS (18–04–04)
Office of Finance and Operations.	Randolph-Sheppard—Financial Relief and Restoration Payments.	EDCAPS (18–04–04)
Office of Finance and Operations.	Rehabilitation Long-Term Training	EDCAPS (18–04–04)
Office of Finance and Operations.	Rehabilitation Services Client Assistance Program	EDCAPS (18–04–04)
Office of Finance and Operations.	Rehabilitation Services Demonstration and Training Programs.	EDCAPS (18–04–04)
Office of Finance and Operations.	Rehabilitation Services Independent Living Services for Older Individuals Who are Blind.	EDCAPS (18–04–04)
Office of Finance and Operations.	Rehabilitation Services Service Projects	EDCAPS (18–04–04)
Office of Finance and Operations.	Rehabilitation Services Vocational Rehabilitation Grants to States.	EDCAPS (18–04–04)
Office of Finance and Operations.	Rehabilitation Short-Term Training	EDCAPS (18–04–04)
Office of Finance and Operations.	Rehabilitation Training Technical Assistance Centers ...	EDCAPS (18–04–04)
Office of Finance and Operations.	Training Interpreters for Individuals who are Deaf and Individuals who are Deaf-Blind.	EDCAPS (18–04–04)

Dated: August 21, 2026.

Mark Washington,

Delegated Deputy Chief Financial Officer, Office of Finance and Operations.

[FR Doc. 2026–17297 Filed 8–24–26; 8:45 am]

BILLING CODE 4000–01–P

DEPARTMENT OF EDUCATION

[Docket ID ED–2026–FSA–2773]

Privacy Act of 1974; Matching Program

AGENCY: Federal Student Aid, U.S. Department of Education.

ACTION: Notice of a New Matching Program.

SUMMARY: This matching program will assist the U.S. Department of Education (Department or ED) in its obligation to ensure that borrowers whom the Social Security Administration (SSA) identifies as disabled with Medical Improvement Not Expected (MINE) status and who either owe balances on or who have had any of loans made under Title IV of the Higher Education Act of 1965, as amended (HEA) written off due to default for the Federal Perkins Loan Program (20 U.S.C. 1087aa *et seq.*), the William D. Ford Federal Direct Loan Program (20 U.S.C. 1087a *et seq.*), the Federal Family Education Loan (FFEL) Program (20 U.S.C. 1071 *et seq.*), or the Federal Insured Student Loan (FISL) Program (20 U.S.C. 1071 *et seq.*) or with Teacher Education Assistance for College and Higher Education (TEACH) Grant service obligations (referred to collectively herein as ''Title IV loans'') more efficiently and effectively are able to obtain Total and Permanent Disability (TPD) discharges of their Title IV loans.

DATES: Submit your comments on the proposed re-establishment of the matching program on or before September 24, 2026.

The matching program will become effective on the later of the following two dates: (1) October 1, 2026, or (2) 30 days after the publication of this notice, on August 25, 2026, unless comments have been received from interested members of the public requiring modification and republication of the notice. The matching program will continue for 18 months after the effective date and may be renewed for up to an additional 12 months if, within 3 months prior to the expiration of the 18 months, the respective Data Integrity Boards of ED and the SSA determine that the conditions specified in 5 U.S.C. 552a(o)(2)(D) have been met.

ADDRESSES: Comments must be submitted via the Federal eRulemaking Portal at *regulations.gov.* However, if you require an accommodation or cannot otherwise submit your comments via *regulations.gov,* please contact the program contact person listed under **FOR FURTHER INFORMATION CONTACT**. The Department will not accept comments submitted by fax or by email, or comments submitted after the comment period. To ensure that the Department does not receive duplicate copies, please submit your comments only once. In addition, please include the Docket ID at the top of your comments.

Federal eRulemaking Portal: Go to *www.regulations.gov* to submit your comments electronically. Information on using *Regulations.gov,* including instructions for accessing agency documents, submitting comments, and viewing the docket, is available on the site under the ''FAQ'' tab.

Privacy Note: The Department's policy is to make all comments received from members of the public available for public viewing in their entirety on the Federal eRulemaking Portal at *www.regulations.gov.* Therefore, commenters should be careful to include in their comments only information that they wish to make publicly available.

FOR FURTHER INFORMATION CONTACT: Corinne Sauri, Management and Program Analyst, Office of Operations and Governance, Federal Student Aid, U.S. Department of Education, 77 K Street NE, Washington, DC 20002. Telephone: (202) 245–5612.

If you use a telecommunications device for the deaf (TDD) or a text telephone (TTY), you may call the Federal Relay Service (FRS), toll-free, at 1–800–877–8339.

SUPPLEMENTARY INFORMATION: In accordance with the Privacy Act of 1974, as amended (Privacy Act) (5 U.S.C. 552a); Office of Management and Budget (OMB) Final Guidance Interpreting the Provisions of Public Law 100–503, the Computer Matching and Privacy Protection Act of 1988, published in the **Federal Register** on June 19, 1989 (54 FR 25818); and OMB Circular No. A–108, notice is hereby provided of the re-establishment of the matching program between the Department and VA.

Participating Agencies

The U.S. Department of Education and the Social Security Administration.

Authority for Conducting the Matching Program

ED's legal authority to enter into this agreement and to disclose information under this agreement is sections 420N(c), 437(a)(1), 455(a)(1), and 464(c)(1)(F)(ii & iii) of the Higher Education Act (HEA) (20 U.S.C. 1070g–2(c), 1087(a)(1), 1087e(a)(1), and 1087dd(c)(1)(F)(ii & iii)). SSA's legal authority to disclose information under this agreement is section 1106 of the Act (42 U.S.C. 1306) and the regulations promulgated pursuant to that section (20 CFR part 401). Subsection (b)(3) of the Privacy Act (5 U.S.C. 552a(b)(3)) allows SSA to make the disclosure without the prior written consent of the individuals to whom the records pertain.

Purpose(s)

This matching program will assist ED in allowing borrowers who have balances on Title IV loans or have had Title IV loans written off due to default and recipients of TEACH Grants who have service or repayment obligations whom SSA identifies as disabled with MINE status using data about disability onset dates and review cycles, should they wish to do so, to more efficiently and effectively apply for TPD discharge of their Title IV loans or TEACH Grant service or repayment obligations. ED proactively sends notices to such Title IV borrowers and TEACH Grant recipients whom SSA identifies as disabled. The notice informs the individual that ED will discharge the borrowers' Title IV loans or recipients' TEACH Grants with service or repayment obligations. ED will not process the discharge earlier than 61 days after the notice date, unless within 60 days of that date, the individual either chooses an earlier discharge or chooses to opt out of the TPD discharge process. The notices also inform these Title IV borrowers and TEACH Grant recipients that ED will accept their matched MINE information in lieu of the submission of a paper application and SSA certification letter to ED. If Title IV student loan borrowers and TEACH Grant recipients do not apply for the TPD loan discharge, their SSA benefits may be offset to repay their Title IV loans or TEACH Grants with repayment obligations.

Categories of Individuals

This matching program covers veterans whom the VA has designated as having a service-connected disability rating that is 100 percent disabling or being totally disabled based on an individual unemployability rating, as described in 38 CFR 3.4(b) and 3.340, and who have title IV loans (as defined above).

Categories of Records

This matching program covers the following records on the aforementioned individuals: the name (first, middle, and last), date of birth (DOB), and Social Security number (SSN), and an indicator if the medical data in SSA's Disability Control File (DCF) indicates MINE status.

System(s) of Records

SSA will disclose to ED information from the DCF, which originates from the system of records identified as ''Completed Determination Record—Continuing Disability Determinations'' (60–0050), last published in full in the **Federal Register** on November 25, 2025 (90 FR 53413). VA has determined that routine use 39 in the foregoing system of records is compatible with the purpose for which the information is collected and contains appropriate Privacy Act disclosure authority.

ED will disclose information to SSA from the system of records entitled ''National Student Loan Data System (NSLDS)'' (18–11–06), the system of records notice last published in full in the **Federal Register** on April 22, 2026 (91 FR 21480).

ED will maintain information obtained from SSA in the NSLDS (18–11–06), and in ''Aid Awareness and Application Processing (18–11–21)'', as last published in full in the **Federal Register** on April 22, 2026 (91 FR 21450).

Accessible Format: On request to the program contact person listed under **FOR FURTHER INFORMATION CONTACT**, individuals with disabilities can obtain this document in an accessible format. The Department will provide the requestor with an accessible format that may include Rich Text Format (RTF) or text format (txt), a thumb drive, an MP3 file, braille, large print, audiotape, compact disc, or other accessible format.

Electronic Access to This Document: The official version of this document is the document published in the **Federal Register**. You may access the official edition of the **Federal Register** and the Code of Federal Regulations at *www.govinfo.gov.* At this site you can view this document, as well as all other documents of this Department published in the **Federal Register**, in text or Portable Document Format (PDF). To use PDF you must have Adobe Acrobat Reader, which is available free at the site.

You may also access documents of the Department published in the **Federal Register** by using the article search feature at *www.federalregister.gov.* Specifically, through the advanced search feature at this site, you can limit your search to documents published by the Department.

Wayne Sullivan,

Acting Principal Deputy Chief Operating Officer, Federal Student Aid.

[FR Doc. 2026–17302 Filed 8–24–26; 8:45 am]

BILLING CODE 4000–01–P

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Project No. 15041–002]

One Drop Hydro, LLC; Notice of Revised Procedural Schedule

This notice revises the Federal Energy Regulatory Commission's (Commission) schedule for processing the original license application for the Elizabeth Webbing Falls Hydroelectric Project No. 15041, which was filed by One Drop Hydro, LLC (One Drop) on June 10, 2025. On June 23, 2025, Commission staff issued a notice of application tendered for filing, which included an initial processing schedule.

On July 31, 2026, Commission staff requested that One Drop resolve deficiencies and provide additional information on the application by October 29, 2026.

By this notice, Commission staff is updating the procedural schedule. The revised schedule is shown below. Further revisions to the schedule may be made as appropriate.

Milestone	Target date
Issue Acceptance Notice and Letter.	December 2026.
Issue Scoping Notice	January 2027.
Issue Notice of Ready for Environmental Analysis.	April 2027.

Any questions regarding this notice may be directed to Brandi Welch-Acosta at (202) 502–8964 or at *brandi.welch-acosta@ferc.gov.*

(Authority: 18 CFR 2.1)

Dated: August 19, 2026.

Debbie-Anne A. Reese,

Secretary.

[FR Doc. 2026–17255 Filed 8–24–26; 8:45 am]

BILLING CODE 6717–01–P

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Project No. 8405–024]

Green Mountain Power Corporation; Notice of Intent To Prepare an Environmental Assessment

On February 27, 2025, Green Mountain Power Corporation filed an application to relicense the 1,485-kilowatt Glen Hydroelectric Project No. 8405. The project is located on the Mascoma River in Grafton County, New Hampshire.

In accordance with the Commission's regulations, on May 29, 2026, Commission staff issued a notice that the project was ready for environmental analysis (REA notice). Based on the information in the record, including comments filed on the REA notice, staff does not anticipate that licensing the project would constitute a major federal action significantly affecting the quality of the human environment. Therefore, staff intends to prepare an environmental assessment (EA) on the application to relicense the project.[1]

The EA will be issued and circulated for review by all interested parties. All comments filed on the EA will be analyzed by staff and considered in the Commission's final licensing decision.

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.*

The application will be processed according to the following schedule. The EA will be issued for a 30-day comment period. Revisions to the schedule may be made as appropriate.

Milestone	Target date
Commission issues EA	May 31, 2027.

Any questions regarding this notice may be directed to Steve Kartalia by telephone at (202) 502–6131 or by email at *stephen.kartalia@ferc.gov.*

(Authority: 18 CFR 2.1)

Dated: August 20, 2026.

Carlos D. Clay,

Deputy Secretary.

[FR Doc. 2026–17316 Filed 8–24–26; 8:45 am]

BILLING CODE 6717–01–P

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Docket No. IC26–34–000]

Commission Information Collection Activities (Ferc-606 and Ferc-607) Comment Request; Extension

AGENCY: Federal Energy Regulatory Commission.

ACTION: Notice of information collection renewal and request for comments.

SUMMARY: In compliance with the requirements of the Paperwork Reduction Act of 1995, the Federal Energy Regulatory Commission (Commission or FERC) is submitting its information collections FERC–606: Notification of Request for Federal Authorization and Requests for Further Information and FERC–607: Report on Decision or Action on Request for Federal Authorization (OMB Control No 1902–0241) to the Office of Management and Budget (OMB) for review of the information collection requirements. There are no proposed changes to the reporting requirements.

DATES: Comments on the collection of information are due September 24, 2026.

ADDRESSES: Send written comments on FERC–606 and FERC–607 to OMB through *https://www.reginfo.gov/public/do/PRA/icrPublicCommentRequest?ref_nbr=202607-1902-005.* You can also visit *https://www.reginfo.gov/public/do/PRAMain* and use the drop-down under ''Currently under Review'' to select the ''Federal Energy Regulatory Commission'' where you can see the open opportunities to provide comments. Comments should be sent within 30 days of publication of this notice.

Please submit a copy of your comments to the Commission via email to *DataClearance@FERC.gov.* You must specify the Docket No. (IC26–34–000) and the FERC Information Collection number (FERC–606 and FERC–607) in your email. If you are unable to file electronically, comments may be filed by USPS mail or by hand (including courier) delivery:

- *Mail via U.S. Postal Service Only:* Federal Energy Regulatory Commission, Secretary of the Commission, 888 First Street NE, Washington, DC 20426.
- *All other delivery methods:* Federal Energy Regulatory Commission, Secretary of the Commission, 12225 Wilkins Avenue, Rockville, MD 20852.

Docket: To view comments and issuances in this docket, please visit *https://elibrary.ferc.gov/eLibrary/search.*

FOR FURTHER INFORMATION CONTACT: Kayla Williams may be reached by email at *DataClearance@FERC.gov,* or by telephone at (202) 502–6468.

SUPPLEMENTARY INFORMATION:

Title: FERC–606, Notification of Request for Federal Authorization and Requests for Further Information; FERC–607, Report on Decision or Action on Request for Federal Authorization.

OMB Control No.: 1902–0241.

Type of Request: Three-year extension of these information collection requirements for all collections described below with no changes to the current reporting requirements.

Abstract: FERC–606 requires federal and state agencies and officials responsible for issuing, conditioning, or denying requests for federal authorizations necessary for a proposed natural gas project to report to the Commission regarding the status of an authorization request. This reporting requirement is intended to allow agencies to assist the Commission to make better informed decisions in establishing due dates for agencies' decisions.

FERC–607 requires federal and state agencies or officials to submit to the Commission a copy of a decision or action on a request for federal authorization and an accompanying index to the documents and materials relied on in reaching a conclusion.

These information collections can neither be discontinued nor collected less frequently because of statutory [1] and regulatory [2] requirements. The consequences of not collecting this information are that the Commission would be unable to fulfill its statutory

[1] For tracking purposes under the National Environmental Policy Act, the unique identification number for documents relating to this environmental review is EAXX–019–20–000–1785485179.

[1] Section 313 of the Energy Policy Act of 2005.

[2] 18 CFR 385.2013.

mandate under the Energy Policy Act of 2005 to:

• Establish a schedule for agencies to review requests for federal authorizations required for a project, and

• Compile a record of each agency's decision, together with the record of the Commission's decision, to serve as a consolidated record for the purpose of appeal or review, including judicial review.

Type of Respondent: Agencies with federal authorization responsibilities.

Estimate of Annual Burden: The Commission estimates the annual public reporting burden [3] and cost [4] (rounded) for the information collection as follows:

	Number of respondents (1)	Annual number of responses per respondent (2)	Total number of responses (1) * (2) = (3)	Average burden hours & cost per response (4)	Total annual burden hours & total annual cost (3) * (4) = (5)	Cost per respondent ($) (5) ÷ (1)
FERC–606—Notification of Request for Federal Authorization and Requests for Further Information.	1	1	1	4 hrs.; $408 ...	4 hrs.; $408 ...	$408
FERC–607—Report on Decision or Action on Request for Federal Authorization.	1	1	1	1 hr.; 102	1 hr.; 102	$102
Total	2	.....	2	.....	5 hrs.; 510	

Comments: Comments are invited on: (1) whether the collection of information is necessary for the proper performance of the functions of the Commission, including whether the information will have practical utility; (2) the accuracy of the agency's estimate of the burden and cost of the collection of information, including the validity of the methodology and assumptions used; (3) ways to enhance the quality, utility and clarity of the information collection; and (4) ways to minimize the burden of the collection of information on those who are to respond, including the use of automated collection techniques or other forms of information technology.

Dated: August 19, 2026.

Debbie-Anne A. Reese,

Secretary.

[FR Doc. 2026–17258 Filed 8–24–26; 8:45 am]

BILLING CODE 6717–01–P

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Docket No. RD26–5–000]

Commission Information Collection Activities (FERC–725E); Comment Request; Extension

AGENCY: Federal Energy Regulatory Commission.

ACTION: Notice of information collection and request for comments.

SUMMARY: In compliance with the requirements of the Paperwork Reduction Act of 1995, the Federal Energy Regulatory Commission (Commission or FERC) is soliciting public comment on the currently approved information collection FERC–725E (1902–0246), (Mandatory Reliability Standards for the Western Electric Coordinating Council) for the retirement of Regional Reliability Standard BAL–002–WECC–3 (Contingency Reserves). The comment period ended on July 6, 2026, with no comments received.

DATES: Comments on the collection of information are due September 24, 2026.

ADDRESSES: Send written comments on FERC–725E to OMB through *https://www.reginfo.gov/public/do/PRA/icrPublicCommentRequest?ref_nbr=202608-1902-005*. You can also visit *https://www.reginfo.gov/public/do/PRAMain* and use the drop-down under ''Currently under Review'' to select the ''Federal Energy Regulatory Commission'' where you can see the open opportunities to provide comments. Comments should be sent within 30 days of publication of this notice.

Please submit a copy of your comments to the Commission via email to *DataClearance@FERC.gov.* You must specify Docket No. (RD26–5–000) and the FERC Information Collection number (FERC–725E) in your email. If you are unable to file electronically, comments may be filed by USPS mail or by hand (including courier) delivery:

• *Mail via U.S. Postal Service Only:* Federal Energy Regulatory Commission, Secretary of the Commission, 888 First Street NE, Washington, DC 20426.

• *All other delivery methods:* Federal Energy Regulatory Commission, Secretary of the Commission, 12225 Wilkins Avenue, Rockville, MD 20852.

Docket: To view comments and issuances in this docket, please visit *https://elibrary.ferc.gov/eLibrary/search.* Once there, you can also sign up for automatic notification of activity in this docket.

FOR FURTHER INFORMATION CONTACT: Contact: Kayla Williams at *DataClearance@FERC.gov,* telephone at (202) 502–6468.

SUPPLEMENTARY INFORMATION:

Title: FERC–725E, Mandatory Reliability Standards for the Western Electric Coordinating Council, Retirement of BAL–002–WECC–3.

OMB Control No.: 1902–0246.

Type of Request: Retirement of BAL–002–WECC–3 from the FERC–725E information collection requirements.

Abstract: FERC–725E is the information collection that is required to implement the statutory provisions of section 215 of the Federal Power Act (FPA) (16 U.S.C. 824o). Section 215 of the FPA buttresses the Commission's efforts to strengthen the reliability of the interstate grid through the grant of new authority by providing for a system of mandatory Reliability Standards developed by the Electric Reliability Organization (ERO). Reliability Standards that the ERO proposes to the Commission may include Reliability

[3] Burden is defined as the total time, effort, or financial resources expended by persons to generate, maintain, retain, or disclose or provide information to or for a federal agency. For further explanation of what is included in the information collection burden, refer to 5 CFR 1320.3.

[4] FERC estimates that industry hourly costs are similar to the Commission FY 2026 average salary plus benefits of $213,003 per year (or $102/hour).

Standards that are proposed to the ERO by a Regional Entity.[1] A Regional Entity is an entity that has been approved by the Commission to enforce Reliability Standards under delegated authority from the ERO.[2] On June 8, 2008, the Commission approved eight regional Reliability Standards submitted by the ERO that were proposed by WECC.[3]

WECC promotes bulk electric system reliability in the Western Interconnection and is the Regional Entity responsible for compliance monitoring and enforcement. In addition, WECC provides an environment for the development of Reliability Standards and the coordination of the operating and planning activities of its members as set forth in the WECC Bylaws.

There are several regional Reliability Standards in the WECC region. These regional Reliability Standards generally require entities to document compliance with substantive requirements, retain documentation, and submit reports to WECC.

In RD26–5–000, FERC is retiring Regional Reliability Standard BAL–002–WECC–3 (Contingency Reserve), which requires balancing authorities and reserve sharing groups to document compliance with the contingency reserve requirements. NERC and WECC explain that ''Regional Reliability Standard BAL–002–WECC–3 requires applicable WECC entities to maintain reserves at levels that exceed those required under the continent-wide Reliability Standard BAL–002–3—Disturbance Control Standard—Contingency Reserve for Recovery from a Balancing Contingency Event. Following a recent review of the regional standard, WECC identified that no technical basis supports the continued applicability of the standard, and that rather than advance reliability in the Western Interconnection, the regional standard may be presenting unnecessary challenges.

Type of Respondents: Balancing authorities and reserve sharing groups.

Estimate of Annual Burden:[4] Our estimates for a reduction in burden under 725E are specific to just BAL–002–WECC–3 entities no longer needing to be compliant with the applicable Requirements. Additionally, the estimate used information from the NERC Compliance Registry Summary of Entities as of February 9, 2026.

The individual burden estimates include the time needed to gather data, run studies, and analyze study results. These are consistent with estimates for similar tasks in other Commission-approved standards. Estimates for the additional average annual burden and cost[5] as follows:

FERC–725E, MANDATORY RELIABILITY STANDARDS FOR THE WESTERN ELECTRIC COORDINATING COUNCIL, RETIREMENT OF BAL–002–WECC–3 CHANGES IN DOCKET NO. RD26–5–000

Reliability standard or process	Type and number of entities[6]	Annual number of responses per entity	Total number of responses	Average burden hours & cost) per response ($)	Total annual burden hours & cost ($) (rounded)
	(1)	(2)	(1) * (2) = (3)	(4)	(3) * (4) = (5)
Annual review and record retention	34 (BA) 1 (RSG)	1 1	34 1	12 hrs.; $762.24 1 hrs.; $63.52	408 hrs.; $25,916.00 1 hrs.; $64.00
Total for retirement BAL–002–WECC–3			35		409 hrs; $25,980.00

Comments: Comments are invited on: (1) whether the collection of information is necessary for the proper performance of the functions of the Commission, including whether the information will have practical utility; (2) the accuracy of the agency's estimate of the burden and cost of the collection of information, including the validity of the methodology and assumptions used; (3) ways to enhance the quality, utility and clarity of the information collection; and (4) ways to minimize the burden of the collection of information on those who are to respond, including the use of automated collection techniques or other forms of information technology.

Dated: August 20, 2026.

Carlos D. Clay,

Deputy Secretary.

[FR Doc. 2026–17317 Filed 8–24–26; 8:45 am]

BILLING CODE 6717–01–P

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Project No. 2725–076]

Oglethorpe Power Corporation; Notice of Intent To Prepare an Environmental Assessment

On December 6, 2024, Oglethorpe Power Corporation (OPC) filed an application to relicense the 904-megawatt (MW) Rocky Mountain Pumped Storage Project No. 2725. The project is located on Heath Creek, near the Town of Rome, Floyd County, Georgia.

In accordance with the Commission's regulations, on May 13, 2026, Commission staff issued a notice that the project was ready for environmental analysis (REA notice). Based on the information in the record, including comments filed on the REA Notice, staff does not anticipate that relicensing the project would constitute a major federal action significantly affecting the quality of the human environment. Therefore, staff intends to prepare an environmental assessment (EA) on the application to relicense the project.[1]

[1] 16 U.S.C. 824o(e)(4).

[2] 16 U.S.C. 824o(a)(7) and (e)(4).

[3] *N. Am. Electric Reliability Corp.,* 119 FERC ¶ 61,260 (2007).

[4] Burden is defined as the total time, effort, or financial resources expended by persons to generate, maintain, retain, or disclose or provide information to or for a federal agency. See 5 CFR 1320 for additional information on the definition of information collection burden.

[5] The estimated hourly cost (salary plus benefits) is a combination of the following categories from the BLS website, *http://www.bls.gov/oes/current/naics2_22.htm:* 75% of the average of an Electrical Engineer (17–2071) $71.19/hr., × .75 = 53.3925 ($53.39-rounded) ($53.39/hour); and 25% of an Information and Record Clerk (43–4199) $40.51/hr., $40.51 × .25 = 10.1275 ($10.13 rounded) ($10.13/hour), for a total ($53.39 + $10.13 = $63.52/hour).

[6] The ''Number of Entity'' data is compiled from the February 9, 2026, edition of the NERC Compliance Registry. ''BA'' means balancing authority; ''RSG'' means reserve sharing group.

[1] For tracking purposes under the National Environmental Policy Act, the unique identification number for documents relating to this environmental review is EAXX–019–20–000–1785762214.

The EA will be issued and circulated for review by all interested parties. All comments filed on the EA will be analyzed by staff and considered in the Commission's final licensing decision.

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*.

The application will be processed according to the following schedule. The EA will be issued for a 30-day comment period. Revisions to the schedule may be made as appropriate.

Milestone	Target date
Commission issues EA	June 22, 2027.

Any questions regarding this notice may be directed to David Gandy at 202–502–8560 or *david.gandy@ferc.gov.*

(Authority: 18 CFR 2.1.)

Dated: August 19, 2026.

Debbie-Anne A. Reese,

Secretary.

[FR Doc. 2026–17256 Filed 8–24–26; 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: EC26–151–000.

Applicants: EDF Power Solutions, Inc., KKR Lafayette Buyer, Inc.

Description: Joint Application for Authorization Under Section 203 of the Federal Power Act of Arrow Canyon Solar, LLC, et al.

Filed Date: 8/12/26.

Accession Number: 20260812–5178.

Comment Date: 5 p.m. ET 10/13/26.

Take notice that the Commission received the following Electric Rate filings:

Docket Numbers: ER23–759–000; ER26–2273–000.

Applicants: Sempra Gas & Power Marketing, LLC, Sempra Gas & Power Marketing, LLC.

Description: Supplement to 04/03/2026, Sempra Gas & Power Marketing, LLC tariff filing.

Filed Date: 6/30/26.

Accession Number: 20260630–5330.

Comment Date: 5 p.m. ET 9/10/26.

Docket Numbers: ER25–1998–001.

Applicants: New York Independent System Operator, Inc.

Description: Compliance filing: NYISO Effective Date Notice: Process to Procure Uncertainty Reserves to be effective 9/2/2026.

Filed Date: 8/19/26.

Accession Number: 20260819–5147.

Comment Date: 5 p.m. ET 9/9/26.

Docket Numbers: ER25–2382–001.

Applicants: New York Independent System Operator, Inc.

Description: Compliance filing: NYISO Effective Date Notice: Enhance Duct-Firing Modeling to be effective 9/2/2026.

Filed Date: 8/19/26.

Accession Number: 20260819–5154.

Comment Date: 5 p.m. ET 9/9/26.

Docket Numbers: ER26–2567–001.

Applicants: New York Independent System Operator, Inc.

Description: Compliance filing: NYISO Effective Date Notice: Further Enhance Duct Firing Modeling to be effective 9/2/2026.

Filed Date: 8/19/26.

Accession Number: 20260819–5156.

Comment Date: 5 p.m. ET 9/9/26.

Docket Numbers: ER26–2703–001.

Applicants: Southwest Power Pool, Inc.

Description: Compliance filing: Compliance Filing in Response to Order Issued in ER26–2703 (CNPPID) to be effective 1/1/2027.

Filed Date: 8/20/26.

Accession Number: 20260820–5092.

Comment Date: 5 p.m. ET 9/10/26.

Docket Numbers: ER26–2773–001.

Applicants: KPT Energy LLC.

Description: Tariff Amendment: Supplement to Application for Market-Based Rate Authority to be effective 8/10/2026.

Filed Date: 8/20/26.

Accession Number: 20260820–5147.

Comment Date: 5 p.m. ET 9/10/26.

Docket Numbers: ER26–2867–001.

Applicants: Athos Storage, LLC.

Description: Tariff Amendment: Response to Request for Add'l Information and Req. for Shortened Comment Period to be effective 8/18/2026.

Filed Date: 8/20/26.

Accession Number: 20260820–5132.

Comment Date: 5 p.m. ET 9/10/26.

Docket Numbers: ER26–3075–001.

Applicants: Spindle Battery LLC.

Description: Tariff Amendment: Response to Request for Add'l Information and Req. for Shortened Comment Period to be effective 8/31/2026.

Filed Date: 8/20/26.

Accession Number: 20260820–5143.

Comment Date: 5 p.m. ET 9/10/26.

Docket Numbers: ER26–3077–001.

Applicants: Southwest Power Pool, Inc.

Description: Tariff Amendment: 1518R31 Arkansas Electric Cooperative Corp NITSA NOAs to be effective 9/1/2026.

Filed Date: 8/20/26.

Accession Number: 20260820–5023.

Comment Date: 5 p.m. ET 9/10/26.

Docket Numbers: ER26–3559–000.

Applicants: Puget Sound Energy, Inc.

Description: Tariff Amendment: Termination of Long Term Firm Point to Point Service Agreement SA–1019 with PSE to be effective 7/1/2026.

Filed Date: 8/19/26.

Accession Number: 20260819–5162.

Comment Date: 5 p.m. ET 9/9/26.

Docket Numbers: ER26–3560–000.

Applicants: PJM Interconnection, L.L.C.

Description: § 205(d) Rate Filing: Amendment to GIA, SA No. 7434; Project Identifier No. AF2–086 to be effective 10/20/2026.

Filed Date: 8/20/26.

Accession Number: 20260820–5016.

Comment Date: 5 p.m. ET 9/10/26.

Docket Numbers: ER26–3561–000.

Applicants: Southwest Power Pool, Inc.

Description: § 205(d) Rate Filing: 4887 Kansas Electric Power Cooperative Provisional Load Process Agreement to be effective 8/1/2026.

Filed Date: 8/20/26.

Accession Number: 20260820–5028.

Comment Date: 5 p.m. ET 9/10/26.

Docket Numbers: ER26–3562–000.

Applicants: Southern California Edison Company.

Description: § 205(d) Rate Filing: GIA, Mill Creek 1 Power House (WDT010/SA No. 1436) to be effective 8/21/2026.

Filed Date: 8/20/26.

Accession Number: 20260820–5038.

Comment Date: 5 p.m. ET 9/10/26.

Docket Numbers: ER26–3563–000.

Applicants: Southern California Edison Company.

Description: § 205(d) Rate Filing: GIA, Ontario 1 Power House with SCE Generation Department (WDT010/SA No. 1437) to be effective 8/21/2026.

Filed Date: 8/20/26.

Accession Number: 20260820–5042.

Comment Date: 5 p.m. ET 9/10/26.

Docket Numbers: ER26–3564–000.

Applicants: Southern California Edison Company.

Description: § 205(d) Rate Filing: GIA, Mill Creek 3 Power House (WDT010/SA No. 1440) to be effective 8/21/2026.

Filed Date: 8/20/26.

Accession Number: 20260820–5043.

Comment Date: 5 p.m. ET 9/10/26.

Docket Numbers: ER26–3565–000.

Applicants: PJM Interconnection, L.L.C.

Description: § 205(d) Rate Filing: Amendment to ISA, SA No. 6588; Queue No. AE2–118 to be effective 10/20/2026.

Filed Date: 8/20/26.

Accession Number: 20260820–5054.

Comment Date: 5 p.m. ET 9/10/26.

Docket Numbers: ER26–3566–000.

Applicants: Southern California Edison Company.

Description: § 205(d) Rate Filing: GIA, Sierra Power House with SCE Generation Department (WDT010/SA No. 1438) to be effective 8/21/2026.

Filed Date: 8/20/26.

Accession Number: 20260820–5073.

Comment Date: 5 p.m. ET 9/10/26.

Docket Numbers: ER26–3567–000.

Applicants: Southern California Edison Company.

Description: § 205(d) Rate Filing: GIA, Ontario 2 Power House with SCE Generation Department (WDT010/SA No. 1439) to be effective 8/21/2026.

Filed Date: 8/20/26.

Accession Number: 20260820–5081.

Comment Date: 5 p.m. ET 9/10/26.

Docket Numbers: ER26–3568–000.

Applicants: Oak Solar, LLC.

Description: § 205(d) Rate Filing: Second Amended Co-Tenancy and SFA 2026 to be effective 8/21/2026.

Filed Date: 8/20/26.

Accession Number: 20260820–5098.

Comment Date: 5 p.m. ET 9/10/26.

Docket Numbers: ER26–3569–000.

Applicants: Southwest Power Pool, Inc.

Description: § 205(d) Rate Filing: 4991 Steel Track Solar GIA to be effective 8/20/2026.

Filed Date: 8/20/26.

Accession Number: 20260820–5102.

Comment Date: 5 p.m. ET 9/10/26.

Docket Numbers: ER26–3570–000.

Applicants: Southwest Power Pool, Inc.

Description: § 205(d) Rate Filing: 4988 NextEra Energy Resources Development Surplus GIA to be effective 10/20/2026.

Filed Date: 8/20/26.

Accession Number: 20260820–5108.

Comment Date: 5 p.m. ET 9/10/26.

Docket Numbers: ER26–3571–000.

Applicants: Cordova Energy Company LLC.

Description: § 205(d) Rate Filing: Revised Market-Based Rate Filing to be effective 7/18/2026.

Filed Date: 8/20/26.

Accession Number: 20260820–5124.

Comment Date: 5 p.m. ET 9/10/26.

Docket Numbers: ER26–3572–000.

Applicants: New York Independent System Operator, Inc.

Description: § 205(d) Rate Filing: NYISO 205: 2nd Amended LGIA Riverhead Solar 2 SA2740 (CEII) to be effective 8/6/2026.

Filed Date: 8/20/26.

Accession Number: 20260820–5126.

Comment Date: 5 p.m. ET 9/10/26.

Take notice that the Commission received the following Qualifying Facility filings:

Docket Numbers: QF26–1353–000.

Applicants: Bolt Project SPV 1 LLC.

Description: Form 556 of Bolt Project SPV 1 LLC.

Filed Date: 8/20/26.

Accession Number: 20260820–5046.

Comment Date: 5 p.m. ET 9/10/26.

The filings are accessible in the Commission's eLibrary system (*https://elibrary.ferc.gov/idmws/search/fercgensearch.asp*) by querying the docket number.

Any person desiring to intervene, to protest, or to answer a complaint in any of the above proceedings must file in accordance with Rules 211, 214, or 206 of the Commission's Regulations (18 CFR 385.211, 385.214, or 385.206) on or before 5:00 p.m. Eastern Time on the specified comment date. Protests may be considered, but intervention is necessary to become a party to the proceeding.

eFiling is encouraged. More detailed information relating to filing requirements, interventions, protests, service, and qualifying facilities filings can be found at: *http://www.ferc.gov/docs-filing/efiling/filing-req.pdf.* For other information, call (866) 208–3676 (toll free). For TTY, call (202) 502–8659.

For public inquiries and assistance with making filings such as interventions, comments, or requests for rehearing, contact the Office of Public Participation at (202) 502–6595 or *OPP@ferc.gov.*

Dated: August 20, 2026.

Carlos D. Clay,

Deputy Secretary.

[FR Doc. 2026–17320 Filed 8–24–26; 8:45 am]

BILLING CODE 6717–01–P

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Project No. 15424–000]

DeepGreen Western Passage SPV LLC; Notice of Preliminary Permit Application Accepted for Filing and Soliciting Comments, Motions To Intervene, and Competing Applications

On February 11, 2026, and supplemented and amended on June 8, 2026 and July 30, 2026, DeepGreen Western Passage SPV LLC, filed an application for a preliminary permit, pursuant to section 4(f) of the Federal Power Act (FPA), proposing to study the feasibility of the DeepGreen Western Passage Subsea-Compute & Infrastructure Hub Project No. 15424–000 (project), to be located in the Western Passage of the Bay of Fundy in the North Atlantic Ocean near the Town of Eastport, Washington County, Maine. The sole purpose of a preliminary permit, if issued, is to grant the permit holder priority to file a license application during the permit term. A preliminary permit does not authorize the permit holder to perform any land-disturbing activities or otherwise enter upon lands or waters owned by others without the owners' express permission.

The proposed project would consist of the following new features: (1) a 3.5-meter-high and 24-meter-wide subsea modular universal docking cradle; (2) thirty-four 12-meter-long and 4.2-meter-diameter subsea compute pods; (3) a 1.8-meter-diameter spherical and elevated tidal sensing power platform; (4) up to 16 marine hydrokinetic turbine-generator units, each rated at 300-kilowatt (kW); and (5) a 1.5-mile-long hybrid power-and-fiber subsea cable operating at 13.8 kilovolts (kV). The proposed project would be configured as a behind-the-meter captive generation loop without a grid connection.

Applicant Contact: Louis Wolfson, DeepGreen Western Passage SPV LLC, 100 Crescent Road, Needham, MA 02494; phone: (617) 799–3326; email: *LW29@DeepGreenCoastal.com.*

FERC Contact: Justin R. Robbins; phone: (202) 502–8308, or by email at *justin.robbins@ferc.gov.*

Deadline for filing comments, motions to intervene, competing applications (without notices of intent), or notices of intent to file competing applications: on or before 5:00 p.m. Eastern Time on October 19, 2026. Competing applications and notices of intent must meet the requirements of 18 CFR 4.36.

The Commission strongly encourages electronic filing. Please file comments, motions to intervene, notices of intent, and competing applications using the Commission's eFiling system at *https://ferconline.ferc.gov/eFiling.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. The first page of any filing should include docket number P–15424–000.

For public inquiries and assistance with making filings such as interventions, comments, or requests for rehearing, contact the Office of Public Participation at (202) 502–6595 or *OPP@ferc.gov.*

More information about this project, including a copy of the application, can be viewed on the Commission's website (*http://www.ferc.gov*) using the ''eLibrary'' link. Enter the docket number, excluding the last three digits (P–15424), in the docket number field to access the document. For assistance, contact FERC Online Support.

(Authority: 18 CFR 2.1.)

Dated: August 19, 2026.

Debbie-Anne A. Reese,

Secretary.

[FR Doc. 2026–17254 Filed 8–24–26; 8:45 am]

BILLING CODE 6717–01–P

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Project No. 7883–020]

Power House Systems, LLC; Notice of Reasonable Period of Time for Water Quality Certification Application

On July 22, 2026, New Hampshire Department of Environmental Services (New Hamshire DES) submitted to the Federal Energy Regulatory Commission (Commission) notice that it received a complete request for a Clean Water Act section 401(a)(1) water quality certification as defined in 40 CFR 121.5, from Power House Systems, LLC, in conjunction with the above captioned project, on June 3, 2026. Pursuant to the Commission's regulations,[1] we hereby notify New Hampshire DES of the following:

Date of Receipt of the Certification Request: June 3, 2026.

Reasonable Period of Time To Act on the Certification Request: One year, June 3, 2027.

If New Hamshire DES fails or refuses to act on the water quality certification request on or before the above date, then the certifying authority is deemed waived pursuant to section 401(a)(1) of the Clean Water Act, 33 U.S.C. 1341(a)(1).

(Authority: 18 CFR 2.1)

Dated: August 20, 2026.

Carlos D. Clay,

Deputy Secretary.

[FR Doc. 2026–17321 Filed 8–24–26; 8:45 am]

BILLING CODE 6717–01–P

[1] 18 CFR 4.34(b)(5)(iii).

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Docket No. RD26–8–000]

Commission Information Collection Activities (FERC–725S); Comment Request

AGENCY: Federal Energy Regulatory Commission.

ACTION: Notice of information collection and request for comments.

SUMMARY: In compliance with the requirements of the Paperwork Reduction Act of 1995, 44 U.S.C. 3506(c)(2)(A), the Federal Energy Regulatory Commission (Commission or FERC) is soliciting public comment on the currently approved information collection, FERC–725S (OMB Control No. 1902–0270), Emergency Preparedness and Operations (EOP) Reliability Standards.

DATES: Comments on the collections of information are due October 26, 2026.

ADDRESSES: Please submit comments via email to *DataClearance@FERC.gov*. You must specify Docket No. (RD26–8–000) and the FERC Information Collection number (FERC–725S) in your email. If you are unable to file electronically, comments may be filed by USPS mail or by hand (including courier) delivery:

- *Mail via U.S. Postal Service only, addressed to:* Federal Energy Regulatory Commission, Secretary of the Commission, 888 First Street NE, Washington, DC 20426.
- *Hand (including courier) delivery to:* Federal Energy Regulatory Commission, 12225 Wilkins Avenue, Rockville, MD 20852.

SUPPLEMENTARY INFORMATION:

Title: FERC–725S, Emergency Preparedness and Operations (EOP) Reliability Standards.

OMB Control No.: 1902–0270.

Type of Request: Approval of the FERC–725S information collection requirements with changes to the current reporting requirements.

Type of Respondents: Draft Reliability Standard EOP–004–5 improves upon the existing Reliability Standard EOP–004–4 by ensuring timely reporting by industry to the North America Electric Reliability Corporation (NERC) through the reporting of events involving Inverter Based-Resources (IBRs). Changes were made to Attachment 1 for an unexpected loss of generation within a Balancing Authority Area from IBR(s) in a period of 30 seconds or less following a disturbance. Additionally, a new classification for generator owner category 2 and generator operator category 2 will now be applicable to potential reporting of events and will be included in estimates for EOP–004 going forward.

For providing accurate reporting of events to NERC's event analysis group to review the impact on the reliability of the bulk electric system, staff estimates that for EOP–004–5, fifty percent of the applicable entities will have an annual reporting burden, and this is captured in the associated table below.

Estimate of Annual Burden[1] *and cost*:[2] The Commission estimates the annual public reporting burden for the information collection as:

[1] The Commission defines burden as the total time, effort, or financial resources expended by persons to generate, maintain, retain, or disclose or provide information to or for a Federal agency. For further explanation of what is included in the information collection burden, refer to 5 Code of Federal Regulations 1320.3.

[2] The estimated hourly cost (salary plus benefits) is a combination of the following categories from the BLS website, *Occupational Employment and Wage Statistics—source for hourly wages:* 75% of the average of an Electrical Engineer (17–2071) $92.32/hr., × .75 = $69.24 ($69.24/hour); and 25% of an Information and Record Clerk (43–4199) $56.60/hr., $56.60 × .25 = $14.15 ($14.15/hour), for a total ($69.24/hour + $14.15/hour = $83.39/hour).

FERC–725S

[EOP–004–5 Event Reporting]

Reliability standard and associated requirement	Number of respondents[3][4][5] (1)	Annual number of responses per respondent (2)	Total number of responses (1) * (2) = (3)	Average burden & cost per response (4)	Total annual burden & total annual cost (3) * (4) = (5) rounded	Cost per respondent ($) (5) ÷ (1)
Annual review and record retention for EOP–004–5.	49 (BA)	1	49	4 hrs. $333.56	196 hrs. $16,344	$333.56
	170 (GO)	1	170	8 hrs. $667.12	1,360 hrs. $113,410	667.12
	89 (GOP)	1	89	8 hrs. $667.12	712 hrs. $59,374	667.12
Total EOP–004–5			308		2,268 hrs.; $189,128	

Comments: Comments are invited on: (1) whether the collection of information is necessary for the proper performance of the functions of the Commission, including whether the information will have practical utility; (2) the accuracy of the agency's estimate of the burden and cost of the collection of information, including the validity of the methodology and assumptions used; (3) ways to enhance the quality, utility and clarity of the information collection; and (4) ways to minimize the burden of the collection of information on those who are to respond, including the use of automated collection techniques or other forms of information technology.

Dated: August 20, 2026.

Carlos D. Clay,

Deputy Secretary.

[FR Doc. 2026–17318 Filed 8–24–26; 8:45 am]

BILLING CODE 6717–01–P

ENVIRONMENTAL PROTECTION AGENCY

[EPA–HQ–OPP–2009–0361; FRL–13597–01–OCSPP]

Glyphosate Open Literature Search To Inform Human Health Risk Assessment Notice of Availability

AGENCY: Environmental Protection Agency (EPA).

ACTION: Notice.

SUMMARY: This notice announces the availability of the Environmental Protection Agency's (EPA or the Agency) open literature search in support of the ongoing registration review of glyphosate. This open literature search is intended to inform the hazard assessment for the upcoming updated glyphosate human health risk assessment, currently scheduled to be completed in late 2026. EPA is soliciting comments on the completeness of the Agency's open literature search results, and this notice opens a comment period on the open literature search.

DATES: Comments must be received on or before September 24, 2026.

ADDRESSES: Submit your comments, identified by docket identification (ID) number EPA–HQ–OPP–2009–0361, through *https://www.regulations.gov.* Follow the online instructions for submitting comments. Do not submit electronically any information you consider to be Confidential Business Information (CBI) or other information whose disclosure is restricted by statute. Additional instructions on commenting or visiting the docket, along with more information about dockets generally, is available at *https://www.epa.gov/dockets.*

FOR FURTHER INFORMATION CONTACT: Cathryn Britton, Risk Management and Implementation Branch 5, Pesticide Re-evaluation Division, Office of Pesticide Programs, Environmental Protection Agency, 1200 Pennsylvania Ave. NW, Washington, DC 20460–0001; telephone number: (202) 566–2339; email address: *glyphosateregreview@epa.gov.*

SUPPLEMENTARY INFORMATION:

I. General Information

A. Does this action apply to me?

This notice is directed to the public in general and may be of interest to a wide range of stakeholders including environmental, human health, farm workers, and agricultural advocates; the chemical industry; pesticide users; and members of the public interested in the sale, distribution, or use of pesticides. Since others may also be interested, the Agency has not attempted to describe all the specific entities that may be affected by this action.

B. What should I consider as I prepare my comments for EPA?

1. Submitting CBI

Do not submit CBI to EPA through *https://www.regulations.gov* or email. If you wish to include CBI in your comment, please follow the applicable instructions at *https://www.epa.gov/dockets/commenting-epa-dockets#rules* and clearly mark the information that you claim to be CBI. Information so marked will not be disclosed except in accordance with procedures set forth in 40 CFR parts 2 and 703, as applicable.

2. Tips for Preparing Your Comments

When preparing and submitting your comments, see the commenting tips at *https://www.epa.gov/dockets/commenting-epa-dockets.*

II. What action is the Agency taking?

The EPA's Office of Pesticide Programs (OPP) is currently reevaluating glyphosate as part of registration review, which is required by law every 15 years to ensure that pesticide products on the market continue to meet the statutory standard for registration as science evolves and new information becomes available. In addition to guideline studies, required under 40 CFR part 158, and non-guideline studies that are submitted to the EPA to support pesticide registration, EPA searches for relevant studies published in peer-reviewed scientific journals in the open literature. In the case of glyphosate, there are a large number of independent studies available in the open literature. Since the initiation of Registration Review, EPA has performed multiple searches of open literature to identify, screen, and evaluate potentially relevant studies using systematic review approaches consistent with Executive Order 14303, Restoring Gold Standard Science and Gold Standard Science (90 FR 22601; May 23, 2025) objectives. In addition, EPA has received additional studies to consider during public comment periods in the Registration Review

[3] The number of respondents is based on NERC compliance registration information as of July 21, 2026.

[4] The number of respondents for GOs and GOP has increased with registration of applicable Category 2 resources which came into effect May 2026.

[5] For EOP–004–5 it is estimated that fifty percent of applicable entities will have an annual reporting burden and values in the table reflect that consideration (rounded up).

process. To supplement the previous human health open literature searches, a new systematic open literature search was performed to identify potentially relevant studies published more recently to inform human health risk assessment. EPA's open literature search document summarizes prior search efforts, details the search strategy, including search terms, databases, and inclusion/exclusion criteria, and provides an explanation of the multistep screening and evaluation process used to determine study quality and relevance for inclusion in human health risk assessment. Studies identified across all search efforts, including those submitted through public comment, are listed in an accompanying spreadsheet.

The objective of this public comment period is to solicit public input to identify and submit any relevant, peer-reviewed studies that are not included in this list of studies for consideration as part of the upcoming updated human health risk assessment, which is targeted for completion in late 2026 and subsequent release for public comment. For the Agency to consider any submitted data or studies, there must be open access to the article or study report and its supporting data. When providing input to EPA, commenters should include the full citation reference to the article that includes the study author(s), date of publication, journal title, and the article title.

(Authority: 7 U.S.C. 136 *et seq.*)

Dated: August 20, 2026.

Jean Anne Overstreet,

Director, Pesticide Re-Evaluation Division, Office of Pesticide Programs.

[FR Doc. 2026–17301 Filed 8–24–26; 8:45 am]

BILLING CODE 6560–50–P

ENVIRONMENTAL PROTECTION AGENCY

[EPA–HQ–OPPT–2026–1849; FRL–13203–05–OCSPP]

Certain New Chemicals or Significant New Uses; Statements of Findings—May 2026

AGENCY: Environmental Protection Agency (EPA).

ACTION: Notice.

SUMMARY: The Toxic Substances Control Act (TSCA) requires EPA to publish in the **Federal Register** a statement of its findings after its review of certain TSCA submissions when EPA makes a finding that a new chemical substance or significant new use is not likely to present an unreasonable risk of injury to health or the environment. Such statements apply to premanufacture notices (PMNs), microbial commercial activity notices (MCANs), and significant new use notices (SNUNs) submitted to EPA under TSCA. This document presents statements of findings made by EPA on such submissions during the period from May 1, 2026, to May 31, 2026.

ADDRESSES: The docket for this action, identified by docket identification (ID) number EPA–HQ–OPPT–2026–1849, is available online at *https://www.regulations.gov.* Additional information about dockets generally, along with instructions for visiting the docket in person, is available at *https://www.epa.gov/dockets.*

FOR FURTHER INFORMATION CONTACT:

For technical information: Rebecca Edelstein, New Chemical Division (7405M), Office of Pollution Prevention and Toxics, Environmental Protection Agency, 1200 Pennsylvania Ave. NW, Washington, DC 20460–0001; telephone number: (202) 564–1667 email address: *edelstein.rebecca@epa.gov.*

For general information: The TSCA-Hotline, ABVI-Goodwill, 422 South Clinton Ave., Rochester, NY 14620; telephone number: (202) 554–1404; email address: *TSCA-Hotline@epa.gov.*

SUPPLEMENTARY INFORMATION:

I. Executive Summary

A. Does this action apply to me?

This action provides information that is directed to the public in general.

B. What action is the Agency taking?

This document lists the statements of findings made by EPA after review of submissions under TSCA section 5(a) that certain new chemical substances or significant new uses are not likely to present an unreasonable risk of injury to health or the environment. This document presents statements of findings made by EPA during the applicable period.

C. What is the Agency's authority for taking this action?

TSCA section 5(a)(3) requires EPA to review a submission under TSCA section 5(a) and make specific findings pertaining to whether the substance may present unreasonable risk of injury to health or the environment. Among those potential findings is that the chemical substance or significant new use is not likely to present an unreasonable risk of injury to health or the environment per TSCA Section 5(a)(3)(C).

TSCA section 5(g) requires EPA to publish in the **Federal Register** a statement of its findings after its review of a submission under TSCA section 5(a) when EPA makes a finding that a new chemical substance or significant new use is not likely to present an unreasonable risk of injury to health or the environment. Such statements apply to PMNs, MCANs, and SNUNs submitted to EPA under TSCA section 5.

Anyone who plans to manufacture (which includes import) a new chemical substance for a non-exempt commercial purpose and any manufacturer or processor wishing to engage in a use of a chemical substance designated by EPA as a significant new use must submit a notice to EPA at least 90 days before commencing manufacture of the new chemical substance or before engaging in the significant new use.

The submitter of a notice to EPA for which EPA has made a finding of ''not likely to present an unreasonable risk of injury to health or the environment'' may commence manufacture of the chemical substance or manufacture or processing for the significant new use notwithstanding any remaining portion of the applicable review period.

II. Statements of Findings Under TSCA Section 5(a)(3)(C)

In this unit, EPA identifies the PMNs, MCANs and SNUNs for which EPA has made findings under TSCA section 5(a)(3)(C) that the new chemical substances or significant new uses are not likely to present an unreasonable risk of injury to health or the environment. For the findings made during this period, the following list provides the EPA case number assigned to the TSCA section 5(a) submission and the chemical identity (generic name if the specific name is claimed as confidential).

- P–26–0024, Maleated polyalkene, aminoethyl substituted heteromonocycle, carbopolycycle alkoxylated (Generic Name).
- J–26–0001, Modified *Saccharomyces cerevisiae* for improved production of ethanol (Generic Name).

To access EPA's decision document describing the basis of the ''not likely to present an unreasonable risk'' finding made by EPA under TSCA section 5(a)(3)(C), lookup the specific case number at *https://www.epa.gov/reviewing-new-chemicals-under-toxic-substances-control-act-tsca/determined-not-likely.*

Authority: 15 U.S.C. 2601 *et seq.*

Dated: August 19, 2026.

Shari Z. Barash,

Director, New Chemical Division, Office of Pollution Prevention and Toxics.

[FR Doc. 2026–17303 Filed 8–24–26; 8:45 am]

BILLING CODE 6560–50–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 September 9, 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 Kenneth Scott Brown Revocable Trust dated December 18, 2025, Kenneth Scott Brown, as trustee; the Rene' Brown Revocable Trust dated January 30, 2017, Michelle Rene Brown, as trustee; the Karla Lynn Brown Revocable Trust dated December 18, 2025, Karla Lynn Brown, as trustee; the Josephine Marie Brown Revocable Trust dated 6/26/25, Josephine Brown, Kenneth Brown, and Michelle Rene Brown, as co-trustees; the 2018 Irrevocable Trust for Sam C. Brown, III, the 2018 Irrevocable Trust for Kenneth Scott Brown, and the 2018 Irrevocable Trust for Michelle Rene Brown, Michelle Rene Brown, Kenneth Scott Brown, and Sam Brown, III, as co-trustees of the three aforementioned trusts, all of Pueblo, Colorado; JoVanna Dukes, Clancy, Montana; and Chad Robertson, Lonetree, Colorado;* to join the Brown Family Group, a group acting in concert, to retain voting shares of Pueblo Bancorporation, and thereby indirectly retain voting shares of PB&T Bank, both of Pueblo, Colorado. Josephine Brown, Michelle Rene Brown, Kenneth Scott Brown, Karla Lynn Brown, and Sam Brown III are members of the Brown Family Group and were each previously permitted by the Federal Reserve System to acquire voting shares of Pueblo Bancshares in their individual capacities.

Board of Governors of the Federal Reserve System.

Michele Taylor Fennell,

Associate Secretary of the Board.

[FR Doc. 2026–17310 Filed 8–24–26; 8:45 am]

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FEDERAL TRADE COMMISSION

Agency Information Collection Activities; Proposed Collection; Comment Request; Extension

AGENCY: Federal Trade Commission.

ACTION: Notice.

SUMMARY: In accordance with the Paperwork Reduction Act of 1995 (PRA), the Federal Trade Commission (FTC or Commission) is seeking public comment on its proposal to extend for an additional three years the information collection requirements contained in the agency's rule governing Standards for Safeguarding Customer Information (the Safeguards Rule). The current clearance expires on December 31, 2026.

DATES: Comments must be filed by October 26, 2026.

ADDRESSES: Interested parties may file a comment online or on paper, by following the instructions in the Request for Comment part of the **SUPPLEMENTARY INFORMATION** section below. Write ''Paperwork Reduction Act Comment: FTC File No. R021101,'' on your comment, and file your comment online at *https://www.regulations.gov* by following the instructions on the web-based form. If you prefer to file your comment on paper, mail your comment to the following address: Federal Trade Commission, Office of the Secretary, 600 Pennsylvania Avenue NW, Mail Stop H–144 (Annex E), Washington, DC 20580.

FOR FURTHER INFORMATION CONTACT: Katherine McCarron, Attorney, Division of Privacy and Identity Protection, Bureau of Consumer Protection, Federal Trade Commission, 600 Pennsylvania Avenue NW, Washington, DC 20580, (202) 326–2333; *kmccarron@ftc.gov.*

SUPPLEMENTARY INFORMATION:

Title: Standards for Safeguarding Customer Information (the Safeguards Rule), 16 CFR part 314.

OMB Control Number: 3084–0171.

Type of Review: Extension of a currently approved collection.

Background: The Gramm Leach Bliley Act, Public Law 106–102, 113 Stat. 1338 (1999), required the FTC and other federal agencies to establish standards for financial institutions relating to administrative, technical, and physical safeguards for certain information.[1] Pursuant to this directive, the Commission promulgated the Safeguards Rule in 2002, which requires financial institutions, among other things, to develop, implement, and maintain a comprehensive written information security program that contains administrative, technical, and physical safeguards that are appropriate to the institution's size and complexity, the nature and scope of the institution's activities, and the sensitivity of any customer information at issue. The Safeguards Rule became effective on May 23, 2003. The Commission amended the Safeguards Rule in 2021 and again in 2023.

The Safeguards Rule as amended requires financial institutions to report to the Commission a notification event where unencrypted customer information involving 500 or more consumers is acquired without authorization.[2] This reporting requirement constitutes a ''collection of information'' for purposes of the PRA.[3]

As required by section 3506(c)(2)(A) of the PRA, 44 U.S.C. 3506(c)(2)(A), the FTC is providing this opportunity for public comment before requesting that OMB extend the existing clearance for this information collection requirement contained in the Safeguards Rule.

Burden Statement

Total annual hours burden: 815.

FTC staff estimates that the reporting requirement will affect approximately 163 financial institutions each year.[4]

[1] See 15 U.S.C. 6801(b), 6805(b)(2).

[2] 16 CFR 314.4(j).

[3] 44 U.S.C. 3502(3)(A)(i).

[4] Financial institutions must report to the Commission when unencrypted customer

FTC staff estimates that compliance with this reporting requirement will require approximately five hours for affected financial institutions, for a total annual burden of approximately 815 hours (163 responses × 5 hours). FTC staff anticipates that the burden associated with the reporting requirement will consist of the time necessary to compile and report the requested information via the electronic form located on the Commission's website. The Commission does not expect that the reporting requirement will impose any new investigative costs on financial institutions, because the information requested by the reporting requirement is (1) information that financial institutions acquire in the normal course of responding to a security event, and (2) similar to information entities are already required to disclose under states' data breach notification laws.

Total annual labor cost: $60,310.

The estimated labor cost reflects the hourly wages necessary to prepare the required reports. FTC staff anticipates that the required information will be compiled by information security analysts in the course of assessing and responding to a notification event, resulting in 3 hours of labor at a mean hourly wage of $63.71 (3 hours × $63.71 = $191.13).[5] FTC staff also anticipates that affected financial institutions may use attorneys to formulate and submit the required report, resulting in 2 hours of labor at a mean hourly wage of $89.35 (2 hours × $89.35 = $178.70).[6] Accordingly, FTC staff estimates the approximate labor cost to be $370 per report (rounded to the nearest dollar). This yields a total annual cost burden of $60,310 (163 annual responses × $370).

Total annual capital or other non-labor costs: De minimis.

Covered financial institutions are not likely to require any significant capital costs to comply with the reporting requirement. To reduce burden on affected financial institutions, the Commission provides an online reporting form on the Commission's website to facilitate reporting of qualifying security events. As a result, the Commission does not anticipate that covered financial institutions will incur any new capital or non-labor costs in complying with the reporting requirement.

Request for Comment

Pursuant to section 3506(c)(2)(A) of the PRA, the FTC invites comments on: (1) whether the proposed collection of information is necessary for the proper performance of the functions of the agency, including whether the information will be practically useful; (2) the accuracy of the agency's estimate of the burden of the proposed collection of information, including whether the methodology and assumptions used are valid; (3) ways to enhance the quality, utility, and clarity of the information to be collected; and (4) ways to minimize the burden of the collection of information.

For the FTC to consider a comment, we must receive it on or before October 26, 2026. Your comment, including your name and your state, will be placed on the public record of this proceeding, including the *https://www.regulations.gov* website.

You can file a comment online or on paper. Due to heightened security screening, postal mail addressed to the Commission will be subject to delay. We encourage you to submit your comments online through the *https://www.regulations.gov* website.

If you file your comment on paper, write ''Paperwork Reduction Act Comment: FTC File No. R021101,'' on your comment and on the envelope, and mail it to the following address: Federal Trade Commission, Office of the Secretary, 600 Pennsylvania Avenue NW, Mail Stop H–144 (Annex E), Washington, DC 20580.

Because your comment will become publicly available at *https://www.regulations.gov,* you are solely responsible for making sure that your comment does not include any sensitive or confidential information. In particular, your comment should not include any sensitive personal information, such as your or anyone else's Social Security number; date of birth; driver's license number or other state identification number, or foreign country equivalent; passport number; financial account number; or credit or debit card number. You are also solely responsible for making sure that your comment does not include any sensitive health information, such as medical records or other individually identifiable health information. In addition, your comment should not include any ''trade secret or any commercial or financial information which . . . is privileged or confidential''—as provided by Section 6(f) of the FTC Act, 15 U.S.C. 46(f), and FTC Rule 4.10(a)(2), 16 CFR 4.10(a)(2)—including, in particular, competitively sensitive information, such as costs, sales statistics, inventories, formulas, patterns, devices, manufacturing processes, or customer names.

Comments containing material for which confidential treatment is requested must (1) be filed in paper form, (2) be clearly labeled ''Confidential,'' and (3) comply with FTC Rule 4.9(c). In particular, the written request for confidential treatment that accompanies the comment must include the factual and legal basis for the request and must identify the specific portions of the comment to be withheld from the public record. *See* FTC Rule 4.9(c). Your comment will be kept confidential only if the General Counsel grants your request in accordance with the law and the public interest. Once your comment has been posted publicly at *www.regulations.gov,* we cannot redact or remove your comment unless you submit a confidentiality request that meets the requirements for such treatment under FTC Rule 4.9(c), and the General Counsel grants that request.

The FTC Act and other laws that the Commission administers permit the collection of public comments to consider and use in this proceeding as appropriate. The Commission will consider all timely and responsive public comments that it receives on or before October 26, 2026. For information on the Commission's privacy policy, including routine uses permitted by the Privacy Act, see *https://www.ftc.gov/site-information/privacy-policy.*

Josephine Liu,

Assistant General Counsel for Legal Counsel.

[FR Doc. 2026–17331 Filed 8–24–26; 8:45 am]

BILLING CODE 6750–01–P

information involving 500 or more consumers is acquired without authorization. In 2025, the Commission received approximately 163 breach notifications.

[5] This figure is derived from the mean hourly wage for information security analysts. See ''Occupational Employment and Wages–May 2025,'' Bureau of Labor Statistics, U.S. Department of Labor (May 15, 2026), Table 1 (''National employment and wage data from the Occupational Employment Statistics survey by occupation, May 2025''), available at *https://www.bls.gov/news.release/ocwage.t01.htm.*

[6] This assumed hourly rate is based on the mean wage for lawyers, which according to the Bureau of Labor Statistics was $89.35 in 2025. See ''Occupational and Employment Wages-May 2025,'' Bureau of Labor Statistics, U.S. Department of Labor (May 15, 2026), Table 1 (''National employment and wage data from the Occupational Employment and Wage Statistics survey by occupation, May 2025''), available at *https://www.bls.gov/news.release/ocwage.t01.htm.* Although the reporting requirement will largely be administrative, the Commission understands that affected financial institutions may engage attorneys to comply with the reporting requirement.

DEPARTMENT OF HEALTH AND HUMAN SERVICES

National Institutes of Health

Request for Information (RFI): Request for Information on New and Emerging Areas of Science Relevant to the NIDCD Mission, To Inform an Update of the NIDCD Strategic Plan for 2028–2032

AGENCY: National Institutes of Health, HHS.

ACTION: Notice.

SUMMARY: The National Institute on Deafness and Other Communication Disorders (NIDCD) seeks comments and suggestions from the public in response to one question: *Are there new and emerging areas of science with the potential to impact the health and wellbeing of people with disorders of hearing, balance, taste, smell, voice, speech and language that are not reflected in the themes and goals of the NIDCD Strategic Plan?* Responses to this RFI will be considered as NIDCD updates its current strategic plan.

DATES: Comments regarding this information collection are best assured of having their full effect if received by October 26, 2026.

ADDRESSES: Submissions may be sent electronically to *nidcdstrategicplan@nidcd.nih.gov,* or by mail to The National Institute on Deafness and Other Communication Disorders, 31 Center Drive, Suite 3C25, Bethesda, MD 20892.

FOR FURTHER INFORMATION CONTACT: Questions about this request for information should be directed to Laura Cole, Ph.D., The National Institute on Deafness and Other Communication Disorders, 31 Center Drive, Suite 3C25, Bethesda, MD 20892, *nidcdstrategicplan@nidcd.nih.gov,* 301–496–9515.

SUPPLEMENTARY INFORMATION: This notice is in accordance with the 21st Century Cures Act, wherein NIH institutes are required to regularly update their strategic plans. The National Institute on Deafness and Other Communication Disorders (NIDCD) was established as a new institute within NIH when President Ronald Reagan signed Public Law 100–553 into law on October 28, 1988. The NIDCD mission is to conduct and support research and research training in the normal and disordered processes of hearing, balance, taste, smell, voice, speech, and language. Our vision is Advancing the science of communication to improve lives. To get us there, NIDCD seeks your best ideas to help as we develop our 2028–2032 Strategic Plan.

This RFI is for planning purposes only and should not be construed as a solicitation for applications or proposals, or as an obligation in any way on the part of the United States Federal government. The Federal government will not pay for the preparation of any information submitted or for the government's use. Additionally, the government cannot guarantee the confidentiality of the information provided.

The Director of the National Institute on Deafness and Other Communication Disorders, Debara L. Tucci, having reviewed and approved this document, authorizes Alycia Booth, who is the Federal Register Liaison, to electronically sign this document for purposes of publication in the **Federal Register**.

Dated: August 21, 2026.

Alycia Booth,

Federal Register Liaison, National Institutes of Health.

[FR Doc. 2026–17311 Filed 8–24–26; 8:45 am]

BILLING CODE 4167–05–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 Office of AIDS Research Advisory Council.

This will be a hybrid meeting held in-person and virtually and will be open to the public, 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 inform 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: Office of AIDS Research Advisory Council.

Date: October 22, 2026.

Time: 11:00 a.m. to 4:30 p.m. ET.

Agenda: The 73rd OARAC meeting will include a report from the OAR Director, and host discussions with council members, guests, and NIH officials regarding the NIH HIV research agenda.

Address: National Institute of Allergy and Infectious Diseases, National Institutes of Health, 5601 Fishers Lane, Grand Hall, Rockville, MD 20892.

Meeting Format: Hybrid.

Contact Person: Melissa Herrera, Office of AIDS Research, Office of the Director, National Institutes of Health, 5601 Fishers Lane, Room 2F18, Rockville, MD 20892, (301) 496–0357, *OARACinfo@nih.gov.*

Registration is not required to attend 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: *www.oar.nih.gov,* where an agenda and any additional information for the meeting will be posted when available.

In the interest of security, NIH has procedures at *https://www.nih.gov/about-nih/visitor-information/campus-access-security* for entrance into on-campus and off-campus facilities. All visitor vehicles, including taxicabs, hotel, and airport shuttles will be inspected before being allowed on campus. Visitors attending a meeting on campus or at an off-campus federal facility will be asked to show one form of identification (for example, a government-issued photo ID, driver's license, or passport) and to state the purpose of their visit.

Dated: August 20, 2026.

Bruce A. George,

Program Analyst, Office of Federal Advisory Committee Policy.

[FR Doc. 2026–17269 Filed 8–24–26; 8:45 am]

BILLING CODE 4167–05–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

National Institutes of Health

National Heart, Lung, and Blood Institute; 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 Heart, Lung, and Blood Advisory 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 open session will be videocast and can be accessed from the NIH Videocasting and Podcasting website at *https://videocast.nih.gov/.*

Name of Committee: National Heart, Lung, and Blood Advisory Council.

Date: October 28, 2026.

Open: 8:15 a.m. to 11:30 a.m.

Agenda: To Discuss Program Policies and Issues.

Place: National Institutes of Health, Claude D. Pepper Building, 31 Center Drive, 6th Floor, Rooms A & B, Bethesda, MD 20892.

Meeting Format: In Person and Virtual.

Contact Person: Charisee Lamar, Ph.D., M.P.H., R.R.T. Director, Division of Extramural Research Activities, National Heart, Lung, and Blood Institute, National Institutes of Health, 6705 Rockledge Drive, Room 206–Q, Bethesda, MD 20892, (301) 827–5517, *lamarc@mail.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 at least 10 days in advance of the meeting. 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 Institute's/Center's home page: *https://www.nhlbi.nih.gov/about/advisory-and-peer-review-committees/advisory-council,* where an agenda and any additional information for the meeting will be posted when available.

(Catalogue of Federal Domestic Assistance Program Nos. 93.233, National Center for Sleep Disorders Research; 93.837, Heart and Vascular Diseases Research; 93.838, Lung Diseases Research; 93.839, Blood Diseases and Resources Research, National Institutes of Health, HHS)

Dated: August 20, 2026.

Bruce A. George,

Program Analyst, Office of Federal Advisory Committee Policy.

[FR Doc. 2026–17266 Filed 8–24–26; 8:45 am]

BILLING CODE 4167–05–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

National Institutes of Health

National Institute of Diabetes and Digestive and Kidney Diseases; Amended Notice of Meeting

Notice is hereby given of a change in the meeting of the Board of Scientific Counselors, National Institute of Diabetes and Digestive and Kidney Diseases, October 15, 2026, 10:00 a.m. to October 16, 2026, 5:00 p.m., National Institute of Health, Building 10, 31 Center Drive, Bethesda, MD 20892 which was published in the **Federal Register** on July 24, 2025, FR Doc. 90 FR 34874.

The DKBSC is changing the meeting date and time from a two-day meeting, October 15–16, 2026, 10:00 a.m. to 5:00 p.m., to a one-day meeting on November 20, 2026, 10:00 a.m. to 4:30 p.m. Open session and public attendance will be from 10:00 a.m. to 3:00 p.m., the meeting will then be closed to the public from 3:00 p.m. to 4:00 p.m.; the meeting will then hold Open session from 4:00 p.m. to 4:30 p.m. The location of the meeting has also changed from Building 10 to Building 5. This meeting will be virtual and partially Closed to the public.

Dated: August 20, 2026.

Margaret N. Vardanian,

Program Analyst, Office of Federal Advisory Committee Policy.

[FR Doc. 2026–17270 Filed 8–24–26; 8:45 am]

BILLING CODE 4167–05–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

National Institutes of Health

National Heart, Lung, and Blood Institute; Notice of Closed Meeting

Pursuant to section 1009 of the Federal Advisory Committee Act, as amended, notice is hereby given of a meeting of the National Heart, Lung, and Blood Advisory Council.

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 Heart, Lung, and Blood Advisory Council.

Date: October 28, 2026.

Closed: 12:00 p.m. to 3:30 p.m.

Agenda: To Review and Evaluate Grant Applications.

Place: National Institutes of Health, Claude D. Pepper Building, 31 Center Drive, 6th Floor, Rooms A & B, Bethesda, MD 20892.

Meeting Format: In Person and Virtual.

Contact Person: Charisee Lamar, Ph.D., M.P.H., R.R.T., Director, Division of Extramural Research Activities, National Heart, Lung, and Blood Institute, National Institutes of Health, 6705 Rockledge Drive, Room 206–Q, Bethesda, MD 20892, (301) 827–5517, *lamarc@mail.nih.gov*.

Any interested person may file written comments with the committee by forwarding the statement to the Contact Person listed on this notice at least 10 days in advance of the meeting. 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 Institute's/Center's home page: *https://www.nhlbi.nih.gov/about/advisory-and-peer-review-committees/advisory-council,* where an agenda and any additional information for the meeting will be posted when available.

(Catalogue of Federal Domestic Assistance Program Nos. 93.233, National Center for Sleep Disorders Research; 93.837, Heart and Vascular Diseases Research; 93.838, Lung Diseases Research; 93.839, Blood Diseases and Resources Research, National Institutes of Health, HHS)

Dated: August 20, 2026.

Bruce A. George,

Program Analyst, Office of Federal Advisory Committee Policy.

[FR Doc. 2026–17267 Filed 8–24–26; 8:45 am]

BILLING CODE 4167–05–P

FEDERAL DEPOSIT INSURANCE CORPORATION

NATIONAL CREDIT UNION ADMINISTRATION

DEPARTMENT OF THE TREASURY

Office of the Comptroller of the Currency

CONSUMER FINANCIAL PROTECTION BUREAU

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

DEPARTMENT OF JUSTICE

FEDERAL HOUSING FINANCE AGENCY

[Docket No. FR–6606–N–01]

Interagency Rescission of the Interagency Statement on Special Purpose Credit Programs Under the Equal Credit Opportunity Act and Regulation B

AGENCY: The Federal Deposit Insurance Corporation (FDIC), the National Credit

Union Administration (NCUA), the Office of the Comptroller of the Currency (OCC), the Consumer Financial Protection Bureau (CFPB or Bureau), the Department of Housing and Urban Development (HUD), the Department of Justice (DOJ), and the Federal Housing Finance Agency (FHFA)

ACTION: Notice.

SUMMARY: FDIC, NCUA, OCC, CFPB, HUD, DOJ, and FHFA (collectively, the agencies) are issuing this notice to inform the public of the rescission of the ''*Interagency Statement on Special Purpose Credit Programs Under the Equal Credit Opportunity Act and Regulation B*'' (Interagency Statement), dated February 22, 2022. The agencies are rescinding the Interagency Statement to make clear that (1) creditors may not discriminate against borrowers based on prohibited characteristics and (2) creditors should not rely upon the Interagency Statement or other related issuances going forward.

DATES: *Effective date:* August 25, 2026.

FOR FURTHER INFORMATION CONTACT:

FDIC: Luke H. Brown, Associate Director, Supervision Policy Branch, Division of Depositor and Consumer Protection, Federal Deposit Insurance Corporation, 550 17th Street NW, Room F–7058, Washington DC 20429. Telephone number (202) 898–3842.

NCUA: Frank Kressman, General Counsel, Office of General Counsel, National Credit Union Administration, 1775 Duke Street, Alexandria, Virginia 22314–3428. Telephone number (703) 518–6540.

OCC: Melissa Love, Deputy Comptroller, Compliance and Operational Risk, Office of the Comptroller of the Currency, 400 7th Street SW, Washington, DC 20219. (202) 649–5420. If you are deaf, hard of hearing, or have a speech disability, please dial 7–1–1 to access telecommunications relay services.

CFPB: Dave Gettler, Paralegal Specialist, Office of Regulations, Consumer Financial Protection Bureau, 445 12th Street SW, Washington, DC 20024–2101. Telephone number (202) 435–7700.

HUD: Trey Tagert, Senior Advisor, Office of Fair Housing and Equal Opportunity, Department of Housing and Urban Development, 451 Seventh Street SW, Washington, DC 20410. Telephone number (202) 402–4252 (This is not a toll-free number.). Individuals who are deaf or hard of hearing, as well as individuals with speech or communication disabilities, have the option of making an accessible telephone call. For more information, please visit: *https://www.fcc.gov/consumers/guides/telecommunications-relay-service-trs.*

DOJ: Eric Sell, Deputy Assistant Attorney General, Civil Rights Division, U.S. Department of Justice, at (202) 307–0663 (voice or TTY). This is not a toll-free number. Information may also be obtained from the Department's toll-free ADA Information Line at (800) 514–0301 (voice) or 1–833–610–1264 (TTY). You may obtain copies of this rule in an alternative format by calling the ADA Information Line at (800) 514–0301 (voice) or 1–833–610–1264 (TTY). This rule is also available on *www.ada.gov.*

FHFA: Aaron Kofsky, Senior Advisor to the Director, Division of Housing Mission and Goals, Federal Housing Finance Agency, 400 Seventh Street SW, Washington, DC 200219. Telephone number (202) 402–4252 (This is not a toll-free number.) Individuals who are deaf or hard of hearing, as well as individuals with speech or communication disabilities, have the option of making an accessible telephone call. For more information, please visit: *https://www.fcc.gov/consumers/guides/telecommunications-relay-service-trs.*

SUPPLEMENTARY INFORMATION: In accordance with Executive Order 14192, ''Unleashing Prosperity Through Deregulation,'' [1] and Executive Order 14219, ''Ensuring Lawful Governance and Implementing the President's 'Department of Government Efficiency' Deregulatory Initiative,'' [2] agencies are required to review their sub-regulatory guidance and policy statements to enhance the effectiveness of these documents and promote principles underlying the rule of law.

Furthermore, Executive Order 14151, ''Ending Radical and Wasteful Government DEI Programs and Preferencing,'' [3] Executive Order 14173, ''Ending Illegal Discrimination and Restoring Merit-Based Opportunity,'' [4] and Executive Order 14281, ''Restoring Equality of Opportunity and Meritocracy,'' [5] establish principles of nondiscrimination for agencies to follow. Accordingly, agencies are revisiting prior guidance that may have sanctioned or encouraged participation in discriminatory programs and activities.

[1] 90 FR 9065 (January 31, 2025).

[2] 90 FR 10583 (February 19, 2025).

[3] 90 FR 8339 (January 20, 2025).

[4] 90 FR 8633 (January 21, 2025).

[5] 90 FR 17537 (April 23, 2025).

I. Background

The 2022 Interagency Statement encouraged creditors to offer special purpose credit programs that ''meet the credit needs of specified classes of persons'' and gave assurances to participants that were uncertain about the permissibility of such credit programs. However, the Interagency Statement referenced a provision of Regulation B, Equal Credit Opportunity Act's (ECOA) implementing regulation, that has since been amended.[6] The earlier version of Regulation B permitted creditors to implement lending programs based on the race, color, national origin, or sex of the applicant under certain circumstances, and the Interagency Statement and other related guidance referenced that earlier version of the provision. Similarly, the assurance given with respect to conformity with the Fair Housing Act (FHA) was based on an interpretation promulgated under HUD guidance that is no longer in effect. These prior interpretations cannot be reconciled with the statutory text of ECOA and the FHA, which expressly prohibit discrimination against individuals based on prohibited characteristics.[7] Furthermore, the Supreme Court has been consistent that race-based policies are subject to higher scrutiny and that a general desire to remedy societal discrimination does not satisfy such threshold.[8] The enhanced standards and eligibility criteria in the revised Regulation B reflect these nondiscrimination principles and are consistent with the statutory text of ECOA.[9]

The agencies have already taken a number of actions to withdraw or revise their own guidance, consistent with those nondiscrimination principles, as listed below:

- ''FHEO Statement on the Fair Housing Act and Special Purpose Credit Programs'' issued by HUD on December 7, 2021, and withdrawn as of September 17, 2025;
- ''Office of General Counsel Guidance on the Fair Housing Act's Treatment of Certain Special Purpose Credit Programs That are Designed and Implemented in Compliance with the Equal Credit Opportunity Act and Regulation B'' issued by HUD on

[6] 91 FR 21620 (April 22, 2026).

[7] *See* 15 U.S.C. 1691(a) and 42 U.S.C. 3605, respectively; *see also* 91 FR at 21649–58. While overlapping, the prohibited characteristics and covered persons under ECOA are not identical to those in FHA.

[8] *Students for Fair Admissions, Inc.* v. *President & Fellows of Harvard College,* 600 U.S. 181 (2023).

[9] 91 FR 21620 (April 22, 2026).

December 6, 2021, and withdrawn as of September 25, 2025; and

- Advisory Opinion entitled ''Equal Credit Opportunity (Regulation B); Special Purpose Credit Programs'' issued by CFPB on December 21, 2020, and withdrawn as of June 17, 2026.

II. Rescission

It is the shared view of the agencies that rescission of the Interagency Statement is necessary to ensure that creditors do not rely on it to engage in discriminatory activities that are inconsistent with ECOA and Regulation B and, to the extent applicable, the FHA.

For the reasons stated in this notice, the agencies rescind the guidance provided in the Interagency Statement, effective immediately. All special purpose credit programs must comply with ECOA, and its implementing regulation, Regulation B, and the FHA. Federal law does not authorize any generalized remedial ''equity'' initiatives absent specific cases of unlawful discrimination, and creditors should not rely upon previous guidance which may have suggested otherwise.

Benjamin K. Olson,

Director, Division of Depositor & Consumer Protection, Federal Deposit Insurance Corporation.

Frank Kressman,

General Counsel, National Credit Union Administration.

Melissa Love,

Deputy Comptroller, Compliance and Operational Risk, Office of the Comptroller of the Currency.

Mark Paoletta,

Chief Legal Officer, Consumer Financial Protection Bureau.

Craig Trainor,

Assistant Secretary for Fair Housing and Equal Opportunity, U.S. Department of Housing and Urban Development.

Harmeet K. Dhillon,

Assistant Attorney General for Civil Rights, U.S. Department of Justice.

Clinton Jones,

General Counsel, Federal Housing Finance Agency.

[FR Doc. 2026–17307 Filed 8–24–26; 8:45 am]

BILLING CODE 4210–67–P

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

[Docket No. FR–7093–N–07; OMB Control No.: 2501–NEW]

60-Day Notice of Proposed Information Collection: Generic Post-Award Information Collection for HUD Competitive Awards

AGENCY: Office of the Chief Financial Officer, HUD.

ACTION: Notice.

SUMMARY: HUD is seeking approval from the Office of Management and Budget (OMB) for the information collection described below. In accordance with the Paperwork Reduction Act, HUD is requesting comments from all interested parties on the proposed collection of information. The purpose of this notice is to allow for 60 days of public comment.

DATES: *Comments Due Date:* October 26, 2026.

ADDRESSES: Interested persons are invited to submit comments regarding this proposal. Written comments and recommendations for the proposed information collection can be submitted within 60 days of publication of this notice to *www.regulations.gov.* Interested persons are also invited to submit comments regarding this proposal by name and/or OMB Control Number and can be sent to: Christine Brown, Senior Management and Program Analyst, 451 7th Street SW, Room 4262, Washington, DC 20410 or email *hudgrants@hud.gov.*

FOR FURTHER INFORMATION CONTACT: Christine Brown, Senior Management and Program Analyst, 451 7th Street SW, Room 4262, Washington, DC 20410; email at *hudgrants@hud.gov;* or telephone (202) 402–2440 (this is not a toll-free number). HUD welcomes and is prepared to receive calls from individuals who are deaf or hard of hearing, as well as individuals with speech or communication disabilities. To learn more about how to make an accessible telephone call, please visit *https://www.fcc.gov/consumers/guides/telecommunications-relay-service-trs.* Copies of available documents submitted to OMB may be obtained from Christine Brown.

SUPPLEMENTARY INFORMATION: This notice informs the public that HUD is seeking approval from OMB for the information collection described in Section A.

A. Overview of Information Collection

Title of Proposal: Generic Information Collection for Post-Award Reporting for HUD's Discretionary Competitive Funding.

Type of Request: New Information Collection Request.

OMB Control Number, if applicable: 2501–NEW.

Additional OMB control numbers applicable to government-wide standardized forms are also noted in this collection. As the burden is accounted for in those separate collections, it is not included in this calculation.

SF–LLL, OMB Control No. 4040–0013
SF–425, OMB Control No. 4040–0014
SF–425A OMB Control No. 4040–0014
SF–429C, OMB Control No. 4040–0016
SF–429B, OMB Control No. 4040–0016
SF–429A, OMB Control No. 4040–0016
SF–429, OMB Control No. 4040–0016
SF–271, OMB Control No. 4040–0011
SF–270, OMB Control No. 4040–0012
SF–428A, OMB Control No. 4040–0018
SF–428C, OMB Control No. 4040–0018
SF 428B, OMB Control No. 4040–0018
SF–428, OMB Control No. 4040–0018
SF–428S, OMB Control No. 4040–0018
SF–1199A, OMB Control No. 1510–0007

Description of the need for the information and proposed use: Recipients and subrecipients of HUD discretionary competitive financial assistance are required to report on and retain records that relates to: program and project performance outcomes, obligation and expenditure of funds, compliance with financial management requirements of 2 CFR 200.302, established internal controls, and implementation of applicable laws. In addition, all recipients of HUD financial assistance must retain records to support allowability of expenditures and may be asked to submit those records based on applicable law. Currently, reporting requirements are covered by individual program information collections. This action consolidates the burden for these individual collections; however, the individual instruments/forms are not expected to change at this time.

Respondents Recipients and subrecipients of HUD's discretionary competitive financial assistance programs.

Information Collection/Form Number:
HUD–27054E, OMB Control No. 2535–0102;
HUD–27061, OMB Control No. 2535–0113
HUD–2880, OMB Control No. 2501–0044
HUD–424CB, OMB Control No. 2501–0044
HUD–424CBW, OMB Control No. 2501–0044
HUD–424M, OMB Control No. 2501–0044

HUD–426, OMB Control No. 2501–0044

HUD–50070, OMB Control No. 2501–0044

Estimation of the total numbers of hours needed to prepare the information collection including number of respondents, frequency of response, and hours of response: HUD estimates a total of 196,000 respondents (*e.g.,* grants that need to be reported on) from 29,200 grantees, based on historical *USASpending.gov*data (as of 9/18/2025). HUD does not estimate a significant change in the number of respondents from 2025–2028, as HUD competitive funds are expected to either remain the same or decrease. However, HUD adds an additional 10% to the estimate, as current *USASpending.gov*data may not include unreported obligations. Based on burden estimated within current OMB and HUD information collections for competitive awards, HUD estimates it will take an average of 70.25 working hours to prepare and submit post-award reports to HUD. To monetize the value of respondent time, HUD has used a blended hourly rate of $62.97 from the Bureau of Labor Statistics 2025 for a Project Management Specialist ($53.24) and a 15% ($9.73) of a full-time General and Operations Manager ($64.87). The respondent burden for the post-award reporting activities is included in the Table below.

Information collection (OMB Control No.)	Number of respondents	Frequency of response	Responses per annum	Burden hour per response	Annual burden hours	Rate ($) per Hour	Annual cost
Financial Reporting:							
SF–425, Federal Financial Report (4040–0014).	196,000	Avg = 4	784,000	1	0	$62.97	$0.00.
Program-specific budget reporting.	196,000	Avg = 4	784,000	Avg = 6,	4,704,000	$62.97	$296,210,880.
Financial—Payment Request:.							
SF–1199A, Direct Deposit Sign-Up Form (1510–0007).	29,200	1	29,200	10	0	$62.97	$0.00.
SF–270, Request for Advance or Reimbursement (4040–0012).	186,200	12	2,234,400	1	0	$62.97	$0.00.
SF–271, Outlay Report and Request for Reimbursement for Construction Programs (4040–0011).	9,800	12	117,600	1	0	$62.97	$0.00.
LOCCS Access Authorization (2535–0102).	29,200	2	58,400	2	0	$62.97	$0.00.
Compliance—Certification and Disclosures:.							
SAM.gov certifications (3090–0290).	29,200	1	29,200	0	0	$62.97	$0.00.
SF LLL (4040–0013)	29,200	1	29,200	0	0	$62.97	$0.00.
HUD–426 (indirect cost info) (2501–0044).	29,200	1	29,200	0.25	7,300	$62.97	$459,681.00.
HUD–2880 (2501–0044)	196,000	1	196,000	2	392,000	$62.97	$24,684,240.00.
HUD–50070 (2501–0044)	196,000	1	196,000	0.25	49,000	$62.97	$3,085,530.00.
FFATA Exec/Subaward (3090–0292).	196,000	12	2,352,000	0	0	$62.97	$0.00.
FFATA Registration (3090–0291).	29,200	1	29,200	0	0	$62.97	$0.00.
Compliance—Code of Conduct.	29,200	1	29,200	2	58,400	$62.97	$3,677,448.00.
Compliance—Property Reporting:							
SF–428, Tangible Personal Property (4040–0018).	196,000	1	196,000	1	0	$62.97	$0.00.
SF–428–A, Tangible Personal Property—Annual Report (4040–0018).	See SF–428	See SF–428	See SF–428	See SF–428	See SF–428	See SF–428	See SF–428.
SF–428–B, Tangible Personal Property—Final Report (4040–0018).	See SF–428	See SF–428	See SF–428	See SF–428	See SF–428	See SF–428	See SF–428.
SF–428–C, Tangible Personal Property—Disposition Request/Report (4040–0018).	See SF–428	See SF–428	See SF–428	See SF–428	See SF–428	See SF–428	See SF–428.
SF–428–S, Tangible Personal Property—Supplemental Sheet (4040–0018).	See SF–428	See SF–428	See SF–428	See SF–428	See SF–428	See SF–428	See SF–428.
SF–429, Real Property Status Report (Cover Page) (4040–0016).	196,000	1	196,000	4	0	0	$0.00.
SF–429–A, Real Property Status Report (General Reporting) (4040–0016).	See SF–429	See SF–429	See SF–429	See SF–429	See SF–429	See SF–429	See SF–429.
SF–429–B, Real Property Status Report (Request to Acquire, Improve, or Furnish) (4040–0016).	See SF–429	See SF–429	See SF–429	See SF–429	See SF–429	See SF–429	See SF–429.
SF–429–C, Real Property Status Report (Disposition Request) (4040–0016).	See SF–429	See SF–429	See SF–429	See SF–429	See SF–429	See SF–429	See SF–429.
Compliance—Environmental:							

Information collection (OMB Control No.)	Number of respondents	Frequency of response	Responses per annum	Burden hour per response	Annual burden hours	Rate ($) per Hour	Annual cost
Environmental Review (2506–0202).	196,000	1	196,000	0	0	0	$0.00.
Performance Reporting & Record Retention:.							
Program-specific performance/progress Report, (including outcome and beneficiary reporting); compliance reporting (including subrecipient reporting, audit and closeout); prior approvals (2 CFR 200.407) (including budget revisions and workplans).	196,000	4	784,000	Avg = 12	4,704,000	$62.97	$296,210,880.
Key Contacts (4040–0010)	29,200	1	29,200	0	0	$62.97	$0.00.
Record Retention	196,000	12	2,352,000	Avg = 6	14,112,000	$62.97	$888,632,640.

B. Solicitation of Public Comment

This notice is soliciting comments from members of the public and affected parties concerning the collection of information described in Section A on the following:

(1) Whether the proposed collection of information is necessary for the proper performance of the functions of the agency, including whether the information will have practical utility;

(2) The accuracy of the agency's estimate of the burden of the proposed collection of information;

(3) Ways to enhance the quality, utility, and clarity of the information to be collected; and

(4) Ways to minimize the burden of the collection of information on those who are to respond; including through the use of appropriate automated collection techniques or other forms of information technology, *e.g.,* permitting electronic submission of responses.

HUD encourages interested parties to submit comment in response to these questions.

C. Authority

Section 2 of the Paperwork Reduction Act of 1995, 44 U.S.C. 3507.

Irving L. Dennis,

Principal Deputy Chief Financial Officer, Office of the Chief Financial Officer.

[FR Doc. 2026–17325 Filed 8–24–26; 8:45 am]

BILLING CODE 4210–67–P

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

[Docket No. FR–7110–N–08; OMB Control No. 2502–0540]

60-Day Notice of Proposed Information Collection: Nonprofit Application and Recertification for FHA-Mortgage Insurance Programs

AGENCY: Assistant Secretary for the Office of Housing—Federal Housing Commissioner, HUD.

ACTION: Notice.

SUMMARY: HUD is seeking approval from the Office of Management and Budget (OMB) for the information collection described below. In accordance with the Paperwork Reduction Act, HUD is requesting comment from all interested parties on the proposed collection of information. The purpose of this notice is to allow for 60 days of public comment.

DATES: *Comments Due Date:* October 26, 2026.

ADDRESSES: Interested persons are invited to submit comments regarding this proposal. Written comments and recommendations for the proposed information collection can be sent within 60 days of publication of this notice to *www.regulations.gov.* Interested persons are also invited to submit comments regarding this proposal and comments should refer to the proposal by name and/or OMB Control Number and should be sent to: Darian Ziegler, PRA Liaison, Department of Housing and Urban Development, 451 7th Street SW, Washington, DC 20410.

FOR FURTHER INFORMATION CONTACT: Darian Ziegler, PRA Liaison, Office of Housing, Department of Housing and Urban Development, 451 7th Street SW, Washington, DC 20410; email *Darian.Ziegler@hud.gov,* telephone (202) 402–5535. This is not a toll-free number. HUD welcomes and is prepared to receive calls from individuals who are deaf or hard of hearing, as well as individuals with speech or communication disabilities. To learn more about how to make an accessible telephone call, please visit *https://www.fcc.gov/consumers/guides/telecommunications-relay-service-trs.*

Copies of available documents submitted to OMB may be obtained from Ms. Ziegler.

SUPPLEMENTARY INFORMATION: This notice informs the public that HUD is seeking approval from OMB for the information collection described in Section A.

A. Overview of Information Collection

Title of Information Collection: Nonprofit Application and Recertification for FHA-Mortgage Insurance Programs.

OMB Approval Number: 2502–0540.

Type of Request: This is a renewal of an existing collection.

Form Number: None.

Description of the need for the information and proposed use: Nonprofit organizations may seek HUD approval to participate in FHA's Nonprofit programs. Nonprofits participating in these programs must provide housing opportunities for low- to moderate-income individuals or families. As part of approval requirements, Nonprofits must submit information about the organizational structure, experience, operations, Board of Directors and staff, and financial capabilities of the entity. HUD uses the information to assess the Nonprofits capacity for carrying out its mission relative to the HUD programs in which it seeks to participate.

Respondents: The respondents are nonprofit organizations.

Estimated Number of Respondents: 134.

Estimated Number of Responses: 159.

Frequency of Response: Biennially and on occasion.

Average Hours per Response: 3.

Total Estimated Burdens: 92.

B. Solicitation of Public Comment

This notice is soliciting comments from members of the public and affected parties concerning the collection of information described in Section A on the following:

(1) Whether the proposed collection of information is necessary for the proper performance of the functions of the agency, including whether the information will have practical utility;

(2) The accuracy of the agency's estimate of the burden of the proposed collection of information;

(3) Ways to enhance the quality, utility, and clarity of the information to be collected; and

(4) Ways to minimize the burden of the collection of information on those who are to respond; including through the use of appropriate automated collection techniques or other forms of information technology, *e.g.,* permitting electronic submission of responses.

HUD encourages interested parties to submit comment in response to these questions.

C. Authority

Section 2 of the Paperwork Reduction Act of 1995, 44 U.S.C. 3507.

Paul M. Olin,

Acting General Deputy Assistant Secretary for Housing.

[FR Doc. 2026–17291 Filed 8–24–26; 8:45 am]

BILLING CODE 4210–67–P

INTERNATIONAL TRADE COMMISSION

[Investigation No. 337–TA–1462]

Certain Liquid Crystal Display Devices, Components Thereof, and Products Containing the Same; Notice of a Commission Determination Not To Review an Initial Determination Terminating the Investigation Based on Withdrawal of the Complaint; 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 not to review an initial determination (''ID'') (Order No. 30) of the presiding administrative law judge (''ALJ'') terminating the investigation based on withdrawal of the complaint. The investigation is hereby terminated.

FOR FURTHER INFORMATION CONTACT: B. Rashmi Borah, Office of the General Counsel, U.S. International Trade Commission, 500 E Street SW, Washington, DC 20436, telephone (202) 205–2518. 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: On November 28, 2025, the Commission instituted this investigation under section 337 of the Tariff Act of 1930, as amended, 19 U.S.C. 1337 (''section 337''), based on a complaint filed by BH Innovations LLC of New York, New York, as amended to add additional complainants Longitude Licensing Limited and 138 East LCD Advancements Ltd., both of Dublin, Ireland (''Complainants''). *See* 90 FR 54742–43 (Nov. 28, 2025). The complaint, as amended and 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 liquid crystal display devices, components thereof, and products containing the same by reason of the infringement of certain claims of U.S. Patent Nos. 7,705,948 and 7,570,334. *Id.* The complaint also alleges that a domestic industry exists. *Id.* The notice of investigation names twenty respondents, including: HKC Corporation Ltd. of Shenzhen City, China; Chongqing HKC Optoelectronics, Technology Co., Ltd. of Jieshi, China; HKC Overseas Ltd. of Hong Kong; Hisense Co., Ltd., Hisense International Co., Ltd., and Hisense Visual Technology Co. Ltd. all of Qingdao, China; Hisense US Corporation of Suwanee, Georgia; VIZIO Holding Corp. of Irvine, California; TCL Electronics Holdings Ltd. of Hong Kong; Shenzhen TCL New Technology Co. Ltd. of Shenzhen, China; TCL King Electrical Appliances Co. Ltd. of Huizhou, China; TTE Technology Inc. of Irvine, California; TCL Technology Group Corp. of Huizhou City, China; TCL Moka International Ltd. of Hong Kong; TCL Overseas Marketing Ltd. of Hong Kong; TCL Industries Holdings Co., Ltd. of Shenzhen, China; TCL Smart Device (Vietnam) Co. Ltd., of Tan Binh Town, Vietnam; LG Electronics, Inc. of Seoul, Republic of Korea; LG Electronics USA, Inc. of Englewood Cliffs, New Jersey; and Westinghouse Electric Corporation of Canonsburg, Pennsylvania. *Id.* The Office of Unfair Import Investigations is not named as a party. *Id.*

On July 16, 2026, Complainants filed a second amended motion for termination of the investigation based on withdrawal of the complaint pursuant to Commission Rule 210.21(a)(1) (19 CFR 210.21(a)(1)). The second amended motion stated that Respondents do not oppose the motion. The second amended motion includes unredacted copies of settlement agreements that were not properly included with the original motion, filed on June 25, 2026, or with the first amended motion, also filed on July 16, 2026. On June 26, 2026, respondents HKC Corporation Ltd., Chongqing HKC Optoelectronics, HKC Overseas Ltd., Hisense USA Corporation, Hisense Co., Ltd., Hisense International Co., Ltd., Hisense Visual Technology Co. Ltd., LG Electronics, Inc., LG Electronics USA, Inc., and Westinghouse Electric Corporation filed a statement of non-opposition to Complainants' original motion.

On July 22, 2026, the ALJ issued the subject ID (Order No. 30) terminating the investigation as to all respondents. The subject ID confirms that Complainants' second amended motion complies with Commission Rule 210.21(a)(1) (19 CFR 210.21(a)(1)) and finds that terminating the investigation will conserve public and private resources. No party petitioned for review of the subject ID.

The Commission has determined not to review the subject ID. The investigation is terminated.

The Commission vote for this determination took place on August 20, 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: August 21, 2026.

Lisa Barton,

Secretary to the Commission.

[FR Doc. 2026–17295 Filed 8–24–26; 8:45 am]

BILLING CODE 7020–02–P

INTERNATIONAL TRADE COMMISSION

[Investigation Nos. 701–TA–465 and 731–TA–1161 (Third Review)]

Steel Grating From China; Scheduling of Expedited Five-Year Reviews

AGENCY: United States International Trade Commission.

ACTION: Notice.

SUMMARY: The Commission hereby gives notice of the scheduling of expedited reviews pursuant to the Tariff Act of 1930 (''the Act'') to determine whether revocation of the antidumping duty and countervailing duty orders on steel grating from China would be likely to lead to continuation or recurrence of material injury within a reasonably foreseeable time.

DATES: August 4, 2026.

FOR FURTHER INFORMATION CONTACT: Rachel Devenney (202) 205–3172), 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 August 4, 2026, the Commission determined that the domestic interested party group response to its notice of institution (91 FR 23456, May 1, 2026) of the subject five-year reviews was adequate and that the respondent interested party group response was inadequate. The Commission did not find any other circumstances that would warrant conducting full reviews.[1] Accordingly, the Commission determined that it would conduct expedited reviews pursuant to section 751(c)(3) of the Act (19 U.S.C. 1675(c)(3)).[2]

For further information concerning the conduct of these reviews and rules of general application, consult the Commission's Rules of Practice and Procedure, part 201, subparts A and B (19 CFR part 201), and part 207, subparts A, D, E, and F (19 CFR part 207).

Staff report.—A staff report containing information concerning the subject matter of the reviews has been placed in the nonpublic record, and will be made available to persons on the Administrative Protective Order service list for these reviews on October 14, 2026. A public version will be issued thereafter, pursuant to § 207.62(d)(4) of the Commission's rules.

Written submissions.—As provided in § 207.62(d) of the Commission's rules, interested parties that are parties to the reviews and that have provided individually adequate responses to the notice of institution,[3] and any party other than an interested party to the reviews may file written comments with the Secretary on what determination the Commission should reach in the reviews. Comments are due on or before October 21, 2026, and may not contain new factual information. Any person that is neither a party to the five-year reviews nor an interested party may submit a brief written statement (which shall not contain any new factual information) pertinent to the reviews by October 21, 2026. However, should the Department of Commerce (''Commerce'') extend the time limit for its completion of the final results of its reviews, the deadline for comments (which may not contain new factual information) on Commerce's final results is three business days after the issuance of Commerce's results. If comments contain business proprietary information (BPI), they must conform with the requirements of §§ 201.6, 207.3, and 207.7 of the Commission's rules. The Commission's *Handbook on Filing Procedures,* available on the Commission's website at *https://www.usitc.gov/documents/handbook_on_filing_procedures.pdf,* elaborates upon the Commission's procedures with respect to filings.

In accordance with §§ 201.16(c) and 207.3 of the rules, each document filed by a party to the reviews must be served on all other parties to the reviews (as identified by either the public or BPI service list), and a certificate of service must be timely filed. The Secretary will not accept a document for filing without a certificate of service.

Determination.—The Commission has determined these reviews are extraordinarily complicated and therefore has determined to exercise its authority to extend the review period by up to 90 days pursuant to 19 U.S.C. 1675(c)(5)(B).

Authority: These reviews are being conducted under authority of title VII of the Tariff Act of 1930; this notice is published pursuant to § 207.62 of the Commission's rules.

By order of the Commission.
Issued: August 20, 2026.

Sharon Bellamy,

Supervisory Hearings and Information Officer.

[FR Doc. 2026–17261 Filed 8–24–26; 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 Johanson voted to conduct full reviews.

[3] The Commission has found the responses submitted on behalf of Nucor Grating, IKG USA, LLC, Ohio Gratings, Inc., Interstate Gratings, LLC, and Lichtgitter USA Inc. to be individually adequate. Comments from other interested parties will not be accepted (*see* 19 CFR 207.62(d)(2)).

INTERNATIONAL TRADE COMMISSION

Notice of Receipt of Complaint; Solicitation of Comments Relating to the Public Interest

AGENCY: U.S. International Trade Commission.

ACTION: Notice.

SUMMARY: Notice is hereby given that the U.S. International Trade Commission has received a complaint entitled *Certain Wearable Breast Pumps, Associated Milk Storage Containers, and Components Thereof, DN 3932;* the Commission is soliciting comments on any public interest issues raised by the complaint or complainant's filing pursuant to the Commission's Rules of Practice and Procedure.

FOR FURTHER INFORMATION CONTACT: Lisa R. Barton, Secretary to the Commission, U.S. International Trade Commission, 500 E Street SW, Washington, DC 20436, telephone (202) 205–2000. The public version of the complaint can be accessed on the Commission's Electronic Document Information System (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 United States International Trade Commission (USITC) at *https://www.usitc.gov.* The public record for this investigation may be viewed on the Commission's Electronic Document Information System (EDIS) at *https://edis.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 has received a complaint and a submission pursuant to § 210.8(b) of the Commission's Rules of Practice and Procedure filed on behalf of Willow Innovations, Inc. and Willow Blossom HoldCo Ltd. on August 20, 2026. The complaint alleges violations of section 337 of the Tariff Act of 1930 (19 U.S.C. 1337) in the importation into the United States, the sale for importation, and the sale within the United States after importation of certain wearable breast pumps, associated milk storage containers, and components thereof. The complaint names as a respondent: Shenzhen Root Innovation Technology Co., Ltd. of China; Hong Kong Lute Technology Co., Ltd. of Aurora, CO; Root Technology, Ltd. of Beverly Hills, CA; Share Info, Inc. of Flushing, NY; Shenzhen TPH Technology Co., Ltd. of China; Guangdong Horigen Mother & Baby Products Co., Ltd. of China; Anker Innovations Limited of China; Fantasia Trading, LLC of Ontario, CA; Power Mobile Life LLC of Bellevue, WA; TPH Technology Malaysia Sdn Bhd of Malaysia; Foshan Shunde Ruiteng Electrical Appliance Manufacturing Co., Ltd. (a.k.a Joystar Electrical Appliances Manufacturing Co., Ltd.) of China; and Guangdong Youmeng Electrical Technology Co., Ltd. of China. The complainant requests that the Commission issue a limited exclusion order, cease and desist orders, and impose a bond upon respondents' alleged infringing articles during the 60-day Presidential review period pursuant to 19 U.S.C. 1337(j).

Proposed respondents, other interested parties, members of the public, and interested government agencies are invited to file comments on any public interest issues raised by the complaint or § 210.8(b) filing. Comments should address whether issuance of the relief specifically requested by the complainant in this investigation would affect the public health and welfare in the United States, competitive conditions in the United States economy, the production of like or directly competitive articles in the United States, or United States consumers.

In particular, the Commission is interested in comments that:

(i) explain how the articles potentially subject to the requested remedial orders are used in the United States;

(ii) identify any public health, safety, or welfare concerns in the United States relating to the requested remedial orders;

(iii) identify like or directly competitive articles that complainant, its licensees, or third parties make in the United States which could replace the subject articles if they were to be excluded;

(iv) indicate whether complainant, complainant's licensees, and/or third party suppliers have the capacity to replace the volume of articles potentially subject to the requested exclusion order and/or a cease and desist order within a commercially reasonable time; and

(v) explain how the requested remedial orders would impact United States consumers.

Written submissions on the public interest must be filed no later than by close of business, eight calendar days after the date of publication of this notice in the **Federal Register**. There will be further opportunities for comment on the public interest after the issuance of any final initial determination in this investigation. Any written submissions on other issues must also be filed by no later than the close of business, eight calendar days after publication of this notice in the **Federal Register**. Complainant may file replies to any written submissions no later than three calendar days after the date on which any initial submissions were due, notwithstanding § 201.14(a) of the Commission's Rules of Practice and Procedure. No other submissions will be accepted, unless requested by the Commission. Any submissions and replies filed in response to this Notice are limited to five (5) pages in length, inclusive of attachments.

Persons filing written submissions must file the original document electronically on or before the deadlines stated above. Submissions should refer to the docket number (''Docket No. 3932'') in a prominent place on the cover page and/or the first page. (*See* Handbook for Electronic Filing Procedures, Electronic Filing Procedures [1]). Please note the Secretary's Office will accept only electronic filings unless an exemption is granted. Filings must be made through the Commission's Electronic Document Information System (EDIS, *https://edis.usitc.gov.*) Persons with questions regarding filing should contact the Secretary at *EDIS3Help@usitc.gov.*

Any person desiring to submit a document to the Commission in confidence must request confidential treatment. All such requests should be directed to the Secretary to the Commission and must include a full statement of the reasons why the Commission should grant such treatment. *See* 19 CFR 201.6. Documents for which confidential treatment by the Commission is properly sought will be treated accordingly. All information, including confidential business information and documents for which confidential treatment is properly sought, submitted to the Commission for purposes of this Investigation may be disclosed to and used: (i) by the Commission, its employees and Offices, and contract personnel (a) for developing or maintaining the records of this or a related proceeding, or (b) in internal investigations, audits, reviews, and evaluations relating to the programs, personnel, and operations of the Commission including under 5 U.S.C. Appendix 3; or (ii) by U.S. government employees and contract personnel,[2] solely for cybersecurity purposes. All nonconfidential written submissions will be available for public inspection at the Office of the Secretary and on EDIS.[3]

This action is taken under the authority of section 337 of the Tariff Act of 1930, as amended (19 U.S.C. 1337), and of §§ 201.10 and 210.8(c) of the Commission's Rules of Practice and Procedure (19 CFR 201.10, 210.8(c)).

By order of the Commission.

Issued: August 20, 2026.

Sharon Bellamy,

Supervisory Hearings and Information Officer.

[FR Doc. 2026–17272 Filed 8–24–26; 8:45 am]

BILLING CODE 7020–02–P

[1] Handbook for Electronic Filing Procedures: *https://www.usitc.gov/secretary/documents/handbook_on_filing_procedures.pdf.*

[2] All contract personnel will sign appropriate nondisclosure agreements.

[3] Electronic Document Information System (EDIS): *https://edis.usitc.gov.*

DEPARTMENT OF JUSTICE

Drug Enforcement Administration

[Docket No. DEA–1752]

Importer of Controlled Substances Application: Chattem Chemicals

AGENCY: Drug Enforcement Administration, Justice.

ACTION: Notice of application.

SUMMARY: Chattem Chemicals 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 September 24, 2026. Such persons may also file a written request for a hearing on the application on or before September 24, 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 July 20, 2026, Chattem Chemicals, 3801 Saint Elmo Avenue, Chattanooga, Tennessee 37409–1237, applied to be registered as an importer of the following basic class(es) of controlled substance(s):

Controlled substance	Drug code	Schedule
Methamphetamine	1105	II
4-Anilino-N-phenethyl-4-piperidine (ANPP).	8333	II
Phenylacetone	8501	II
Cocaine	9041	II
Poppy Straw Concentrate.	9670	II
Tapentadol	9780	II

The company plans to import the listed controlled substances to manufacture bulk controlled substances for sale to its customers. The company plans to import an intermediate of Tapentadol (9780), to bulk manufacture Tapentadol for distribution to its customers. 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.

Justin Wood,

Acting Deputy Assistant Administrator.

[FR Doc. 2026–17286 Filed 8–24–26; 8:45 am]

BILLING CODE 4410–09–P

DEPARTMENT OF JUSTICE

Drug Enforcement Administration

[Docket No. DEA–1756]

Bulk Manufacturer of Controlled Substances Application: Scottsdale Research Institute SRI Montana Satellite Laboratory

AGENCY: Drug Enforcement Administration, Justice.

ACTION: Notice of application.

SUMMARY: Scottsdale Research Institute SRI Montana Satellite Laboratory has applied to be registered as a bulk manufacturer 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 October 26, 2026. Such persons may also file a written request for a hearing on the application on or before October 26, 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.

SUPPLEMENTARY INFORMATION: In accordance with 21 CFR 1301.33(a), this is notice that on July 17, 2026, Scottsdale Research Institute SRI Montana Satellite Laboratory, 426 Deer Creek Road, Lakeside, Montana 59922, applied to be registered as a bulk manufacturer of the following basic class(es) of controlled substance(s):

Controlled substance	Drug code	Schedule
Ibogaine	7260	I
3,4-Methylenedioxymethamphetamine.	7405	I

The company plans to bulk manufacture the listed controlled substances as Active Pharmaceutical Ingredients (API) to support internal research and clinical trials, while also supplying other schedule I researchers who are collaborating on clinical trials. No other activities for these drug codes are authorized for this registration.

Justin Wood,

Acting Deputy Assistant Administrator.

[FR Doc. 2026–17282 Filed 8–24–26; 8:45 am]

BILLING CODE P

DEPARTMENT OF JUSTICE

Drug Enforcement Administration

[Docket No. DEA–1748]

Importer of Controlled Substances Application: Biopharmaceutical Research Company

AGENCY: Drug Enforcement Administration, Justice.

ACTION: Notice of application.

SUMMARY: Biopharmaceutical Research Company 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 September 24, 2026. Such persons may also file a written request for a hearing on the application on or before September 24, 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 July 14, 2026, Biopharmaceutical Research Company, 11045 Commercial Parkway, Castroville, California 95012–3209, applied to be registered as an importer of the following basic class(es) of controlled substance(s):

Controlled substance	Drug code	Schedule
Marihuana Extract	7350	I
Marihuana	7360	I
Tetrahydrocannabinols	7370	I

The company plans to import the listed controlled substances as flowering plants and cannabis derivatives to support analytical chemistry analyses, research and the manufacturing of dosage forms for preclinical and clinical trials. 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.

Justin Wood,

Acting Deputy Assistant Administrator.

[FR Doc. 2026–17276 Filed 8–24–26; 8:45 am]

BILLING CODE P

DEPARTMENT OF JUSTICE

Drug Enforcement Administration

[Docket No. DEA–1751]

Bulk Manufacturer of Controlled Substances Application: Curia New York Inc

AGENCY: Drug Enforcement Administration, Justice.

ACTION: Notice of application.

SUMMARY: Curia New York Inc has applied to be registered as a bulk manufacturer 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 October 26, 2026. Such persons may also file a written request for a hearing on the application on or before October 26, 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.

SUPPLEMENTARY INFORMATION: In accordance with 21 CFR 1301.33(a), this is notice that on July 10, 2026, Curia New York Inc., 33 Riverside Avenue, Rensselaer, New York 12144–2951, applied to be registered as a bulk manufacturer of the following basic class(es) of controlled substance(s):

Controlled substance	Drug code	Schedule
Gamma Hydroxybutyric Acid	2010	I
Marihuana	7360	I
Tetrahydrocannabinols	7370	I
Amphetamine	1100	II
Lisdexamfetamine	1205	II
Methylphenidate	1724	II
Pentobarbital	2270	II
4-Anilino-N-phenethyl-4-piperidine (ANPP)	8333	II
Codeine	9050	II
Oxycodone	9143	II
Hydromorphone	9150	II
Hydrocodone	9193	II
Meperidine	9230	II
Morphine	9300	II
Fentanyl	9801	II

The company plans to manufacture the above listed controlled substances as bulk active pharmaceutical ingredients for use in product development and for distribution to its customers. In reference to drug codes 7360 (Marihuana), and 7370 (Tetrahydrocannabinols), the company plans to bulk manufacture these drugs as synthetic. No other activities for these drug codes are authorized for this registration.

Justin Wood,

Acting Deputy Assistant Administrator.

[FR Doc. 2026–17274 Filed 8–24–26; 8:45 am]

BILLING CODE 4410–09–P

DEPARTMENT OF JUSTICE

Drug Enforcement Administration

[Docket No. DEA–1757]

Importer of Controlled Substances Application: Prof Compounding CTS of Ameri

AGENCY: Drug Enforcement Administration, Justice.

ACTION: Notice of application.

SUMMARY: Prof Compounding CTS of Ameri 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 September 24, 2026. Such persons may also file a written request for a hearing on the application on or before September 24, 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 a notice that on July 7, 2026, Prof Compounding CTS of Ameri, 9901 South Wilcrest Drive, Houston, Texas 77099–5132, applied to be registered as an importer of the following basic class(es) of controlled substance(s):

Controlled substance	Drug code	Schedule
Morphine	9300	II

The company plans to import Morphine Sulfate USP as a narcotic raw material for domestic bulk manufacturing and supply under the ASPR Strategic Active Pharmaceutical Ingredients Reserve (SAPIR) Program. The imported material will be used to support the strategic domestic supply of essential controlled substance Active Pharmaceutical Ingredients for national preparedness and resilience, including conversion into finished pharmaceutical products by qualified U.S. manufacturers as needed. No other activity for this drug code is 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.

Justin Wood,

Acting Deputy Assistant Administrator.

[FR Doc. 2026–17285 Filed 8–24–26; 8:45 am]

BILLING CODE 4410–09–P

DEPARTMENT OF JUSTICE

Drug Enforcement Administration

[Docket No. DEA–1758]

Importer of Controlled Substances Application: Galephar Pharmaceutical Research Inc.

AGENCY: Drug Enforcement Administration, Justice.

ACTION: Notice of application.

SUMMARY: Galephar Pharmaceutical Research 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 September 24, 2026. Such persons may also file a written request for a hearing on the application on or before September 24, 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 July 20, 2026, Galephar Pharmaceutical Research Inc., #100 Carr 198, Industrial Park, Juncos, Puerto Rico 00777–3873, applied to be registered as an importer of the following basic class(es) of controlled substance(s):

Controlled substance	Drug code	Schedule
Hydromorphone	9150	II
Morphine	9300	II

The company plans to import the listed controlled substances for analytical purposes 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.

Justin Wood,

Acting Deputy Assistant Administrator.

[FR Doc. 2026–17284 Filed 8–24–26; 8:45 am]

BILLING CODE 4410–09–P

DEPARTMENT OF JUSTICE

Drug Enforcement Administration

Catina Allen, N.P.; Decision and Order

On October 22, 2025, the Drug Enforcement Administration (DEA or Government) issued an Order to Show Cause (OSC) to Catina Allen, N.P., of Muncie, Indiana (Registrant). Request for Final Agency Action (RFAA), Exhibit (RFAAX) 2, at 1, 4. The OSC proposed the revocation of Registrant's Certificate of Registration No. MA8433233, alleging that Registrant is ''currently without authority to prescribe, administer, dispense, or otherwise handle controlled substances in the State of Indiana, the state in which [she is] registered with DEA.'' *Id.* at 2 (citing 21 U.S.C. 824(a)(3)).[1]

The OSC notified Registrant of her right to file a written request for hearing, and that if she failed to file such a request, she would be deemed to have waived her right to a hearing and be in default. *Id.* at 2–3 (citing 21 CFR 1301.43). Here, Registrant did not request a hearing, and the Agency finds her to be in default. RFAA, at 2–3.[2] ''A

[1] According to Agency records, Registrant's DEA registration expired on June 30, 2026. The fact that a registrant allows her registration to expire during the pendency of an OSC does not impact the Agency's jurisdiction or prerogative under the Controlled Substances Act (CSA) to adjudicate the OSC to finality. *Jeffrey D. Olsen, M.D.,* 84 FR 68474, 68476–68479 (2019).

[2] Based on the Government's submissions in its RFAA dated March 25, 2026, the Agency finds that

Continued

default, unless excused, shall be deemed to constitute a waiver of the registrant's/applicant's right to a hearing and an admission of the factual allegations of the [OSC].'' 21 CFR 1301.43(e).

Further, ''[i]n the event that a registrant . . . is deemed to be in default . . . DEA may then file a request for final agency action with the Administrator, along with a record to support its request. In such circumstances, the Administrator may enter a default final order pursuant to [21 CFR] 1316.67.'' *Id.* at 1301.43(f)(1). Here, the Government has requested final agency action based on Registrant's default pursuant to 21 CFR 1301.43(c), (f), 1301.46. RFAA, at 1, 4; *see also* 21 CFR 1316.67.

Findings of Fact

The Agency finds that, in light of Registrant's default, the factual allegations in the OSC are deemed admitted. According to the OSC, effective March 24, 2025, both Registrant's Indiana Advanced Practice Registered Nurse (APRN) Prescriptive Authority license and Registrant's Indiana Controlled Substances Registration (CSR) Prescriptive Authority license were placed into a ''Current/Not Practicing'' status due to Registrant failing to maintain a current/active collaboration practice agreement with an Indiana licensed practitioner. RFAAX 2, at 2. Further, both licenses were set to expire by their own terms on October 31, 2025. *Id.*

According to Indiana online records, of which the Agency takes official notice,[3] both Registrant's Indiana APRN Prescriptive Authority license and Registrant's Indiana CSR Prescriptive Authority license are currently expired. Indiana Licensing Enterprise License Search, *https://mylicense.in.gov/* everification (last visited date of signature of this Order). Accordingly, the Agency finds that Registrant is not licensed to handle controlled substances in Indiana, the state in which she is registered with DEA.[4]

Discussion

Pursuant to 21 U.S.C. 824(a)(3), the Attorney General is authorized to suspend or revoke a registration issued under 21 U.S.C. 823 ''upon a finding that the registrant . . . has had his State license or registration suspended . . . [or] revoked . . . by competent State authority and is no longer authorized by State law to engage in the . . . dispensing of controlled substances.'' With respect to a practitioner, DEA has also long held that the possession of authority to dispense controlled substances under the laws of the state in which a practitioner engages in professional practice is a fundamental condition for obtaining and maintaining a practitioner's registration. *Gonzales* v. *Oregon,* 546 U.S. 243, 270 (2006) (''The Attorney General can register a physician to dispense controlled substances 'if the applicant is authorized to dispense . . . controlled substances under the laws of the State in which he practices.' . . . The very definition of a 'practitioner' eligible to prescribe includes physicians 'licensed, registered, or otherwise permitted, by the United States or the jurisdiction in which he practices' to dispense controlled substances. § 802(21).''). The Agency has applied these principles consistently. *See, e.g., James L. Hooper, M.D.,* 76 FR 71371 (2011), *pet. for rev. denied,* 481 F. App'x 826 (4th Cir. 2012); *Shane Lydon, M.D.,* 91 FR 43112, (2026); *Javaid A. Perwaiz, M.D.,* 86 FR 20732 (2021).[5]

According to Indiana statute, and subject to exceptions irrelevant here, ''[e]very person who dispenses or proposes to dispense any controlled substance within Indiana must have a registration issued by the [Indiana Board of Pharmacy] in accordance with the board's rules.'' Ind. Code 35–48–3–3(b) (2025). Further, ''dispense'' means ''to deliver a controlled substance to an ultimate user or research subject by or pursuant to the lawful order of a practitioner and includes the prescribing, administering, packaging, labeling, or compounding necessary to prepare the substance for that delivery.'' *Id.* at 35–48–1.1–11.

Here, the undisputed evidence in the record is that Registrant currently lacks authority to handle controlled substances in Indiana because her Indiana CSR Prescriptive Authority license is expired. As discussed above, a person must hold an Indiana controlled substances registration to dispense a controlled substance in Indiana. Thus, because Registrant lacks authority to handle controlled substances in Indiana, Registrant is not eligible to maintain a DEA registration. Accordingly, the Agency will order that Registrant's DEA registration be revoked.

Order

Pursuant to 28 CFR 0.100(b) and the authority vested in me by 21 U.S.C. 824(a), I hereby revoke DEA Certificate of Registration No. MA8433233, issued to Catina Allen, N.P. Further, pursuant to 28 CFR 0.100(b) and the authority vested in me by 21 U.S.C. 823(g)(1), I hereby deny any pending applications of Catina Allen, N.P., to renew or modify this registration, as well as any other pending application of Catina

service of the OSC on Registrant was adequate. The included declaration from a DEA Group Supervisor (GS) indicates that on or about November 3, 2025, the GS traveled with a DEA Diversion Investigator (DI) and Task Force Officer (TFO) in attempt to personally serve Registrant at Registrant's ''Mail To'' address. RFAAX 3, at 4. On November 6, 2025, DEA mailed copies of the OSC to Registrant's registered address and ''Mail To'' address, and on November 7, 2025, both copies of the OSC were successfully delivered. *Id.; see also id.,* Attachments E–F. On November 18, 2025, the GS emailed a copy of the OSC to Registrant's registered email address, and the email was not returned as undeliverable. *Id.* at 4–5; *see also id.,* Attachments G–H. Here, the Agency finds that Registrant was successfully served the OSC by email and that the DI's efforts to serve Registrant by other means were '''reasonably calculated, under all the circumstances, to apprise [Registrant] of the pendency of the action.''' *Jones* v. *Flowers,* 547 U.S. 220, 226 (2006) (quoting *Mullane* v. *Central Hanover Bank & Trust Co.,* 339 U.S. 306, 314 (1950)); *see Mohammed S. Aljanaby, M.D.,* 82 FR 34552, 34552 (2017) (finding that service by email satisfies due process where the email is not returned as undeliverable and other methods have been unsuccessful); *Emilio Luna, M.D.,* 77 FR 4829, 4830 (2012) (same). Therefore, due process notice requirements have been satisfied.

[3] Under the Administrative Procedure Act, an agency ''may take official notice of facts at any stage in a proceeding—even in the final decision.'' United States Department of Justice, Attorney General's Manual on the Administrative Procedure Act 80 (1947) (Wm. W. Gaunt & Sons, Inc., Reprint 1979).

[4] Pursuant to 5 U.S.C. 556(e), ''[w]hen an agency decision rests on official notice of a material fact not appearing in the evidence in the record, a party is entitled, on timely request, to an opportunity to show the contrary.'' The material fact here is that Registrant, as of the date of this Decision and Order, is not licensed to handle controlled substances in Indiana. Accordingly, Registrant may dispute the Agency's finding by filing a properly supported motion for reconsideration of findings of fact within fifteen calendar days of the date of this Order. Any such motion and response shall be filed and served by email to the other party and to the Office of the Administrator, Drug Enforcement Administration, at *dea.addo.attorneys@dea.gov.*

[5] This rule derives from the text of two provisions of the Controlled Substances Act (CSA). First, Congress defined the term ''practitioner'' to mean ''a physician . . . or other person licensed, registered, or otherwise permitted, by . . . the jurisdiction in which he practices . . . , to distribute, dispense, . . . [or] administer . . . a controlled substance in the course of professional practice.'' 21 U.S.C. 802(21). Second, in setting the requirements for obtaining a practitioner's registration, Congress directed that ''[t]he Attorney General shall register practitioners . . . if the applicant is authorized to dispense . . . controlled substances under the laws of the State in which he practices.'' 21 U.S.C. 823(g)(1). Because Congress has clearly mandated that a practitioner possess state authority in order to be deemed a practitioner under the CSA, DEA has held repeatedly that revocation of a practitioner's registration is the appropriate sanction whenever he is no longer authorized to dispense controlled substances under the laws of the state in which he practices. *See, e.g., Elias Garcia Garcia, P.A.,* 90 FR 31242 (2025); *Jason Weakley, R.N., A.P.R.N.,* 90 FR 10085 (2025); *Khursheed Haider, M.D.,* 90 FR 21950 (2025).

Allen, N.P., for additional registration in Indiana. This Order is effective September 24, 2026.

Signing Authority

This document of the Drug Enforcement Administration was signed on August 18, 2026, by DEA Administrator Terrance C. Cole. That document with the original signature and date is maintained by DEA. For administrative purposes only, and in compliance with requirements of the Office of the Federal Register, the undersigned DEA Federal Register Liaison Officer has been authorized to sign and submit the document in electronic format for publication, as an official document of DEA. This administrative process in no way alters the legal effect of this document upon publication in the **Federal Register**.

Heather Achbach,

Federal Register Liaison Officer, Drug Enforcement Administration.

[FR Doc. 2026–17275 Filed 8–24–26; 8:45 am]

BILLING CODE 4410–09–P

DEPARTMENT OF JUSTICE

Drug Enforcement Administration

[Docket No. DEA–1750]

Bulk Manufacturer of Controlled Substances Application: Biopharmaceutical Research Company

AGENCY: Drug Enforcement Administration, Justice.

ACTION: Notice of application.

SUMMARY: Biopharmaceutical Research Company has applied to be registered as a bulk manufacturer 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 October 26, 2026. Such persons may also file a written request for a hearing on the application on or before October 26, 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.

SUPPLEMENTARY INFORMATION: In accordance with 21 CFR 1301.33(a), this is notice that on July 14, 2026, Biopharmaceutical Research Company, 11045 Commercial Parkway, Castroville, California 95012–3209, applied to be registered as a bulk manufacturer of the following basic class(es) of controlled substance(s):

Controlled substance	Drug code	Schedule
Marihuana Extract	7350	I
Marihuana	7360	I
Tetrahydrocannabinols	7370	I

The company plans to bulk manufacture the listed controlled substances to provide Pharmaceutical-grade marihuana in order to facilitate research in a manner that complies with local, state, and federal regulations. No other activities for these drug codes are authorized for this registration.

Justin Wood,

Acting Deputy Assistant Administrator.

[FR Doc. 2026–17273 Filed 8–24–26; 8:45 am]

BILLING CODE P

DEPARTMENT OF JUSTICE

Drug Enforcement Administration

[Docket No. 1753]

Bulk Manufacturer of Controlled Substances Application: Chattem Chemicals

AGENCY: Drug Enforcement Administration, Justice.

ACTION: Notice of application.

SUMMARY: Chattem Chemicals has applied to be registered as a bulk manufacturer 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 October 26, 2026. Such persons may also file a written request for a hearing on the application on or before October 26, 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.

SUPPLEMENTARY INFORMATION: In accordance with 21 CFR 1301.33(a), this is notice that on July 20, 2026, Chattem Chemicals, 3801 Saint Elmo Avenue, Chattanooga, Tennessee 37409–1237, applied to be registered as a bulk manufacturer of the following basic class(es) of controlled substance(s):

Controlled substance	Drug code	Schedule
Gamma Hydroxybutyric Acid.	2010	I
Marihuana	7360	I
Tetrahydrocannabinols	7370	I
4-Methoxyamphetamine	7411	I
Dihydromorphine	9145	I
Amphetamine	1100	II
Methamphetamine	1105	II
Lisdexamfetamine	1205	II
Methylphenidate	1724	II
Cocaine	9041	II
Codeine	9050	II
Dihydrocodeine	9120	II
Oxycodone	9143	II
Hydromorphone	9150	II
Ecgonine	9180	II
Hydrocodone	9193	II
Levorphanol	9220	II
Methadone	9250	II
Methadone intermediate	9254	II
Morphine	9300	II
Oripavine	9330	II
Thebaine	9333	II
Oxymorphone	9652	II
Noroxymorphone	9668	II
Alfentanil	9737	II
Remifentanil	9739	II
Sufentanil	9740	II
Tapentadol	9780	II
Fentanyl	9801	II

The company plans to bulk manufacture the listed controlled substances in bulk distribution and sale to its customers. In reference to dug codes 7360 (Marihuana), and 7370 (Tetrahydrocannabinols), the company plans to bulk manufacture these drugs as synthetic. No other activities for these

drug codes are authorized for this registration.

Justin Wood,

Acting Deputy Assistant Administrator.

[FR Doc. 2026–17287 Filed 8–24–26; 8:45 am]

BILLING CODE P

DEPARTMENT OF JUSTICE

Drug Enforcement Administration

[Docket No. DEA–1754]

Bulk Manufacturer of Controlled Substances Application: Kinetochem LLC

AGENCY: Drug Enforcement Administration, Justice.

ACTION: Notice of application.

SUMMARY: Kinetochem LLC has applied to be registered as a bulk manufacturer 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 October 26, 2026. Such persons may also file a written request for a hearing on the application on or before October 26, 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.

SUPPLEMENTARY INFORMATION: In accordance with 21 CFR 1301.33(a), this is notice that on July 7, 2026, Kinetochem LLC, 96 Market Street, Suite 102, Georgetown, Texas 78626–3618, applied to be registered as a bulk manufacturer of the following basic class(es) of controlled substance(s):

Controlled substance	Drug code	Schedule
3,4-Methylenedioxy-N-methylcathinone.	7540	I

The company plans to bulk manufacture the listed controlled substance as Active Pharmaceutical Ingredients to its customers as well as for research and clinical trials. No other activity for this drug code is authorized for this registration.

Justin Wood,

Acting Deputy Assistant Administrator.

[FR Doc. 2026–17288 Filed 8–24–26; 8:45 am]

BILLING CODE 4410–09–P

DEPARTMENT OF JUSTICE

Drug Enforcement Administration

[Docket No. DEA–1755]

Bulk Manufacturer of Controlled Substances Application: Curia Missouri Inc.

AGENCY: Drug Enforcement Administration, Justice.

ACTION: Notice of application.

SUMMARY: Curia Missouri Inc. has applied to be registered as a bulk manufacturer 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 October 26, 2026. Such persons may also file a written request for a hearing on the application on or before October 26, 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.

SUPPLEMENTARY INFORMATION: In accordance with 21 CFR 1301.33(a), this is notice that on July 14, 2026, Curia Missouri Inc., 2460 West Bennett Street, Springfield, Missouri 65807–1229, applied to be registered as a bulk manufacturer of the following basic class(es) of controlled substance(s):

Controlled substance	Drug code	Schedule
Gamma Hydroxybutyric Acid.	2010	I
Amphetamine	1100	II
Lisdexamfetamine	1205	II
Methylphenidate	1724	II
Phenylacetone	8501	II
Tapentadol	9780	II

The company plans to bulk manufacture the listed controlled substances for internal use intermediates or for sale to its customers. No other activities for these drug codes are authorized for this registration.

Justin Wood,

Acting Deputy Assistant Administrator.

[FR Doc. 2026–17280 Filed 8–24–26; 8:45 am]

BILLING CODE;P

DEPARTMENT OF JUSTICE

Drug Enforcement Administration

[Docket No. DEA–1749]

Importer of Controlled Substances Application: Vici Health Sciences, LLC

AGENCY: Drug Enforcement Administration, Justice.

ACTION: Notice of application.

SUMMARY: Vici Health Sciences, LLC 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 September 24, 2026. Such persons may also file a written request for a hearing on the application on or before September 24, 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 June 1, 2026, Vici Health Sciences, LLC, 6655 Amberton Drive, Suite O Elkridge, Maryland 21075–6202, applied to be registered as an importer of the following basic class(es) of controlled substance(s):

Controlled substance	Drug code	Schedule
Fentanyl-Related Substance.	9850	I

The company plans to import the listed controlled substance as part of a manufacturing process supporting research and clinical trial efforts. No other activity for this drug code is 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.

Justin Wood,

Acting Deputy Assistant Administrator.

[FR Doc. 2026–17277 Filed 8–24–26; 8:45 am]

BILLING CODE P

NATIONAL AERONAUTICS AND SPACE ADMINISTRATION

[NASA Document Number: 26–046]

Name of Information Collection: JSC Form 1830 Report of Medical Examination

AGENCY: National Aeronautics and Space Administration (NASA).

ACTION: Notice of revision of a currently approved information collection.

SUMMARY: NASA, as part of its continuing effort to reduce paperwork and respondent burden, under the Paperwork Reduction Act (PRA), invites the general public and other Federal agencies to take this opportunity to comment on proposed and/or continuing information collections.

DATES: Comments are due by September 24, 2026.

ADDRESSES: Written comments and recommendations for this information collection should be sent within 30 days of publication of this notice to *www.reginfo.gov/public/do/PRAMain.* Find this particular information collection by selecting ''Currently under Review—Open for Public Comments''.

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, phone 256–714–8575, or email *hq-ocio-pra-program@mail.nasa.gov.*

SUPPLEMENTARY INFORMATION:

I. Abstract

Since the mid-1960s, neutral buoyancy has been an invaluable tool for testing procedures, developing hardware, and training astronauts. Neutrally buoyant conditions sufficiently simulate reduced gravity conditions, comparable to the environmental challenges of space. The Neutral Buoyancy Laboratory (NBL) at NASA Johnson Space Center (JSC) provides opportunities for astronauts to practice future on-orbit procedures, such as extravehicular activities (EVA), and to work through simulation exercises to solve problems encountered on-orbit. NASA hires individuals with demonstrated diving experience as NBL Working Divers in teams comprised of four divers; two safety divers, one utility diver, and one cameraman to assist astronauts practice various tasks encountered in space.

NASA allows guest divers, typically non-federal photographers representing the media, opportunities to engage in the NBL diving experience. To participate, guest divers must present a dive physical, completed within one year of the targeted diving opportunity, for review by the NBL Dive Physician.

If the guest diver does not have a current U.S. Navy, Association of Diving Contractors (ADC), or current British standard for commercial diving physical, they are required to complete a medical examination, performed by a certified Diving Medical Examiner. The results of the physical will be documented by on the JSC Form 1830 ''Report of Medical Examination'' for Applicant and presented for review prior to participating in diving activities conducted at the JSC NBL. The associated cost for guest divers to complete the medical examination will vary, typically based on the guest diver's insurance.

A completed JSC Form 1830 with test results attached as applicable, must be submitted to enable NASA to validate an individual's physical ability to dive in the NBL at NASA Johnson Space Center.

NASA is committed to effectively performing the Agency's communication function in accordance with the National Aeronautics and Space Act of 1958, Section 203(a)(3), as amended states ''provide for the widest practicable and appropriate dissemination of information concerning its activities and the results thereof'', and to enhance public understanding of, and participation in, the Nation's aeronautics and space programs.

II. Methods of Collection

Paper, Email

III. Data

Title: JSC Form 1830 Report of Medical Examination.

OMB Number: 2700–0170.

Type of review: Revision of a Currently Approved Information Collection.

Affected Public: Individuals.

Estimated Annual Number of Activities: 30.

Estimated Number of Respondents per Activity: 1.

Annual Responses: 30.

Estimated Time per Response: 90 minutes.

Estimated Total Annual Burden Hours: 45 Hours.

IV. Request for Comments

Comments are invited on: (1) Whether the proposed collection of information is necessary for the proper performance of the functions of NASA, including

whether the information collected has practical utility; (2) the accuracy of NASA's estimate of the burden (including hours and cost) of the proposed collection of information; (3) ways to enhance the quality, utility, and clarity of the information to be collected; and (4) ways to minimize the burden of the collection of information on respondents, including automated collection techniques or the use of other forms of information technology.

Comments submitted in response to this notice will be summarized and included in the request for OMB approval of this information collection. They will also become a matter of public record.

Stayce Harris Hoult,

PRA Clearance Officer, National Aeronautics and Space Administration.

[FR Doc. 2026–17343 Filed 8–24–26; 8:45 am]

BILLING CODE 7510–13–P

NATIONAL AERONAUTICS AND SPACE ADMINISTRATION

[NASA Document Number: 26–045]

Name of Information Collection: NASA Complaint of Discrimination Form 1355

AGENCY: National Aeronautics and Space Administration (NASA).

ACTION: Notice of Revision of a currently approved information collection.

SUMMARY: NASA, as part of its continuing effort to reduce paperwork and respondent burden, under the Paperwork Reduction Act (PRA), invites the general public and other Federal agencies to take this opportunity to comment on proposed and/or continuing information collections.

DATES: Comments are due by September 24, 2026.

ADDRESSES: Written comments and recommendations for this information collection should be sent within 30 days of publication of this notice to *www.reginfo.gov/public/do/PRAMain.* Find this particular information collection by selecting ''Currently under Review—Open for Public Comments''.

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:

I. Abstract

Federal agencies are required by statute not to engage in discrimination on the bases of race, color, religion, sex, national origin, age, disability, pregnancy, childbirth, or related medical conditions, genetic information, or retaliation. A federal employee, former employee, or job applicant who believes s/he was discriminated against has a right to file a complaint with the agency's office responsible for its Equal Employment Opportunity (EEO) programs. Federal agencies must offer pre-complaint counseling or EEO alternative dispute resolution (EEO ADR) to individuals who allege that they were discriminated against by the agency. If pre-complaint counseling or EEO ADR does not resolve the dispute(s), the individual can file a formal discrimination complaint with the agency's EEO office.

NASA is committed to effectively performing the Agency's communication function in accordance with the National Aeronautics and Space Act of 1958, Section 203(a)(3), as amended states ''provide for the widest practicable and appropriate dissemination of information concerning its activities and the results thereof'', and to enhance public understanding of, and participation in, the Nation's aeronautics and space programs.

II. Methods of Collection

Paper and electronically.

Title 29 of the Code of Federal Regulations (CFR) Part 1614 Section 104 requires agencies to establish procedures for processing individual and class complaints of discrimination that include the provisions contained in 29 CFR 1614.105 through 1614.110 and in § 1614.204, which are consistent with all other applicable Federal EEO regulations and complaint processing requirements contained in the Equal Employment Opportunity Commission (EEOC) Management Directives (MD).

When an individual decides to pursue the formal discrimination complaint process, EEOC MD 110 requires that the formal complaint must be:

- In writing;
- Specific with regard to the claim(s) that the individual raised in pre-complaint counseling and that the person wishes to pursue;
- Signed by the individual and/or his or her representative; and
- Filed within fifteen (15) calendar days from the date s/he receives the Notice of Right to File a Discrimination Complaint.

Consequently, NASA established NF–1355P form to ensure the individual who wishes to utilize the EEO process complies with the requirements listed above.

III. Data

Title: NASA Complaint of Discrimination Form 1355.

OMB Number: 2700–0163.

Type of review: Revision of a currently approved information collection.

Affected Public: Individuals who wish to file a formal discrimination complaint against NASA.

Estimated Annual Number of Activities: 60.

Estimated Number of Respondents per Activity: 1.

Annual Responses: 60.

Estimated Time per Response: 30 minutes.

Estimated Total Annual Burden Hours: 30 hours.

IV. Request for Comments

Comments are invited on: (1) Whether the proposed collection of information is necessary for the proper performance of the functions of NASA, including whether the information collected has practical utility; (2) the accuracy of NASA's estimate of the burden (including hours and cost) of the proposed collection of information; (3) ways to enhance the quality, utility, and clarity of the information to be collected; and (4) ways to minimize the burden of the collection of information on respondents, including automated collection techniques or the use of other forms of information technology.

Comments submitted in response to this notice will be summarized and included in the request for OMB approval of this information collection. They will also become a matter of public record.

Stayce Harris Hoult,

PRA Clearance Officer, National Aeronautics and Space Administration.

[FR Doc. 2026–17306 Filed 8–24–26; 8:45 am]

BILLING CODE 7510–13–P

NUCLEAR REGULATORY COMMISSION

[Docket Nos. 050–616 and 050–617; NRC–2026–0265]

SMR, LLC; Palisades SMR, LLC; Pioneer Units 1 and 2; Environmental Assessment and Finding of No Significant Impact

AGENCY: Nuclear Regulatory Commission.

ACTION: Notice; issuance.

SUMMARY: The U.S. Nuclear Regulatory Commission (NRC) is issuing an environmental assessment (EA) and finding of no significant impact (FONSI) for an exemption requested by SMR, LLC on behalf of Palisades SMR, LLC (Palisades SMR), associated with certain excavation support activities for the proposed dual-unit SMR–300 plant, Pioneer Units 1 and 2, at the Palisades Energy Center in Covert, Michigan. Specifically, Palisades SMR is requesting an exemption, pursuant to NRC regulations, to allow for construction of support of excavation (SOE) walls during SMR–300 excavation and prior to issuance of a Limited Work Authorization (LWA), if approved. Based on the analyses presented in the EA, the NRC staff determined that there would be no significant environmental impacts associated with granting the requested exemption.

DATES: The EA and FONSI referenced in this document are available on August 24, 2026.

ADDRESSES: Please refer to Docket ID NRC–2026–0265 when contacting the NRC about the availability of information regarding this document. You may obtain publicly available information related to this document using any of the following methods:

- *Federal Rulemaking website:* Go to *https://www.regulations.gov* and search for Docket ID NRC–2026–0265. Address questions about Docket IDs in *Regulations.gov*to Bridget Curran; telephone: 301–415–1003; email: *Bridget.Curran@nrc.gov.* For technical questions, contact the individual listed in the **FOR FURTHER INFORMATION CONTACT** section of this document.
- *NRC's Agencywide Documents Access and Management System (ADAMS):* You may obtain publicly available documents online in the ADAMS Public Documents collection at *https://www.nrc.gov/reading-rm/adams.html.* To begin the search, select ''Begin ADAMS Public Search.'' For problems with ADAMS, please contact the NRC's Public Document Room (PDR) reference staff at 1–800–397–4209, at 301–415–4737, or by email to *PDR.Resource@nrc.gov.* The ADAMS accession number for each document referenced (if it is available in ADAMS) is provided the first time that it is mentioned in this document.
- *NRC's PDR:* The PDR, where you may examine and order copies of publicly available documents, is open by appointment. To make an appointment to visit the PDR, please send an email to *PDR.Resource@nrc.gov* or call 1–800–397–4209 or 301–415-4737, between 8 a.m. and 4 p.m. eastern time (ET), Monday through Friday, except Federal holidays.

FOR FURTHER INFORMATION CONTACT: Robert Hoffman, Office of Advanced Reactors, U.S. Nuclear Regulatory Commission, Washington, DC 20555–0001; telephone: 301–415–1107; email: *Robert.Hoffman@nrc.gov.*

SUPPLEMENTARY INFORMATION:

I. Introduction

By letter dated December 31, 2025 (ADAMS Package Accession No. ML25365A983), SMR, LLC, submitted the first part (Part 1) of a phased construction permit (CP) application to the NRC on behalf of Palisades SMR for a dual-unit SMR–300 plant, Pioneer Units 1 and 2, which would be co-located with the Palisades Nuclear Plant at the Palisades Energy Center in Covert, MI. The NRC determined that Part 1 of the phased construction permit CP application was acceptable for docketing on February 13, 2026 (ADAMS Accession No. ML26041A223).

Part 1 of the phased CP application includes a LWA request pursuant to paragraph 50.10(d) of title 10 of the *Code of Federal Regulations* (10 CFR), ''Request for limited work authorization,'' three exemption requests, and a comprehensive environmental report. The NRC is currently developing an environmental impact statement (EIS) to address the environmental impacts of construction, operation, and decommissioning of Pioneer Units 1 and 2, and expects to publish the draft EIS for public comment in the fall of 2026.

Part 1 of the phased CP application includes an exemption request from 10 CFR 50.10(c) to allow for construction of SOE walls, which would remain in place after construction is complete. The proposed exemption would allow Palisades SMR to proceed, prior to issuance of an LWA, if approved, with this limited construction activity. Palisades SMR has requested that the NRC consider and approve the exemption independently of, and prior to, completion of the NRC's review of the remainder of Part 1 of the phased CP application. Granting this exemption request would not constitute a commitment by the NRC to issue an LWA or CP for Pioneer Units 1 and 2, and Palisades SMR would perform the excavation support activities assuming the risk that its CP application may later be denied.

The NRC has prepared an EA (ADAMS Accession No. ML26230A249) as part of its review of the exemption request in accordance with the requirements of 10 CFR 51.21, ''Criteria for and identification of licensing and regulatory actions requiring environmental assessments.'' Based on the results of the EA, the NRC has determined not to prepare an EIS and is issuing a FONSI pursuant to 10 CFR 51.31.

II. Discussion

The proposed Federal action is NRC approval of Palisades SMR's request for an exemption from the NRC regulations at 10 CFR 50.10(c), which would allow construction of SOE walls during SMR–300 excavation and prior to issuance of an LWA, if approved by the NRC. Palisades SMR plans to install three different permanent retaining wall designs: diaphragm walls, soldier pile soil mixed walls, and perimeter cutoff walls. Tieback anchors would be used, as necessary, to support the differing wall designs. To accomplish the proposed Federal action, the reinforced concrete panel diaphragm walls, soldier pile soil mixed walls, and perimeter cutoff walls (all part of the SOE walls) would be installed using traditional construction techniques.

SOE walls would remain in place after construction is complete. Issuance of the exemption would allow Palisades SMR to proceed with SOE wall installation, prior to issuance of an LWA, if approved. Palisades SMR asserts that the SOE wall installation serves no function with respect to structural components of the containment structures (CS), reactor auxiliary building (RAB), or intermediate building (IB) support or radiological health or safety but is needed for construction worker safety during excavation. If excavation is delayed until after the issuance of the LWA, if approved by the NRC, activities for the below grade portions of the CS, RAB, IB and portions of select systems, structures, and components could add a significant time delay and construction costs to the Pioneer Units 1 and 2 project. Delaying the construction of Pioneer Units 1 and 2 could also delay the addition of 680 megawatts of energy and a reliable lower cost energy supply in the State of Michigan. Palisades SMR anticipates that the cost of any delay of the commercial operation of Pioneer Units 1 and 2 would be substantial.

In the EA, the NRC staff evaluated the proposed action to identify resource areas that could be affected and the potential for environmental impacts. This evaluation considered the nature and scope of the proposed activities and site-specific information. Based on this review, the NRC staff determined that the proposed action would not result in significant impacts to land use,

terrestrial resources, aquatic resources, threatened and endangered species, air quality, nonradiological health, nonradioactive waste, socioeconomics, surface water, groundwater, historic and cultural resources, radiological human health and radiological waste management. Additionally, the NRC staff conducted consultation pursuant to Section 106 of the National Historic Preservation Act of 1966, as amended, independent of the NRC staff's National Environmental Policy Act environmental review. The NRC staff determined that the proposed action would result in No Historic Properties Affected, as defined in 36 CFR 800.4(d)(1).

The NRC staff also considered the alternative of denying the exemption request and determined that denial of the exemption request would avoid the environmental impacts discussed in this EA unless the NRC grants the applicant's request for an LWA in Part 1 of the phased CP application, in which case the impacts would then be delayed and incurred during LWA activities, if approved. A denial of this exemption and subsequent delay of the excavation-related activities, if the LWA is approved, could result in project costs and schedule delays to the Pioneer Units 1 and 2 project. Accordingly, the NRC staff determined that there are no alternatives that meet the need for the proposed action and that are environmentally preferable to the proposed action.

III. Finding of No Significant Impact

The proposed action before the NRC is whether to issue the exemption authorizing the construction of permanent SOE walls during excavation activities and prior to issuance of an LWA, if approved. As required by 10 CFR 51.21, the NRC prepared the EA. This FONSI incorporates by reference the EA summarized in Section II of this notice. Based on the analysis presented in the EA, the NRC staff has determined that the proposed action will not have a significant impact on the quality of the human environment. Accordingly, the NRC staff has determined that the preparation of an EIS is not required for the proposed Federal action and that a FONSI is warranted. This finding and the related environmental documents referenced throughout the EA are available for public review as discussed in the EA and above under **ADDRESSES**.

Authority: 42 U.S.C. 2011 *et seq.*

For the Nuclear Regulatory Commission.

Dated: August 20, 2026.

Nathan Sanfilippo,

Director, Division of Advanced Reactor Programs, Office of Advanced Reactors.

[FR Doc. 2026–17253 Filed 8–24–26; 8:45 am]

BILLING CODE 7590–01–P

POSTAL REGULATORY COMMISSION

[Docket Nos. MC2026–351 and K2026–345; MC2026–353 and K2026–346; MC2026–354 and K2026–347]

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.

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

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

SUPPLEMENTARY INFORMATION:

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I. Introduction
II. Public Proceeding(s)
III. Summary Proceeding(s)

I. Introduction

Pursuant to 39 CFR 3041.405, the Commission gives notice that the Postal Service filed request(s) for the Commission to consider matters related to Competitive negotiated service agreement(s). The request(s) may propose the addition of a negotiated service agreement from the Competitive product list or the modification of an existing product currently appearing on the Competitive product list.

The public portions of the Postal Service's request(s) can be accessed via the Commission's website (*http://www.prc.gov*). Non-public portions of the Postal Service's request(s), if any, can be accessed through compliance with the requirements of 39 CFR 3011.301.[1]

[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).

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)

None. *See* Section III for summary proceedings.

III. Summary Proceeding(s)

1. *Docket No(s).:* MC2026–351 and K2026–345; *Filing Title:* USPS Request to Add New Mid-Market Standardized Distinct Product, PM–GA Contract 1072, and Notice of Filing Materials Under Seal; *Filing Acceptance Date:* August 20,

2026; *Filing Authority:* 39 U.S.C. 3642 and 3633, 39 CFR 3035.105, and 39 CFR 3041.325.

2. *Docket No(s).:* MC2026–353 and K2026–346; *Filing Title:* USPS Request to Add New Fulfillment Standardized Distinct Product, PM–GA Contract 1073, and Notice of Filing Materials Under Seal; *Filing Acceptance Date:* August 20, 2026; *Filing Authority:* 39 U.S.C. 3642 and 3633, 39 CFR 3035.105, and 39 CFR 3041.325.

3. *Docket No(s).:* MC2026–354 and K2026–347; *Filing Title:* USPS Request to Add New Fulfillment Standardized Distinct Product, PM–GA Contract 1074, and Notice of Filing Materials Under Seal; *Filing Acceptance Date:* August 20, 2026; *Filing Authority:* 39 U.S.C. 3642 and 3633, 39 CFR 3035.105, and 39 CFR 3041.325.

This Notice will be published in the **Federal Register**.

Danielle LeFlore,

Legal Assistant.

[FR Doc. 2026–17313 Filed 8–24–26; 8:45 am]

BILLING CODE 7710–FW–P

OFFICE OF SCIENCE AND TECHNOLOGY POLICY

United States Global Change Research Program; Availability for Public Comment on the Proposed Amendment to the Fifth National Climate Assessment (NCA5)

AGENCY: United States Global Change Research Program (USGCRP), Office of Science and Technology Policy (OSTP).

ACTION: Notice of availability for public comment.

SUMMARY: OSTP, on behalf of the U.S. Global Change Research Program (USGCRP), announces the availability of a proposed amendment and clarification to the Fifth National Climate Assessment (NCA5) for public comment. The proposed amendment addresses the interpretation and Federal use of NCA5 results that depend materially on RCP8.5, SSP5–8.5, SRES A2, or analogous high-emissions pathways.

DATES: Comments must be received by 11:59 p.m. Eastern Time September 9, 2026.

ADDRESSES: Interested individuals and organizations should submit comments electronically to *federalregister@ostp.eop.gov* and include ''RFI Response: Proposed Amendment to NCA5'' in the subject line of the email. Mailed paper submissions will not be accepted, and electronic submissions received after the deadline may not be taken into consideration.

Instructions: Response to this RFI is voluntary. Each individual or institution is requested to submit only one response. Electronic responses must be provided as attachments to an email rather than a link. Comments of seven pages or fewer (3,500 words) are requested; longer responses will not be considered. Responses should include the name of the person(s) or organization(s) filing the response. Responses containing references, studies, research, and other empirical data that are not widely published should include copies of or electronic links to the referenced materials. Responses containing profanity, vulgarity, threats, or other inappropriate language or content will not be considered.

USGCRP will not respond to individual submissions. A response to this RFI will not be viewed as a binding commitment to develop or pursue the project or ideas discussed. This RFI is not accepting applications for financial assistance or financial incentives.

Comments submitted in response to this notice are subject to the Freedom of Information Act (FOIA). No business proprietary information, copyrighted information, or personally identifiable information should be submitted in response to this RFI. Please be aware that comments submitted in response to this RFI, including the submitter's identification (as noted above), may be posted, without change, on OSTP's or another Federal website or otherwise released publicly.

After the public comment period closes, relevant Federal officials and participating agencies will consider the comments as appropriate. The proposed amendment may be revised before any final action.

FOR FURTHER INFORMATION CONTACT: Dr. Matthew Wielicki, Director, U.S. Global Change Research Program, Office of Science and Technology Policy; email: *federalregister@ostp.eop.gov;* tel: 202–456–4444.

SUPPLEMENTARY INFORMATION: The proposed amendment will be available at *https://www.noaa.gov/sites/default/files/2026-08/NCA5-Proposed-Amendment-August-2026.pdf.* The USGCRP is mandated under the Global Change Research Act of 1990 to conduct a quadrennial National Climate Assessment to evaluate scientific findings and uncertainties related to global change, analyze the effects of global change, and analyze current and projected trends in global change, both human-induced and natural.

NCA5 was released in November 2023. The proposed amendment would clarify the interpretation and Federal use of NCA5 statements, figures, tables, traceable accounts, regional summaries, public summaries, and derivative Federal communications that rely materially on RCP8.5, SSP5–8.5, SRES A2, or analogous high-emissions pathways. The proposed amendment would not withdraw NCA5 in its entirety or disturb its compilation of observations, regional information, adaptation considerations, or appropriately described scenario-based analyses.

The proposed amendment would clarify that results dependent on these pathways should not be presented as expected, baseline, business-as-usual, likely, central, or ordinary Federal planning futures unless the same result is independently reproduced under a presently plausible scenario and evaluated against observations. Such results may remain useful as sensitivity analyses, bounding exercises, or stress tests when the applicable scenario, material assumptions, and limitations are clearly disclosed where the projected impact is communicated.

USGCRP invites public comment on the scientific basis for the proposed amendment; NCA5 material that may require clarification; methods for labeling and communicating scenario-dependent results; the use of observational evidence and plausible comparator scenarios; and implications for Federal planning, analysis, and public communications. Commenters are encouraged to provide citations, data, or other supporting material.

Authority: 15 U.S.C. Chapter 56A

Dated: August 20, 2026.

Stacy Murphy,

Deputy Chief Operations Officer/Security Officer.

[FR Doc. 2026–17289 Filed 8–24–26; 8:45 am]

BILLING CODE 3270–F1–P

SECURITIES AND EXCHANGE COMMISSION

[Release No. 34–106167; File No. SR–ICC–2026–008]

Self-Regulatory Organizations; ICE Clear Credit LLC; Order Approving Proposed Rule Change Relating to the CDS Instrument On-Boarding Policies and Procedures

August 20, 2026.

I. Introduction

On June 26, 2026, ICE Clear Credit LLC (''ICC'') filed with the Securities

and Exchange Commission (the ''Commission''), pursuant to Section 19(b)(1) of the Securities Exchange Act of 1934 (the ''Act'') [1] and Rule 19b–4 thereunder,[2] a proposed rule change to revise the ICC CDS Instrument On-boarding Policies and Procedures (the ''Proposed Rule Change''). The Proposed Rule Change was published for comment in the **Federal Register** on July 13, 2026.[3] The Commission has not received comments regarding the Proposed Rule Change. For the reasons discussed below, the Commission is approving the Proposed Rule Change.

II. Description of the Proposed Rule Change

ICC is registered with the Commission as a clearing agency for the purpose of clearing CDS contracts for its Clearing Participants.[4] The ICC CDS Instrument On-boarding Policies and Procedures (the ''Instrument On-boarding Policy'') provide an overview of ICC's on-boarding process for new instruments, which includes selecting new instruments for clearing, configuring internal systems, notifying and receiving feedback from stakeholders, and ensuring operational readiness by ICC and its Clearing Participants.[5] The Proposed Rule Change would amend the Instrument On-boarding Policy's guiding principles that ICC maintains for instrument selection.

ICC proposes to amend Section III.A. of the Instrument On-boarding Policy, which discusses the guiding principles that ICC maintains for considering instruments for clearing. These principles are designed to ensure that ICC proceeds in a prudent manner with respect to instrument selection while also providing the best opportunity for Clearing Participants to minimize their risk.

Currently under Section III.A, ICC considers for clearing instruments that among other things are not constituents of currently clearable indices but meet certain other criteria. ICC proposes to amend this guiding principle. Currently, under this guiding principle, ICC considers instruments for clearing (i) with uncleared gross notional open interest among ICC's Clearing Participants, or with an average bilateral weekly volume equal to or greater than the average cleared volume across currently cleared instruments belonging to the same product type over the last twelve months or (ii) with bilateral open interest held by at least three Affiliate Groups of Clearing Participants.

The Proposed Rule Change would introduce a third criterion to this guiding principle. ICC proposes to also consider for clearing instruments that are not constituents of currently clearable indices but that are single name instruments with reference entities with minimum outstanding debt notional of 500 million U.S. Dollars or Euros.

To further emphasize that an instrument considered under this guiding principle needs only to satisfy one of the criteria or sub-bullets specified in the ICC On-boarding Policy to be considered for clearing, ICC proposes to revise the punctuation by replacing periods in the first two criteria with semi-colons and adding ''or'' before the third criteria. ICC states that instruments subject to the amended guiding principles would continue to be subject to effective controls through existing governance, risk, pricing, and operations reviews, which ultimately determine the instruments that ICC may clear.[6]

III. Discussion

Section 19(b)(2)(C) of the Act directs the Commission to approve a proposed rule change of a self-regulatory organization if it finds that the proposed rule change is consistent with the requirements of the Act and the rules and regulations thereunder applicable to such organization.[7] Under the Commission's Rules of Practice, the ''burden to demonstrate that a proposed rule change is consistent with the Act and the rules and regulations issued thereunder . . . is on the self-regulatory organization ['SRO'] that proposed the rule change.'' [8]

The description of a proposed rule change, its purpose and operation, its effect, and a legal analysis of its consistency with applicable requirements must all be sufficiently detailed and specific to support an affirmative Commission finding,[9] and any failure of an SRO to provide this information may result in the Commission not having a sufficient basis to make an affirmative finding that a proposed rule change is consistent with the Act and the applicable rules and regulations.[10] Moreover, ''unquestioning reliance'' on an SRO's representations in a proposed rule change is not sufficient to justify Commission approval of a proposed rule change.[11]

After carefully considering the Proposed Rule Change, the Commission finds that the Proposed Rule Change is consistent with the requirements of the Act and the rules and regulations thereunder applicable to ICC. Specifically, the Commission finds that the proposal is consistent with Section 17A(b)(3)(F) of the Act [12] and Rule 17ad–22(e)(1) thereunder,[13] as described in detail below.

A. Consistency With Section 17A(b)(3)(F) of the Act

Under Section 17A(b)(3)(F) of the Act, ICC's rules, among other things, must be ''designed to promote the prompt and accurate clearance and settlement of securities transactions and . . . to assure the safeguarding of securities and funds which are in the custody or control of the clearing agency or for which it is responsible . . . .'' Based on a review of the record, and for the reasons discussed below, the Proposed Rule Change is consistent with Section 17A(b)(3)(F).

As discussed above, ICC is proposing to add a third criterion for instrument selection so that single name instruments with reference entities having a minimum outstanding debt notional of $500MM or €500MM may be considered for clearing, even if the instrument is not a constituent of a currently clearable index. By expanding the universe of instruments eligible for consideration under the guiding principles, the Proposed Rule Change enhances ICC's ability to offer clearing for a broader range of CDS instruments, thereby promoting the prompt and accurate clearance and settlement of instruments for which ICC is responsible. Instruments considered for clearing under the amended guiding principles remain subject to ICC's existing governance, risk, pricing, and operations reviews, which serve as effective controls to ensure that only appropriate instruments are admitted to clearing, thereby safeguarding the securities and funds in ICC's custody or control. By potentially allowing

[1] 15 U.S.C. 78s(b)(1).

[2] 17 CFR 240.19b–4.

[3] Self-Regulatory Organizations; ICE Clear Credit LLC; Notice of Filing of Proposed Rule Change Relating to the CDS Instrument On-boarding Policies and Procedures, Exchange Act Release No. 105863 (July 8, 2026), 91 FR 42983 (July 13, 2026) (File No. SR–ICC–2026–008) (''Notice'').

[4] Capitalized terms not otherwise defined herein have the meanings assigned to them in ICC's Clearing Rules or the Instrument On-boarding Policy, as applicable. The Rules are available at *https://www.ice.com/clear-credit/regulation.*

[5] Notice, 91 FR at 42984.

[6] Notice, 91 FR at 42984.

[7] 15 U.S.C. 78s(b)(2)(C).

[8] Rule 700(b)(3), Commission Rules of Practice, 17 CFR 201.700(b)(3).

[9] *Id.*

[10] *Id.*

[11] *Susquehanna Int'l Group, LLP* v. *Securities and Exchange Commission,* 866 F.3d 442, 447 (D.C. Cir. 2017) (''Susquehanna'').

[12] 15 U.S.C. 78q–1(b)(3)(F).

[13] 17 CFR 240.17ad–22(e)(1).

Clearing Participants to centrally clear additional transactions and mitigating risk for ICC and its Clearing Participants, the Proposed Rule Change promotes the prompt and accurate clearance and settlement of securities transactions and assures the safeguarding of securities and funds in ICC's custody and control.

As discussed above, the Proposed Rule Change also would clarify the On-boarding Policy by revising the punctuation by replacing periods in the first two criteria with semi-colons and adding ''or'' before the third criterion. A clearer On-boarding Policy helps lower the chance that there are any delays or disruptions to the instrument on-boarding process. Given the smoother process, these proposed changes promote the prompt and accurate clearance and settlement of securities transactions.

The Proposed Rule Change therefore facilitates the expansion of clearing services in a manner that supports market efficiency and preserves the integrity of ICC's risk management framework. Accordingly, the Proposed Rule Change is consistent with Section 17A(b)(3)(F) of the Act.[14]

B. Consistency With Rule 17Ad–22(e)(1)

Rule 17Ad–22(e)(1) requires ICC to establish, implement, maintain, and enforce written policies and procedures reasonably designed to provide for a well-founded, clear, transparent, and enforceable legal basis for each aspect of its activities in all relevant jurisdictions.[15]

The proposed rule change would help provide a well-founded, clear, transparent, and enforceable legal basis for ICC's clearance of additional instruments. The proposed amendments to the On-boarding Policy advance these objectives by codifying an additional, clearly defined quantitative criterion. As discussed above, the proposed rule change would allow single name instruments to be considered for clearing, even if they are not constituents of a currently clearable index, where their reference entities have a minimum outstanding debt notional threshold of $500MM or €500MM. By memorializing this criterion in written policy, ICC enhances the transparency and clarity of its instrument selection framework, ensuring that the On-boarding Policy is well-founded and enforceable. Furthermore, the proposed structural revisions to the punctuation and organization of the sub-bullets further reinforce the transparent and unambiguous application of the guiding principles, leaving no uncertainty as to how instruments may qualify for clearing consideration under this provision.

The Proposed Rule Change therefore provides a well-founded, clear, transparent, and enforceable legal basis for ICC to clear additional instruments. Accordingly, the Proposed Rule Change is consistent with Rule 17Ad–22(e)(1).[16]

IV. Conclusion

On the basis of the foregoing, the Commission finds that the proposed rule change is consistent with the requirements of the Act, and in particular, with the requirements of Section 17A(b)(3)(F) of the Act[16] and Rule 17ad–22(e)(1) thereunder.[17]

It is therefore ordered, pursuant to Section 19(b)(2) of the Act[18] that the proposed rule change (SR–ICC–2026–008) be, and hereby is, approved.[19]

For the Commission, by the Division of Trading and Markets, pursuant to delegated authority.[20]

Vanessa A. Countryman,

Secretary.

[FR Doc. 2026–17283 Filed 8–24–26; 8:45 am]

BILLING CODE 8011–01–P

SECURITIES AND EXCHANGE COMMISSION

[Release No. 34–106166; File No. SR–IEX–2026–27]

Self-Regulatory Organizations; Investors Exchange LLC; Notice of Filing and Immediate Effectiveness of Proposed Rule Change To Enhance Certain Aspects of the Activity-Based Risk Controls Applicable to IEX Options Members Set Forth in IEX Rule 22.250, and To Make Conforming and Typo Clean-Up Changes to IEX Rules 22.250 and 22.260

Pursuant to Section 19(b)(1)[1] of the Securities Exchange Act of 1934 (the ''Act'')[2] and Rule 19b–4 thereunder,[3] notice is hereby given that, on August 13, 2026, the Investors Exchange LLC (''IEX'' or the ''Exchange'') filed with the Securities and Exchange Commission (the ''Commission'') the proposed rule change as described in Items I and II below, which Items have been prepared by the self-regulatory organization. The Commission is publishing this notice to solicit comments on the proposed rule change from interested persons.

I. Self-Regulatory Organization's Statement of the Terms of Substance of the Proposed Rule Change

Pursuant to the provisions of Section 19(b)(1) under the Act,[4] and Rule 19b–4 thereunder,[5] the Exchange is filing with the Commission a rule change proposal to enhance certain aspects of the Activity-Based Risk Controls applicable to IEX Options Members[6] set forth in IEX Rule 22.250, and to make conforming and typo clean-up changes to IEX Rules 22.250 and 22.260. The Exchange has designated this rule change as ''non-controversial'' under Section 19(b)(3)(A) of the Act[7] and provided the Commission with the notice required by Rule 19b–4(f)(6) thereunder.[8]

The text of the proposed rule change is available at the Exchange's website at *https://www.iexexchange.io/resources/regulation/rule-filings* and at the principal office of the Exchange.

II. Self-Regulatory Organization's Statement of the Purpose of, and the Statutory Basis for, the Proposed Rule Change

In its filing with the Commission, the self-regulatory organization included statements concerning the purpose of and basis for the proposed rule change and discussed any comments it received on the proposed rule change. The text of these statements may be examined at the places specified in Item IV below. The self-regulatory organization has prepared summaries, set forth in Sections A, B, and C below, of the most significant aspects of such statements.

A. Self-Regulatory Organization's Statement of the Purpose of, and the Statutory Basis for, the Proposed Rule Change

1. Purpose

On September 18, 2025, the Commission approved IEX's proposal to adopt rules governing the trading of options on the Exchange in a new facility called ''IEX Options'';[9] IEX

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[14] *Id.*

[15] 17 CFR 240.17Ad–22(e)(1).

[16] 15 U.S.C. 78q–1(b)(3)(F).

[17] 17 CFR 240.17ad–22(e)(1).

[18] 15 U.S.C. 78s(b)(2).

[19] In approving the proposed rule change, the Commission considered the proposal's impact on efficiency, competition, and capital formation. 15 U.S.C. 78c(f).

[20] 17 CFR 200.30–3(a)(12).

[1] 15 U.S.C. 78s(b)(1).

[2] 15 U.S.C. 78a.

[3] 17 CFR 240.19b–4.

[4] 15 U.S.C. 78s(b)(1).

[5] 17 CFR 240.19b–4.

[6] *See* Rule 17.100.

[7] 15 U.S.C. 78s(b)(3)(A).

[8] 17 CFR 240.19b–4.

[9] *See* Securities Exchange Act Release No. 103998 (September 18, 2025), 90 FR 45861 (September 23, 2025) (SR–IEX–2025–02) (Commission order approving a Proposed Rule Change, as Modified by

Continued

Options has announced its plan to commence trading options on October 2, 2026.[10] Pursuant to Rule 22.250, all Options Members are able to establish certain risk control parameters and limits that are designed to assist them in managing their market risk. IEX proposes to enhance certain aspects of these risk controls, as described below. Each of these proposed amendments is based on functionality offered on at least one other options market,[11] and the Exchange has designated this rule change as ''non-controversial'' under Section 19(b)(3)(A) of the Act [12] and provided the Commission with the notice required by Rule 19b–4(f)(6) thereunder.[13]

Background

IEX's risk controls are designed to offer all IEX Options Members protection from entering orders outside of certain size and price parameters, as well as certain standard or Exchange-established parameters based on order type and market conditions. IEX Options will offer three categories of risk controls: Pre-Trade, Activity-Based, and Global Risk Controls.[14] The risk controls may be set at the MPID [15] or MPID Group [16] level, or both, depending on the risk control. Once an Options Member sets a risk control, the setting remains in effect indefinitely, until changed by the Options Member.[17] The risk controls offered by the Exchange are meant to supplement, and not replace, the Options Member's own internal systems, monitoring, and procedures related to risk management and are not designed for compliance with Rule 15c3–5 under the Act. Responsibility for compliance with all Exchange and Commission rules remains with the Options Member.[18]

The Pre-Trade Risk Controls are a set of optional limits, each of which an Options Member may utilize with respect to its trading activity on the Exchange. An order or quote that breaches a Pre-Trade Risk Control is canceled or rejected, as set forth in Rule 22.250(c)(1)(A). The Pre-Trade Risk Controls include controls related to the maximum dollar amount for a single order to be applied one time and the maximum number of contracts that may be included in a single order before it can be traded.[19] Additionally, there are optional controls related to the price of an order or quote (including percentage-based and dollar-based controls), controls related to the order types or modifiers that can be utilized, controls to restrict the options classes transacted, and controls to prohibit duplicative orders.[20] Pre-Trade Risk Controls to restrict the options class(es) transacted must be set per options class.[21]

The Activity-Based Risk Controls are a set of optional controls, each of which an Options Member may apply to orders and quotes in an options class, based on specified thresholds measured over the course of a configurable time period (''Interval'').[22] The Activity-Based Risk Controls provide Options Members a means of managing their order and execution risk in a manner consistent with the Options Member's risk tolerance. If an Activity-Based Risk Control is breached for a particular class of options, the Exchange will either notify the Options Member of the breach, block all incoming orders and quotes from that Options Member in that options class, or cancel all unexecuted orders and quotes for that class in addition to blocking incoming orders and quotes.[23]

When acting as a Market Maker, an Options Member is required to select at least one of the Activity-Based Risk Controls.[24] IEX Options offers the following Activity-Based Risk Controls, each of which can be configured by the Options Member: (i) transaction-based risk limits, which are pre-established limits on the number of an Options Member's orders and quotes executed in a specified class of options per Interval; (ii) volume-based risk limits, which are pre-established limits on the number of contracts of an Options Member's orders and quotes that can be executed in a specified class of options per Interval; and (iii) percentage-based risk limits, which are pre-established limits on the percentage of contracts executed in a specified class of options as measured against the full size of an Options Member's orders and quotes executed per Interval.

As provided in Rule 22.250(c)(2)(E), the Exchange will specify by Trading Alert any applicable minimum, maximum, and/or default settings for the Activity-Based Risk Controls, subject to the following: (i) the transaction-based risk limit must be a value between one and 2,000 transactions; (ii) the volume-based risk limit must be a value between one and 500,000 contracts; and (iii) the percentage-based risk limit must be a value between 50 and 200,000 percent.[25] To determine when an Activity-Based Risk Control's limit has been breached, the Exchange maintains a trade counter that is incremented every time an order or quote in the applicable MPID trades during the Interval and will aggregate the number of contracts traded during each such execution.[26]

The third risk control, Global Risk Controls, are pre-established limits on the number of times an Options Member may breach its Activity-Based risk controls per Interval. If an Options Member breaches its Global Risk Control, the Exchange will cancel and block all orders and quotes of the Options Member in all classes of options regardless of which class(es) of options caused the underlying breach of Activity-Based Risk Controls.[27] The Exchange will specify by Trading Alert any applicable minimum, maximum and/or default settings for the Global Risk Control, provided that the minimum setting will not be less than 25 breaches and the maximum setting will not be more than 100 breaches.[28] The Exchange will also specify by Trading Alert the Interval for the Global Risk Controls, provided that the minimum setting will not be less than 100 milliseconds and the maximum setting will not be more than 300,000 milliseconds.[29]

IEX Options also offers a Kill Switch, which allows Options Members to either cancel all unexecuted orders and quotes in the IEX Options Book; block the entry of any new order and quote messages and related instructions; or both.[30] Options Members may direct the Exchange to apply the Kill Switch to

Amendment No. 3, to Adopt Rules To Govern the Trading of Options on the Exchange for a New Facility Called IEX Options).

[10] *See https://www.iex.io/options/resources#important-dates.*

[11] *See infra* notes 35, 40, 42, 44, 48 and 49.

[12] 15 U.S.C. 78s(b)(3)(A).

[13] 17 CFR 240.19b–4.

[14] *See* Rule 22.250 (Pre-Trade and Activity-Based Risk Controls).

[15] *See* Rule 17.100.

[16] *See* Rule 22.250(a)(5).

[17] Risk control settings may be changed at the beginning of a trading day. *See* Rule 22.250(b)(1).

[18] *See* Supplementary Material .01 to Rule 22.250.

[19] *See* Rule 22.250(a)(1)(A).

[20] *Id.*

[21] *See* Rule 22.250(b)(2).

[22] The Exchange will specify the Interval by Trading Alert, provided that generally the Interval will not be less than 100 milliseconds or greater than 300,000 milliseconds, inclusive of the duration of any trading halt occurring within that time. *See* Rule 22.250(c)(2)(F)(i).

[23] *See* Rule 22.250(c)(2)(C).

[24] *See* Rule 22.250(c)(2)(A).

[25] *See* Rule 22.250(c)(2)(E).

[26] *See* Rule 22.250(c)(2)(B). An Options Member may opt to exclude any orders designated IOC from being considered by a trade counter. Id.

[27] *See* Rule 22.250(c)(3)(A) & (B).

[28] *See* Rule 22.250(c)(3)(C).

[29] *See* Rule 22.250(c)(3)(D)(i).

[30] *See* Rule 22.250(e)(1) and (2). Note that even after receiving a Kill Switch instruction to block new order and quote messages, the Exchange will continue to accept instructions from the Options Member to cancel one or more orders or quotes.

orders and quotes at either an MPID or MPID Group level.[31]

Proposal

First, IEX proposes to modify its Activity-Based Risk Controls to allow Options Members the option of setting a Priority Customer [32] Multiplier, which will be applied to the trade counter used by the Activity-Based Risk Controls applied to that Options Member's trades against Priority Customer Orders. The Priority Customer Multiplier may be set at a value between 0% and 100%.[33] By setting the Priority Customer Multiplier at a value less than 100%, the Options Member is instructing the Exchange to give less weight to trades with Priority Customers when determining if an Activity-Based Risk Control has been breached. The following two examples demonstrate how the Priority Customer Multiplier would operate:

Example 1

- Firm A applies the volume-based risk limit to its orders and quotes in AAPL options contracts for MPID ABCD.
- The risk control applied to MPID ABCD has the following settings: (i) volume-based risk limit = 100 contracts; (ii) Interval = 60,000 milliseconds (1 minute); and (iii) Priority Customer Multiplier = 100%.
- During a one-minute Interval of trading, MPID ABCD executes 80 contracts against Priority Customer orders, followed by executing 30 contracts against a subsequent Professional order.
- The counter applies the Priority Customer Multiplier to the applicable 80 contracts upon execution, and counts them as 80 contracts executed in fewer than 60 seconds. At this time, no breach has occurred. When the execution against the Professional order occurs, the counter then adds those 30 contracts executed to the 80 contracts already counted, which results in a count of 110 contracts executed in fewer than 60 seconds. The Activity-Based Risk Control is breached.

Example 2

- Firm A applies the volume-based risk limit to its orders and quotes in AAPL options contracts for MPID ABCD.
- The risk control applied to MPID ABCD has the following settings: (i) volume-based risk limit = 100 contracts; (ii) Interval = 60,000 milliseconds (1 minute); and (iii) Priority Customer Multiplier = 50%.
- During a one-minute Interval of trading, MPID ABCD executes 80 contracts against Priority Customer orders, followed by executing 30 contracts against a subsequent Professional order.
- The counter applies the Priority Customer Multiplier to the applicable 80 contracts upon execution, and counts them as 40 contracts executed in fewer than 60 seconds. At this time, no breach has occurred. When the execution against the Professional order occurs, the counter then adds those 30 contracts executed to the 40 contracts already counted, which results in a count of 70 contracts executed in fewer than 60 seconds. The Activity-Based Risk Control is not breached.

The Exchange understands that market participants generally view executions against orders submitted by Priority Customers [34] as presenting less risk than executions against professional market participants who do not qualify as Priority Customers. Therefore, the Exchange believes that allowing Options Members to tailor their volume and count parameters for Activity-Based Risk Controls as proposed would promote risk management processes that better reflect the risks of different types of trading activity.

Several other options exchanges have recently begun offering their members the ability to modify the weight applied by activity-based risk control counters based on the capacity code of the counterparty to the transaction.[35] As proposed, the functionality of the Priority Customer Multiplier is identical to that of the multipliers on other exchanges, but the application of it is more narrowly targeted than that of other exchanges that allow these multipliers to be used with respect to trades against multiple types of counterparties, and to give either more or less weight to those types of trades. Specifically, this proposal is more narrowly tailored than the functionality introduced by other exchanges in two respects. Only Cboe BZX and CBOE use the same range of values of 0% to 100% for the multiplier that IEX Options proposes to use,[36] while NYSE Arca's multiplier can be set as high as 200% and MIAX PEARL's can be set as high as 1,000%.[37] Setting the multiplier higher than 100% provides greater weight to trades with specified categories of counterparties. Also, the other exchanges allow the multiplier to be set for either a larger subset of counterparty Capacities [38] or for all counterparty Capacities.[39] Based on informal discussions with potential Options Members, IEX believes that trading against Priority Customers is the type of activity that they are most interested in being able to give less weight by the Exchange's Activity-Based Risk Control counters. Thus, IEX Options designed this proposal to address this feedback.

Second, IEX proposes to modify IEX Rule 22.250(b)(1) to specify that all risk controls may be set and adjusted during the trading day as well as before the beginning of the trading day. IEX makes this proposal based on informal feedback from Options Members who indicated that they would like to be able to modify their risk control settings intraday. Additionally, IEX notes that other exchanges offer their members the ability to change risk control settings during the trading day.[40]

Third, IEX proposes to modify Rule 22.250(c)(2)(C) to specify that when an Options Member's Activity-Based Risk Control has been breached, the Exchange will ''cancel and block'' [41] all orders and quotes in the particular options class from that Options Member rather than providing a choice of receiving only a notification of the breach (with no canceling or blocking of orders and quotes), or having new orders and quotes blocked but no canceling of orders and quotes already on the IEX Options Book. IEX proposes

[31] *See* Rule 22.250(e)(1) and (2).

[32] A Priority Customer is any person or entity that is not: (A) a broker or dealer in securities; or (B) a Professional (which is defined as any person or entity that is not a broker or dealer in securities who places more than 390 orders in listed options per day on average during a calendar month for its own beneficial account). *See* Rule 17.100.

[33] Being an optional input, if an Options Member does not set a Priority Customer Multiplier, it will in effect be set to 100%.

[34] As identified by the counterparty on an order having a capacity code of ''C.''

[35] *See, e.g.,* Cboe BZX Exchange, Inc. (''Cboe BZX'') Rule 21.16(b); Cboe Exchange, Inc. (''CBOE'') Rule 5.34(c)(4)(B); NYSE Arca, Inc. (''NYSE Arca'') Rule 6.40P–O Commentary .03; and MIAX PEARL, LLC (''MIAX PEARL'') Rules 517A(c)(3) and 517B(c)(3).

[36] *See* Cboe BZX Rule 21.16(b); CBOE Rule 5.34(c)(4)(B)(ii).

[37] *See* NYSE Arca Rule 6.40P–O Commentary .03; and MIAX PEARL Rules 517A(c)(3) and 517B(c)(3).

[38] In addition to being offered for Priority Customer trades, MIAX Pearl allows the multiplier to be applied to orders with a capacity code reflecting that the counterparty is a Firm, a Broker-Dealer, a Market-Maker, a Non-Member Market Maker, and a Non-Priority Customer. *See* MIAX PEARL Rules 517A(c)(3) and 517B(c)(3).

[39] Cboe BZX, CBOE, and NYSE Arca allow the multiplier to be applied to any counterparty capacity code. *See* Cboe BZX Rule 21.16(b), CBOE Rule 5.34(c)(4)(B), and NYSE Arca Rule 6.40P–O Commentary .03.

[40] *See e.g.,* MIAX PEARL Rule 2618(a)(3)(ii); NYSE Arca Rule 6.40P–O(b)(1).

[41] As explained above, ''cancel and block'' means all resting orders and quotes in the options class will be canceled and all incoming orders and quotes in the options class will be rejected.

to make this change because it understands that the primary motivation for the use of these controls is to mitigate the likelihood of over execution by an Options Member in an options class. Informal feedback from options market participants indicates that the Cancel and Block functionality is the most used and most effective of these elections for achieving that end. Further, reducing the available actions to this single option would streamline market participants' work to update these controls while reducing risk of misconfiguration. Further, IEX notes that at least one other options exchange, BOX Exchange LLC (''BOX''), also cancels and blocks orders when its activity-based risk controls are triggered, without offering members the ''notification only'' or ''block only'' automated breach action.[42]

Fourth, IEX proposes to amend Rule 22.250(d) to provide a more efficient alternative process for Options Members to resume trading following a Global Risk Control breach. Rule 22.250(d) currently requires that an Options Member make ''nonautomated contact with the Exchange'' to be reinstated following a breach of the Global Risk Controls. Several firms that intend to become Options Members have informed IEX that they have the ability to manage the reinstatement of trading following a Global Risk Control breach via automated message, and they prefer that implementation.[43] Accordingly, the Exchange proposes to allow Options Members to provide either a nonautomated or automated reinstatement message to the Exchange. IEX notes that the same functionality is used by other options exchanges such as Cboe BZX and MIAX PEARL, both of which allow a member that has breached their global risk control equivalents to resume submitting orders and quotes by sending the Exchange an automated message.[44]

Fifth, IEX proposes to add new subparagraph (f) to Rule 22.250 to incorporate language set forth in IEX's Commission-approved proposal to adopt rules governing the trading of options on the Exchange.[45] This new subparagraph will clarify that with respect to the Activity-Based Risk Control or Global Risk Control (as well as Kill Switch Actions), any marketable interest that is executable against an order or quote that is received[46] prior to the time the applicable threshold is triggered and processed by the System will be automatically executed up to the size of the resting order or quote, regardless of whether the execution would cause the Options Member to exceed its pre-set risk threshold(s).[47] IEX notes that other exchanges such as MEMX LLC (''MEMX'') and CBOE include comparable provisions in their rules.[48]

Sixth, IEX proposes to modify the MPID level at which Kill Switch actions may be set by an Options Member under Rule 22.250(e). As proposed, Options Members will only be able to set a Kill Switch at the MPID level, not the MPID Group level. IEX understands that Options Members want to be more targeted when using a Kill Switch, and thus would prefer to use a Kill Switch at the MPID level. For this reason, the Exchange proposes to allow the Kill Switch to be applied MPID by MPID, instead of by MPID Group. Additionally, IEX notes that other exchanges, such as CBOE and Cboe C2 Exchange, Inc. (''C2''), offer their members kill switches at the EFID (their equivalent of MPID) level, but not at the EFID group level.[49]

Finally, IEX proposes to make the following conforming edits to Rules 22.250 and 22.260:

- Modify Rule 22.250(c)(2)(B) in two ways.
  - First, append to first sentence in the subparagraph the words ''subject to any adjustments resulting from the Priority Customer Multiplier set forth in subparagraph (c)(2)(B)(i) of this rule.''
  - Second, in the second sentence in the subparagraph, insert ''or quotes'' after ''may opt to exclude any orders.'' IEX proposes to add this language to reflect a recent rule change it made to allow Market Makers to submit IOC quotes,[50] and adding this sentence will clarify that Market Maker orders and quotes can be exempted from the risk controls in the same manner as IOC orders from any Options Member.
- Add a new subparagraph (i) to Rule 22.250(c)(2)(B) that reads in full:
  - Priority Customer Multiplier. An Options Member may opt to specify a percentage (between 0% and 100%) of executions against Priority Customer orders to count toward the Options Member's Activity-Based Risk Controls.
- Modify Rule 22.250(c)(2)(C) to remove the references to the ''notification only'' and ''block only'' options for the automated breach actions. As proposed, this rule will now read: ''Cancel and Block. When an Options Member's Activity-Based Risk Control has been breached, the Exchange will reject new order and quote messages and related instructions, and will cancel all unexecuted orders and quotes in the IEX Options Book for that Options Member in that particular class.''
- Update references to the ''Cancel and Block'' automated breach action from 22.250(c)(2)(C)(iii) to refer to 22.250(c)(2)(C). These changes are in Rule 22.250(c)(3)(A), Rule 22.260(d)(3)(E), and Rule 22.260(f).
- Update Rule 22.250(d) to remove the words ''either a 'Block Only' or'' and ''(other than instructions to cancel one or more orders or quotes in full)'' in the first sentence, which will now read in full:
  - Reinstatement of Options Member After Automated Breach Action. If a ''Cancel and Block'' Automated Breach Action has been triggered, the Exchange will not reinstate the Options Member's ability to enter orders and quotes and related instructions on the Exchange without the consent of the Options Member, which may be provided via automated contact if it was a breach of an Activity-Based Risk Control or a Global Risk Control.
- Update Rule 22.250(d) to delete the last sentence about reinstatement following a Global Risk Control breach via ''nonautomated contact with the Exchange'' and add ''or Global Risk Control'' to the end of the preceding sentence.

[42] *See* BOX Rule 7330(b)(3); *see also* Cboe Titanium U.S. Options Risk Management Specification, available at *https://www.cboe.com/document/tech-spec/document/technical-specifications/cboe-titanium-u.s.-options-risk-management-specification* (''When a risk limit rule threshold value is exceeded, trading will stop, open orders/quotes will be canceled and any new orders/quotes received will be rejected for the EFID(s) and Risk Root (if any) associated with the risk limit.'')

[43] IEX understands that Options Members will have to make code changes to allow them to send these automated restatement messages to the Exchange. Otherwise, an Options Member may still use a nonautomated (manual) means of communicating with the Exchange to consent to reinstatement after an Automated Breach Action.

[44] *See* Cboe BZX Rule 21.16(e)(i)–(iii); MIAX PEARL 517A(b) and 517B(b).

[45] *See* Securities Exchange Act Release No. 103290 (June 18, 2025), 90 FR 26865, 26878 (June 24, 2025) (SR–IEX–2025–02) (Notice of Filing of Amendment No. 3 to a Proposed Rule Change To Adopt Rules To Govern the Trading of Options on the Exchange for a New Facility Called IEX Options). The Commission approved the proposed rule change, as modified by Amendment No. 3, on September 18, 2025. *See supra* note 9.

[46] The time of receipt for an order or quote is the time such message is processed by the Exchange's order book.

[47] IEX notes that this functionality is not applicable to Pre-Trade Risk Controls, which are implemented prior to an order or quote resting on the Order Book (or being placed on the Order Book again following the Opening Process set forth in Rule 22.160). *See also infra* note 54.

[48] *See* MEMX Rule 21.16(d); CBOE Rule 5.34(c)(4).

[49] *See* CBOE Rule 5.34(c)(6); C2 Rule 5.34(c)(6).

[50] *See* Securities Exchange Act Release No. 105729 (June 18, 2026), 91 FR 38051 (June 24, 2026) (SR–IEX–2026–17).

• Update Rule 22.250(e) to remove the reference to setting Kill Switch actions at the MPID Group level.

• Introduce new subparagraph (f) to Rule 22.250 to clarify the manner in which the System will handle executable interest received prior to the time a risk control has been breached. Specifically, IEX proposes to insert the following text as new Rule 22.250(f):

○ With respect to the Activity-Based and Global Risk Controls (as well as Kill Switch Actions), any marketable interest that is executable against an order or quote that is received prior to the time the applicable threshold is triggered and processed by the System will be automatically executed up to the size of the resting order or quote, regardless of whether the execution would cause the Options Member to exceed its pre-set risk threshold(s).

• Fix a typo in Supplementary Material .02 to Rule 22.250, so it refers to the price controls under paragraph (a)(1)(A)(ii).

• Fix typos in Rules 22.260(d)(3)(E) and 22.260(f), so they are both titled ''Automated Breach Action for Market Makers,'' not ''Automated Breach Action for Maker Makers.''

2. Statutory Basis

The Exchange believes that the proposed rule change is consistent with Section 6(b) of the Act[51] in general, and furthers the objectives of Section 6(b)(5) of the Act[52] in particular, in that it is designed to prevent fraudulent and manipulative acts and practices, to promote just and equitable principles of trade, to foster cooperation and coordination with persons engaged in 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.

In particular, the Exchange believes that the proposed enhancements to the risk parameters available to Options Members are designed to promote effective risk management processes that can be appropriately tailored to the risks of different types of trading activity. With respect to the change to allow Options Members to give less weight to executions against Priority Customers in their Activity-Based Risk Control trade counters, the Exchange believes that this change is consistent with the protection of investors and the public interest because it would enable Options Members to tailor trade counters in a manner consistent with the Options Member's risk tolerance and business model rather than forcing a ''one size fits all'' approach. As a consequence, the Exchange believes that this change could result in less canceling and blocking of orders and quotes, leading to increased liquidity on the Exchange to the benefit of all market participants.

As described in the Purpose section, the Exchange also believes that the other proposed changes are consistent with the purposes of the Act because allowing risk controls to be adjusted during the day, offering only one automated breach action (Cancel and Block), allowing Options Members to submit an automated message to resume submitting orders and quotes following a Cancel and Block automated breach action, and allowing the Kill Switch to be set at the MPID level but not the MPID Group level, are all refinements that are designed to help Options Members manage and control their risk profile. Thus, the Exchange believes that all of these proposed modifications to its risk controls will remove impediments to and perfect the mechanism of a free and open market and national market system because they provide appropriate functionality for Options Members to manage risk.

Moreover, as described in the Purpose section, the Exchange believes these proposed, narrowly tailored enhancements to its risk controls are not designed to permit unfair discrimination among Options Members as they would apply equally to all Options Members.

Further, IEX believes adding language to Rule 22.250(f) regarding execution of marketable orders or quotes that are received prior to the time an Activity-Based Risk Control, Global Risk Control, or Kill Switch Action is triggered and processed by the System is consistent with the Act. This language merely incorporates into IEX rules language that was specifically set forth in IEX's Commission-approved proposal to adopt rules governing the trading of options on the Exchange as discussed in the Purpose section.[53] IEX believes that this functionality is consistent with the protection of investors and the public interest because it is consistent with the firm quote obligations of a broker-dealer pursuant to Rule 602 of Regulation NMS.[54]

Finally, as discussed in the Purpose section, each of these proposed changes is comparable to functionality available on other options exchanges, but more narrowly tailored with respect to the Priority Customer change, as described in the Purpose section, and that have already been considered by the Commission.[55] Accordingly, the Exchange does not believe that the proposed rule change raises any new or novel issues.

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 that the proposed rule change will impose any burden on intermarket competition that is not necessary or appropriate in furtherance of the purposes of the Act. To the extent the proposed changes enhance the competitiveness of IEX Options, competing exchanges have and can continue to adopt comparable risk control functionality (as described in the Purpose section), subject to the Commission's rule filing process.

The Exchange also does not believe that the proposed rule change will impose any burden on intramarket competition that is not necessary or appropriate in furtherance of the purposes of the Act. All Options Members will be eligible to apply any of the new enhancements to IEX's risk controls proposed in this filing. Thus, each Options Member would be able to choose the settings for its risk controls best suited to its risk profile, with the goal of better managing their risk while trading on IEX Options. The Exchange believes that these proposed changes to its risk controls will enable Options Members to strengthen their risk management capabilities, which, in turn, may enhance the integrity of trading on the options market and help to assure the stability of the financial system.

C. Self-Regulatory Organization's Statement on Comments on the Proposed Rule Change Received From Members, Participants, or Others

Written comments were neither solicited nor received.

[51] 15 U.S.C. 78f(b).

[52] 15 U.S.C. 78f(b)(5).

[53] *See supra* note 45.

[54] As noted in the Purpose section, Pre-Trade Risk Controls are implemented prior to an order or quote resting on the Order Book (or being placed on the Order Book again following the Opening Process) and therefore do not implicate firm quote obligations.

[55] *See supra* notes 35, 40, 42, 44, 48 and 49. As noted in the Purpose section, IEX's proposed multiplier is more narrowly tailored than the multipliers recently introduced on other exchanges.

III. Date of Effectiveness of the Proposed Rule Change and Timing for Commission Action

The Exchange has filed the proposed rule change pursuant to Section 19(b)(3)(A) of the Act [56] and Rule 19b–4(f)(6) [57] thereunder. Because the foregoing proposed rule change does not: (i) significantly affect the protection of investors or the public interest; (ii) impose any significant burden on competition; and (iii) become operative for 30 days from the date on which it was filed, or such shorter time as the Commission may designate, it has become effective pursuant to Section 19(b)(3)(A) of the Act [58] and Rule 19b–4(f)(6) [59] thereunder.

At any time within 60 days of the filing of the proposed rule change, the Commission summarily may temporarily suspend such rule change if it appears to the Commission that such action is necessary or appropriate in the public interest, for the protection of investors, or otherwise in furtherance of the purposes of the Act. If the Commission takes such action, the Commission will institute proceedings to determine whether the proposed rule change should be approved or disapproved.

IV. Solicitation of Comments

Interested persons are invited to submit written data, views and arguments concerning the foregoing, including whether the proposed rule change is consistent with the Act. Comments may be submitted by any of the following methods:

Electronic Comments

- Use the Commission's internet comment form (*https://www.sec.gov/rules/sro.shtml*); or
- Send an email to *rule-comments@sec.gov.* Please include file number SR–IEX–2026–27 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–IEX–2026–27. 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–IEX–2026–27 and should be submitted on or before September 15, 2026.

For the Commission, by the Division of Trading and Markets, pursuant to delegated authority.[60]

Vanessa A. Countryman,

Secretary.

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[56] 15 U.S.C. 78s(b)(3)(A).

[57] 17 CFR 240.19b–4(f)(6).

[58] 15 U.S.C. 78s(b)(3)(A).

[59] 17 CFR 240.19b–4(f)(6). In addition, Rule 19b–4(f)(6)(iii) requires the Exchange to give the Commission written notice of the Exchange's 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.

SECURITIES AND EXCHANGE COMMISSION

[Release No. 34–106169; File No. SR–NASDAQ–2026–067]

Self-Regulatory Organizations; The Nasdaq Stock Market LLC; Notice of Filing and Immediate Effectiveness of Proposed Rule Change To Amend Exchange Rule 4759 Regarding Sources of Data Used

August 20, 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 August 17, 2026, The Nasdaq Stock Market LLC (''Nasdaq'' or ''Exchange'') filed with the Securities and Exchange Commission (''SEC'' or ''Commission'') the proposed rule change as described in Items I and II, below, which Items have been prepared by the Exchange. The Commission is publishing this notice to solicit comments on the proposed rule change from interested persons.

I. Self-Regulatory Organization's Statement of the Terms of Substance of the Proposed Rule Change

The Exchange proposes to amend Equity 4, Rule 4759(a) regarding the public disclosure of sources of data that the Exchange uses for purposes set forth in that subparagraph to provide that, during the Night Session,[3] and subject to Exchange Rule Equity 1, Section 1(a)(19), the Exchange will use CQS/UQDF as the source of quotation data for the purposes set forth in that paragraph, as described below.

The text of the proposed rule change is available on the Exchange's website at *https://listingcenter.nasdaq.com/rulebook/nasdaq/rulefilings,* and at the principal office of the Exchange.

II. Self-Regulatory Organization's Statement of the Purpose of, and Statutory Basis for, the Proposed Rule Change

In its filing with the Commission, the Exchange included statements concerning the purpose of and basis for the proposed rule change and discussed any comments it received on the proposed rule change. The text of these statements may be examined at the places specified in Item IV below. The Exchange has prepared summaries, set forth in sections A, B, and C below, of the most significant aspects of such statements.

A. Self-Regulatory Organization's Statement of the Purpose of, and Statutory Basis for, the Proposed Rule Change

1. Purpose

Background

On April 15, 2026, the SEC approved a proposal that the Exchange submitted to trade NMS stocks and ETPs on a 23/

[60] 17 CFR 200.30–3(a)(12).

[1] 15 U.S.C. 78s(b)(1).

[2] 17 CFR 240.19b–4.

[3] *See* Equity 1, Section 1(a)(19) (defining the term ''Night Session'' as the time between 9:00 p.m. on one calendar day through 4:00 a.m. the next calendar day Sunday through Thursday provided that each such next calendar day is a Business Day and further providing (1) that the Exchange shall not commence operation of the Night Session unless the Equity Data Plans have established a mechanism to collect, consolidate, process and disseminate quotation and transaction information at all times during the Night Session that is equivalent to the mechanism established for Exchange trading hours during Regular Market Hours, and have provided the Exchange with notification that they are prepared to collect, consolidate, process and disseminate quotation and transaction information to accommodate the Night Session; (2) that, prior to commencing operation during the Night Session, the Exchange will file a proposed rule change pursuant to Section 19(b) of the Exchange Act and the rules thereunder to amend its rules confirming that the Exchange is able to comply with its obligations under the Exchange Act and the rules thereunder during the Night Session and that such Equity Data Plans are prepared to collect, consolidate, process and disseminate quotation and transaction information at all times during the Night Session (''Night Session Proposed Rule Change''); and (3) that if the Night Session Proposed Rule Change is not filed within 18 months of the SEC's approval of this proposed rule change, the Exchange will promptly file a proposed rule change to remove the rules that apply to the Night Session). *See id.*

5 basis.[4] As set forth in the Approval Order, the Exchange will conduct 23/5 trading in two sessions: a ''Day'' Session, which comprises all existing trading hours of the Exchange, from 4:00 a.m. ET until 8:00 p.m. ET,[5] and a newly established ''Night'' Session, which will run from 9:00 p.m. ET until 4:00 a.m. ET.[6] Additionally, in coordination with other exchanges offering similar extended trading hours, the Exchange will also pause trading between 8:00 p.m. ET and 9:00 p.m. ET to perform maintenance, testing, and to facilitate the transition from one trading day to the next trading day, which will commence at 9:00 p.m. ET (the ''Day-to-Night Pause'').[7] At the conclusion of the Day Session at 8:00 p.m. ET, Nasdaq will cancel all orders then outstanding.[8] Subject to the conditions in Exchange Rule Equity 1, Section 1(a)(19), including the filing of the Night Session Proposed Rule Change,[9] Nasdaq will launch the operation of its 23/5 market upon the availability of the Securities Information Processor (''SIP'') to operate during the Night Session,[10] as provided under Exchange Rule Equity 1, Section 1(a)(19).

Proposed Rule Change

The Exchange proposes to amend Equity 4, Rule 4759(a), which describes the quotation data consumed by the Nasdaq System from proprietary and network processor feeds for the handling, routing, and execution of orders, as well as for the regulatory compliance processes related to those functions. Specifically, the Exchange proposes to provide that subject to Exchange Rule Equity 1, Section 1(a)(19), during the Night Session, the Exchange will use CQS/UQDF as the source of quotation data for purposes of Rule 4759(a).

Exchange Rule 4759(a) currently provides that the Nasdaq System consumes quotation data from the proprietary and network processor feeds listed in the rule for order handling, routing, execution, and related regulatory compliance processes. The rule further provides that the Primary Source of data is used unless it is delayed by a configurable amount compared to the Secondary Source of data, that the Exchange will revert to the Primary Source of data once the delay has been resolved, and that the configurable amount described in the rule will be made available to members via Equity Trader Alert.

The Exchange proposes to amend the introductory sentence of Exchange Rule 4759(a) to clarify that, during the Night Session, and subject to Exchange Rule Equity 1, Section 1(a)(19), the Exchange will use CQS/UQDF as the sole source of quotation data for purposes of Exchange Rule 4759(a). The proposed change is intended to provide transparent notice in the Exchange's rules regarding the source of quotation data that the Exchange will use during the Night Session for the functions identified in subparagraph (a) of Exchange Rule 4759.

The Exchange believes that using CQS/UQDF as the source of quotation data during the Night Session is appropriate because the Night Session presents operational considerations that are distinct from those associated with the Exchange's existing trading hours. In particular, accommodating market data feeds for the extended hours associated with the Night Session requires changes to the timestamps used by the Exchange's market data feed handlers—the Exchange systems responsible for receiving and processing market data feeds. Rather than introduce those timestamp-related changes across the proprietary feed handlers that serve as the primary sources of quotation data for the Exchange's existing Day Session and for other Nasdaq-affiliated markets and systems, the Exchange proposes to make the necessary Night Session-related changes only with respect to CQS/UQDF. This approach will provide the Exchange with a reliable consolidated source of quotation data for the Night Session while reducing unnecessary operational risk to the proprietary feeds and related systems used outside of the Night Session. The proposal does not otherwise amend the list of market centers or the primary and secondary source designations set forth in Exchange Rule 4759(a), and it does not change the Exchange's use of SIP trade and administrative data under Exchange Rule 4759(b).

Accordingly, the proposed distinction for the Night Session is limited and operationally tailored. Outside of the Night Session, the Exchange will continue to use the proprietary and network processor feeds identified in Exchange Rule 4759(a), including the primary and secondary source framework set forth in that rule. During the Night Session, and subject to Exchange Rule Equity 1, Section 1(a)(19), however, the Exchange will used CQS/UQDF as the sole source of quotation data for the purposes of Exchange Rule 4759(a) because that approach allows the Exchange to support the extended hours of the Night Session without making unnecessary changes to proprietary data feed handlers that support other trading sessions.

2. Statutory Basis

The Exchange believes that its proposal is consistent with Section 6(b) of the Act,[11] in general, and furthers the objectives of Section 6(b)(5) of the Act,[12] in particular, in that it is designed to promote just and equitable principles of trade, to remove impediments to and perfect the mechanism of a free and open market and a national market system, and, in general, to protect investors and the public interest.

The proposed rule change is designed to promote transparency by specifying in Exchange Rule 4759(a) the source of quotation data that the Exchange will use during the Night Session for the handling, routing, and execution of orders, as well as for regulatory compliance processes related to those functions. The Exchange believes that identifying CQS/UQDF as the applicable quotation data source during the Night Session will provide members and other market participants with clear notice of the data source that will be used during that trading session.

The Exchange also believes that the proposal is consistent with the protection of investors and the public interest because it updates the rule text to reflect how the Exchange will operate during the Night Session while preserving the existing operation of

[4] *See* Securities Exchange Act Release No. 34–105199 (April 10, 2026), 91 FR 20222 (April 15, 2026) (the ''Approval Order'').

[5] The new Day Session will consolidate and encompass three daily trading sessions that occur on Nasdaq during each weekday from Monday through Friday. In particular, the Day Session will encompass the following. First, it will include the Pre-Market Hours session that Nasdaq currently conducts from 4:00 a.m. to 9:30 a.m. ET. Second, commencing at 9:30 a.m. with the execution of the Nasdaq Opening Cross, the Day Session will include Nasdaq's Regular Market Hours trading session, which runs until 4:00 p.m. Third, commencing at 4:00 p.m. with the execution of the Nasdaq Closing Cross, the Day Session will include the Post-Market Hours trading session, which runs from 4:00 p.m. until 8:00 p.m. *See, e.g.,* Exchange Rules Equity 1, Sections 1(a)(9) and 1(a)(18).

[6] During weekdays, between the hours of 8:00 p.m.–4:00 a.m. ET, the Exchange at present is closed to trading as it is during all weekend hours. Going forward, however, the Night Session will run between 9:00 p.m.–4:00 a.m. ET during the weekdays, commencing each week with a Night Session that will begin at 9:00 p.m. ET on Sundays.

[7] Between 8:00 p.m. and 9:00 p.m. ET on each weekday, the Exchange will pause trading on its market to conduct maintenance, testing, and to process those corporate actions, such as mergers, stock splits, and dividends, that will become effective the following trading day. The pause will also allow for market participants to process and clear trades before proceeding to a new trading day. *See* Equity 1, Rule 1(a)(19).

[8] *See* Rule 4120(a)(10)(B).

[9] *See supra* note 3 and accompanying text.

[10] *See id.* Section 1(a)(19).

[11] 15 U.S.C. 78f(b).

[12] 15 U.S.C. 78f(b)(5).

Exchange Rule 4759(a) outside of the Night Session. The Night Session differs from the Exchange's existing trading hours because supporting the longer operating hours requires timestamp-related changes to the Exchange's market data feed handlers. By limiting those changes to CQS/UQDF for the Night Session, the Exchange will be able to use a reliable consolidated source of quotation data during that session while mitigating operational risk to the proprietary feeds and related systems used during existing trading hours and by other Nasdaq-affiliated markets and systems. The proposal is therefore intended to make the Exchange's rules more accurate and transparent, support the orderly operation of the Night Session, and avoid introducing unnecessary risk to systems that are not being changed by this proposal, without imposing any new obligation on members.

B. Self-Regulatory Organization's Statement on Burden on Competition

The Exchange does not believe that the proposed rule change will impose any burden on competition not necessary or appropriate in furtherance of the purposes of the Act. The proposed change identifies the source of quotation data that the Exchange will use during the Night Session for the purposes set forth in Exchange Rule 4759(a). The proposal does not impose any new requirements on members and will apply uniformly to all members that participate in the Night Session. In addition, the proposed use of CQS/UQDF during the Night Session reflects an operationally tailored approach to supporting the extended operating hours of that session while avoiding unnecessary changes to proprietary feed handlers used outside of the Night Session. It does not affect the terms on which members may access or compete on the Exchange.

The Exchange further believes that the proposal will not impose any burden on intermarket competition because it merely specifies the quotation data source the Exchange will use during the Night Session and does not restrict the ability of other exchanges or market participants to compete.

C. Self-Regulatory Organization's Statement on Comments on the Proposed Rule Change Received From Members, Participants, or Others

No written comments were either solicited or received.

III. Date of Effectiveness of the Proposed Rule Change and Timing for Commission Action

Because the foregoing proposed rule change does not: (i) significantly affect the protection of investors or the public interest; (ii) impose any significant burden on competition; and (iii) become operative for 30 days from the date on which it was filed, or such shorter time as the Commission may designate, it has become effective pursuant to Section 19(b)(3)(A)(iii) of the Act[13] and subparagraph (f)(6) of Rule 19b–4 thereunder.[14]

At any time within 60 days of the filing of the proposed rule change, the Commission summarily may temporarily suspend such rule change if it appears to the Commission that such action is necessary or appropriate in the public interest, for the protection of investors, or otherwise in furtherance of the purposes of the Act. If the Commission takes such action, the Commission shall institute proceedings to determine whether the proposed rule should be approved or disapproved.

IV. Solicitation of Comments

Interested persons are invited to submit written data, views and arguments concerning the foregoing, including whether the proposed rule change is consistent with the Act. Comments may be submitted by any of the following methods:

Electronic Comments

- Use the Commission's internet comment form (*https://www.sec.gov/rules/sro.shtml*); or
- Send an email to *rule-comments@sec.gov.* Please include file number SR–NASDAQ–2026–067 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–2026–067. 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–2026–067 and should be submitted on or before September 15, 2026.

For the Commission, by the Division of Trading and Markets, pursuant to delegated authority.[15]

Vanessa A. Countryman,

Secretary.

[FR Doc. 2026–17279 Filed 8–24–26; 8:45 am]

BILLING CODE 8011–01–P

[13] 15 U.S.C. 78s(b)(3)(A)(iii).

[14] 17 CFR 240.19b–4(f)(6). In addition, Rule 19b–4(f)(6) requires a self-regulatory organization to give the Commission written notice of its intent to file the proposed rule change at least five business days prior to the date of filing of the proposed rule change, or such shorter time as designated by the Commission. The Exchange has satisfied this requirement.

[15] 17 CFR 200.30–3(a)(12).

SMALL BUSINESS ADMINISTRATION

[Disaster Declaration #21793 and #21794; PENNSYLVANIA Disaster Number PA–20040]

Administrative Declaration of a Disaster for the Commonwealth of Pennsylvania

AGENCY: U.S. Small Business Administration.

ACTION: Notice.

SUMMARY: This is notice of an Administrative declaration of a disaster for the commonwealth of Pennsylvania dated August 19, 2026. Incident: Severe Storms and Flooding.

DATES: Issued on August 19, 2026.

Incident Period: July 28, 2026.

Physical Loan Application Deadline Date: October 19, 2026.

Economic Injury (EIDL) Loan Application Deadline Date: May 19, 2027.

ADDRESSES: *Visit the MySBA Loan Portal at https://lending.sba.gov* to apply for a disaster assistance loan.

FOR FURTHER INFORMATION CONTACT: Shaquille Lewis, Office of Disaster Recovery and Resilience, U.S. Small Business Administration, 409 3rd Street SW, Suite 6050, Washington, DC 20416, (202) 205–6734.

SUPPLEMENTARY INFORMATION: Notice is hereby given as a result of the Administrator's disaster declaration, applications for disaster loans may be submitted online using the MySBA Loan Portal *https://lending.sba.gov* or in person at other locally announced locations. For further assistance please

contact the SBA disaster assistance customer service center by email at *disastercustomerservice@sba.gov* or by phone at 1–800–659–2955. If you are deaf, hard of hearing, or have a speech disability, please dial 7–1–1 to access telecommunications relay services.

The following areas have been determined to be adversely affected by the disaster:

Primary County: Clearfield.

Contiguous Counties:

Pennsylvania: Blair, Cambria, Cameron, Centre, Clinton, Elk, Indiana, Jefferson.

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 21793B and for economic injury is 217940.

The states which received an SBA Administrative declaration are Pennsylvania.

(Catalog of Federal Domestic Assistance Number 59008)

(Authority: 13 CFR 123.3(b).)

James Stallings,

Associate Administrator, Office of Disaster Recovery & Resilience.

[FR Doc. 2026–17271 Filed 8–24–26; 8:45 am]

BILLING CODE 8026–09–P

SMALL BUSINESS ADMINISTRATION

[Disaster Declaration #21675 and #21676; MISSISSIPPI Disaster Number MS–20023]

Presidential Declaration Amendment of a Major Disaster for Public Assistance Only for the State of Mississippi

AGENCY: U.S. Small Business Administration.

ACTION: Amendment 1.

SUMMARY: This is an amendment of the Presidential declaration of a major disaster for Public Assistance Only for the State of Mississippi (FEMA–4922–DR), dated June 30, 2026.

Incident: Severe Storms, Straight-line Winds, Tornadoes, and Flooding.

DATES: Issued on August 20, 2026.

Incident Period: May 6, 2026 through May 7, 2026.

Physical Loan Application Deadline Date: August 31, 2026.

Economic Injury (EIDL) Loan Application Deadline Date: March 30, 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: The notice of the President's major disaster declaration for Private Non-Profit organizations in the State of Mississippi, dated June 30, 2026, is hereby amended to include the following areas as adversely affected by the disaster.

Primary County: Wilkinson.

All other information in the original declaration remains unchanged.

(Catalog of Federal Domestic Assistance Number 59008)

(Authority: 13 CFR 123.3(b).)

James Stallings,

Associate Administrator, Office of Disaster Recovery & Resilience.

[FR Doc. 2026–17314 Filed 8–24–26; 8:45 am]

BILLING CODE 8026–09–P

DEPARTMENT OF STATE

[Public Notice: 13106]

Notice of Determinations; Culturally Significant Objects Being Imported for Exhibition—Determinations: ''Women Impressionists and the Land'' Exhibition

SUMMARY: Notice is hereby given of the following determinations: I hereby determine that certain objects being imported from abroad pursuant to agreements with their foreign owners or custodians for temporary display in the exhibition ''Women Impressionists and the Land'' at the Saint Louis Art Museum, St. Louis, Missouri; the Minneapolis Institute of Art, Minneapolis, Minnesota; and at possible additional exhibitions or venues yet to be determined, are of cultural significance, and, further, that their temporary exhibition or display within the United States as aforementioned is in the national interest. I have ordered that Public Notice of these determinations be published in the **Federal Register**.

FOR FURTHER INFORMATION CONTACT: Reed Liriano, Program Coordinator, Office of the Legal Adviser, U.S. Department of State (telephone: 202–632–6471; email: *section2459@state.gov*). The mailing address is U.S. Department of State, L/PD, 2200 C Street NW (SA–5), Suite 5H03, Washington, DC 20522–0505.

SUPPLEMENTARY INFORMATION: The foregoing determinations were made pursuant to the authority vested in me by the Act of October 19, 1965 (79 Stat. 985; 22 U.S.C. 2459), Executive Order 12047 of March 27, 1978, the Foreign Affairs Reform and Restructuring Act of 1998 (112 Stat. 2681, *et seq.;* 22 U.S.C. 6501 note, *et seq.*), Delegation of Authority No. 234 of October 1, 1999, Delegation of Authority No. 236–3 of August 28, 2000, and Delegation of Authority No. 523 of December 22, 2021.

Sherry C. Keneson-Hall,

Principal Deputy Assistant Secretary for Educational and Cultural Affairs, Bureau of Educational and Cultural Affairs, Department of State.

[FR Doc. 2026–17293 Filed 8–24–26; 8:45 am]

BILLING CODE 4710–05–P

SURFACE TRANSPORTATION BOARD

30-Day Notice of Intent To Seek Extension of Approval of Collection: Dispute Resolution Procedures Under the Fixing America's Surface Transportation Act

AGENCY: Surface Transportation Board.

ACTION: Notice and request for comments.

SUMMARY: As required by the Paperwork Reduction Act of 1995 (PRA), the Surface Transportation Board (STB or Board) gives notice of its intent to seek approval from the Office of Management and Budget (OMB) for an extension of the collection of ''FAST Act'' Dispute Resolution Procedures, as described below.

DATES: Comments on this information collection should be submitted by September 24, 2026.

ADDRESSES: Written comments should be identified as ''Paperwork Reduction Act Comments, Surface Transportation Board, FAST Act Dispute Resolution Procedures.'' Written comments for the

proposed information collection should be submitted via *www.reginfo.gov/public/do/PRAMain.* This information collection can be accessed by selecting ''Currently under Review—Open for Public Comments'' or by using the search function. As an alternative, written comments may be directed to the Office of Management and Budget, Office of Information and Regulatory Affairs, Attention: Michael J. McManus, Surface Transportation Board Desk Officer: via email at *oira_submission@omb.eop.gov;* by fax at (202) 395–1743; or by mail to Room 10235, 725 17th Street NW, Washington, DC 20503.

Please also direct all comments to Chris Oehrle, PRA Officer, Surface Transportation Board, 395 E Street SW, Washington, DC 20423–0001, or to *PRA@stb.gov.* When submitting comments, please refer to ''Paperwork Reduction Act Comments, FAST Act Dispute Resolution Procedures.'' For further information regarding this collection, contact Michael Higgins, Deputy Director, Office of Public Assistance, Governmental Affairs, and Compliance (OPAGAC), at (866) 254–1792 (toll-free) or 202–245–0238, or by emailing to *rcpa@stb.gov.* Assistance for the hearing impaired is available through the Federal Relay Service at (800) 877–8339.

SUPPLEMENTARY INFORMATION: The Board previously published a notice about this collection in the **Federal Register** (91 FR 36783 (June 12, 2026)). That notice allowed for a 60-day public review and comment period. No comments were received.

Comments are requested concerning: (1) the accuracy of the Board's burden estimates; (2) ways to enhance the quality, utility, and clarity of the information collected; (3) ways to minimize the burden of the collection of information on the respondents, including the use of automated collection techniques or other forms of information technology, when appropriate; and (4) whether the collection of information is necessary for the proper performance of the functions of the Board, including whether the collection has practical utility. Submitted comments will be summarized and included in the Board's request for OMB approval.

Description of Collection

Title: FAST Act Dispute Resolution Procedures.

OMB Control Number: 2140–0036.

STB Form Number: None.

Type of Review: Extension without change.

Respondents: Parties seeking the Board's informal assistance under Fixing America's Surface Transportation Act, Public Law 114–94 (signed Dec. 4, 2015) (FAST Act).

Number of Respondents: One.

Estimated Time per Response: Two hours.

Frequency: On occasion.

Total Burden Hours (annually including all respondents): Two hours (estimated hours per response (2) × total number of responses (1)).

Total Annual ''Non-hour Burden'' Cost (such as start-up and mailing costs): There are no non-hourly burden costs for this collection.

Needs and Uses: Title XI of the FAST Act, entitled ''Passenger Rail Reform and Investment Act of 2015,'' gives the Board jurisdiction to resolve cost allocation and access disputes between the National Railroad Passenger Corporation (Amtrak), the states, and potential non-Amtrak operators of intercity passenger rail service. The FAST Act directs the Board to establish procedures for the resolution of these disputes, ''which may include the provision of professional mediation services.'' 49 U.S.C. 24712(c)(2), 24905(c)(4). Under 49 CFR 1109.5, the Board provides that parties to a dispute involving the State-Sponsored Route Committee or the Northeast Corridor Committee may, by a letter submitted to OPAGAC, may request the Board's informal assistance in securing outside professional mediation services. The letter shall include a concise description of the issues for which outside professional mediation services are sought. The collection by the Board of these request letters enables the Board to meet its statutory duty under the FAST Act.

Under the PRA, a federal agency that conducts or sponsors a collection of information must display a currently valid OMB control number. A collection of information, which is defined in 44 U.S.C. 3502(3) and 5 CFR 1320.3(c), includes agency requirements that persons submit reports, keep records, or provide information to the agency, third parties, or the public. Section 3507(b) of the PRA requires, concurrent with an agency's submitting a collection to OMB for approval, a 30-day notice and comment period through publication in the **Federal Register** concerning each proposed collection of information, including each proposed extension of an existing collection of information.

Dated: August 21, 2026.

Stefan Rice,

Clearance Clerk.

[FR Doc. 2026–17326 Filed 8–24–26; 8:45 am]

BILLING CODE 4915–01–P

SURFACE TRANSPORTATION BOARD

30-Day Notice of Intent To Seek Extension of Approval of Collection: Arbitration ''Opt-In'' Notices

ACTION: Notice and Request for Comments.

AGENCY: Surface Transportation Board.

SUMMARY: As required by the Paperwork Reduction Act of 1995 (PRA), the Surface Transportation Board (STB or Board) gives notice of its intent to seek approval from the Office of Management and Budget (OMB) for an extension of the collection of Arbitration ''Opt-in'' Notices, described below.

DATES: Comments on this information collection should be submitted by September 24, 2026.

ADDRESSES: Written comments should be identified as ''Paperwork Reduction Act Comments, Arbitration 'Opt-In' Notices.'' Written comments for the proposed information collection should be submitted via *www.reginfo.gov/public/do/PRAMain.* This information collection can be accessed by selecting ''Currently under Review—Open for Public Comments'' or by using the search function. As an alternative, written comments may be directed to the Office of Management and Budget, Office of Information and Regulatory Affairs, Attention: Caitlin Chin-Rothmann, Surface Transportation Board Desk Officer: via email at *oira_submission@omb.eop.gov;* by fax at (202) 395–1743; or by mail to Room 10235, 725 17th Street NW, Washington, DC 20503.

Please also direct all comments to Chris Oehrle, PRA Officer, Surface Transportation Board, 395 E Street SW, Washington, DC 20423–0001, or to *PRA@stb.gov.* When submitting comments, please refer to ''Paperwork Reduction Act Comments, Arbitration 'Opt-In' Notices.'' For further information regarding this collection, contact Mike Higgins at (866) 254–1792 (toll-free) or 202–245–0238, or by emailing *rcpa@stb.gov.* Assistance for the hearing impaired is available through the Federal Information Relay Service (FIRS) at 1–800–877–8339.

SUPPLEMENTARY INFORMATION: The Board previously published a notice about this collection in the **Federal Register** (91 FR 35782 (June 12, 2026)). That notice allowed for a 60-day public review and comment period. No comments were received.

Comments are requested concerning each collection as to (1) whether the particular collection of information is necessary for the proper performance of the functions of the Board, including

whether the collection has practical utility; (2) the accuracy of the Board's burden estimates; (3) ways to enhance the quality, utility, and clarity of the information collected; and (4) ways to minimize the burden of the collection of information on the respondents, including the use of automated collection techniques or other forms of information technology, when appropriate. Submitted comments will be included and summarized in the Board's request for OMB approval.

Description of Collection

Title: Arbitration ''Opt-in'' Notices.

OMB Control Number: 2140–0020.

Form Number: None.

Type of Review: Extension without change.

Respondents: All regulated rail carriers.

Number of Respondents: One.

Estimated Time per Response: 0.5 hours.

Frequency: Annually.

Total Burden Hours (annually including all respondents): 0.5 hours.

Total ''Non-hour Burden'' Cost: None identified. Filings are submitted electronically to the Board.

Needs and Uses: Under 49 CFR 1108.3, rail carriers subject to the Board's jurisdiction may agree to participate in the Board's arbitration program by filing a notice with the Board to ''opt in.'' Once a rail carrier is participating in the Board's arbitration program, it may discontinue its participation only by filing a notice to ''opt out'' with the Board, which would become effective 90 days after its filing.

Under the PRA, a federal agency that conducts or sponsors a collection of information must display a currently valid OMB control number. A collection of information, which is defined in 44 U.S.C. 3502(3) and 5 CFR 1320.3(c), includes agency requirements that persons submit reports, keep records, or provide information to the agency, third parties, or the public. Section 3507(b) of the PRA requires, concurrent with an agency's submitting a collection to OMB for approval, a 30-day notice and comment period through publication in the **Federal Register** concerning each proposed collection of information, including each proposed extension of an existing collection of information.

Dated: August 21, 2026.

Stefan Rice,

Clearance Clerk.

[FR Doc. 2026–17328 Filed 8–24–26; 8:45 am]

BILLING CODE 4915–01–P

SURFACE TRANSPORTATION BOARD

30-Day Notice of Intent To Seek Extension of Approval of Collection: System Diagram Maps

ACTION: Notice and request for comments.

AGENCY: Surface Transportation Board.

SUMMARY: As required by the Paperwork Reduction Act of 1995 (PRA), the Surface Transportation Board (STB or Board) gives notice of its intent to seek approval from the Office of Management and Budget (OMB) for an extension of the collection of system diagram maps, described below.

DATES: Comments on this information collection should be submitted by September 24, 2026.

ADDRESSES: Written comments should be identified as ''Paperwork Reduction Act Comments, Surface Transportation Board, System Diagram Maps.'' Written comments for the proposed information collection should be submitted via *www.reginfo.gov/public/do/PRAMain.* This information collection can be accessed by selecting ''Currently under Review—Open for Public Comments'' or by using the search function. As an alternative, written comments may be directed to the Office of Management and Budget, Office of Information and Regulatory Affairs, Attention: Caitlin Chin-Rothmann, Surface Transportation Board Desk Officer: via email at *oira_submission@omb.eop.gov;* by fax at (202) 395–1743; or by mail to Room 10235, 725 17th Street NW, Washington, DC 20503.

Please also direct all comments to Chris Oehrle, PRA Officer, Surface Transportation Board, 395 E Street SW, Washington, DC 20423–0001, or to *PRA@stb.gov.* When submitting comments, please refer to ''Paperwork Reduction Act Comments, System Diagram Maps.'' For further information regarding this collection, contact Pedro Ramirez at (202) 245–0333 or *pedro.ramirez@stb.gov.* Assistance for the hearing impaired is available through the Federal Relay Service at (800) 877–8339.

SUPPLEMENTARY INFORMATION: The Board previously published a notice about this collection in the **Federal Register** (91 FR 35779 (June 12, 2026)). That notice allowed for a 60-day public review and comment period. No comments were received.

Comments are requested concerning each collection as to (1) whether the particular collection of information is necessary for the proper performance of the functions of the Board, including whether the collection has practical utility; (2) the accuracy of the Board's burden estimates; (3) ways to enhance the quality, utility, and clarity of the information collected; and (4) ways to minimize the burden of the collection of information on the respondents, including the use of automated collection techniques or other forms of information technology, when appropriate. Submitted comments will be included and summarized in the Board's request for OMB approval.

Description of Collection

Title: System Diagram Maps (or, in the case of Class III carriers, the alternative narrative description of rail system).

OMB Control Number: 2140–0003.

Form Number: None.

Type of Review: Extension without change.

Respondents: Common carrier freight railroads that are either new or reporting changes in the status of one or more of their rail lines.

Number of Respondents: 1.

Estimated Time per Response: 4.5 hours.

Frequency of Response: On occasion.

Total Annual Burden Hours: 4.5 hours.

Total ''Non-hour Burden'' Cost: No ''non-hour cost'' burdens associated with this collection have been identified. The information is submitted electronically.

Needs and Uses: Under 49 CFR 1152.10–1152.13, railroads subject to the Board's jurisdiction must keep current system diagram maps on file, or alternatively, in the case of a Class III carrier, to submit the same information in narrative form. The information sought in this collection identifies all lines in a particular railroad's system, categorized to indicate the likelihood that service on a particular line will be abandoned and/or whether service on a line is currently provided under the financial assistance provisions of 49 U.S.C. 10904. Carriers are obligated to amend these maps as the need to change the category of any particular line arises.

Under the PRA, a federal agency that conducts or sponsors a collection of information must display a currently valid OMB control number. A collection of information, which is defined in 44 U.S.C. 3502(3) and 5 CFR 1320.3(c), includes agency requirements that persons submit reports, keep records, or provide information to the agency, third parties, or the public. Section 3507(b) of the PRA requires, concurrent with an agency's submitting a collection to OMB for approval, a 30-day notice and comment period through publication in the **Federal Register** concerning each proposed collection of information,

including each proposed extension of an existing collection of information.

Dated: August 21, 2026.

Stefan Rice,

Clearance Clerk.

[FR Doc. 2026–17315 Filed 8–24–26; 8:45 am]

BILLING CODE 4915–01–P

SURFACE TRANSPORTATION BOARD

30-Day Notice of Intent To Seek Extension of Approval of Collection: Recordations (Rail and Water Carrier Liens), Water Carrier Tariffs, and Agricultural Contract Summaries

AGENCY: Surface Transportation Board.

ACTION: Notice and request for comments.

SUMMARY: As required by the Paperwork Reduction Act of 1995 (PRA), the Surface Transportation Board (STB or Board) gives notice of its intent to seek approval from the Office of Management and Budget (OMB) for the extension (without change) of the collections required by statute for rail or water carrier equipment liens (recordations), water carrier tariffs, and rail agricultural contract summaries, as described in more detail below.

DATES: Comments on these information collections should be submitted by September 24, 2026.

ADDRESSES: Written comments should be identified as ''Paperwork Reduction Act Comments, Recordations (Rail and Water Carrier Liens), Water Carrier Tariffs, and Agricultural Contract Summaries.'' Written comments for the proposed information collections should be submitted via *www.reginfo.gov/public/do/PRAMain.* This information collection can be accessed by selecting ''Currently under Review—Open for Public Comments'' or by using the search function. As an alternative, written comments may be directed to the Office of Management and Budget, Office of Information and Regulatory Affairs, Attention: Caitlin Chin-Rothmann, Surface Transportation Board Desk Officer: via email at *oira_submission@omb.eop.gov;* by fax at (202) 395–1743; or by mail to Room 10235, 725 17th Street NW, Washington, DC 20503.

Please also direct all comments to Chris Oehrle, PRA Officer, Surface Transportation Board, 395 E Street SW, Washington, DC 20423–0001, or to *PRA@stb.gov.* When submitting comments, please refer to ''Paperwork Reduction Act Comments, Recordations (Rail and Water Carrier Liens), Water Carrier Tariffs, and Agricultural Contract Summaries.'' For further information regarding this collection, contact Mike Higgins at (866) 254–1792 (toll-free) or 202–245–0238, or by emailing *rcpa@stb.gov.* Assistance for the hearing impaired is available through the Federal Information Relay Service (FIRS) at 1–800–877–8339.

SUPPLEMENTARY INFORMATION: The Board previously published a notice about this collection in the **Federal Register** (91 FR 35779 (June 12, 2026)). That notice allowed for a 60-day public review and comment period. No comments were received.

Comments are requested concerning each collection as to (1) whether the particular collection of information is necessary for the proper performance of the functions of the Board, including whether the collection has practical utility; (2) the accuracy of the Board's burden estimates; (3) ways to enhance the quality, utility, and clarity of the information collected; and (4) ways to minimize the burden of the collection of information on the respondents, including the use of automated collection techniques or other forms of information technology, when appropriate. Submitted comments will be included and summarized in the Board's request for OMB approval.

Description of Collections

Collection Number 1

Title: Agricultural Contract Summaries.

OMB Control Number: 2140–0024.

Form Number: None.

Type of Review: Extension without change.

Number of Respondents: Approximately 8 (six Class I [large] railroads and a limited number of other railroads).

Frequency: On occasion. (Over the last three years, respondents have filed an average of 153 agricultural contract summaries per year. The same number of filings is expected during each of the next three years.)

Estimated Time per Response: Approximately 0.25 hours.

Total Burden Hours (annually including all respondents): 38.25 hours (153 submissions × 0.25 hours estimated per submission).

Total Annual ''*Non-hour Burden*'' *Cost:* There are no non-hourly burden costs for this collection. The collection is filed electronically.

Needs and Uses: Under 49 U.S.C. 10709(d), railroads are required to file a summary of the nonconfidential terms of any contract for the transportation of agricultural products.

Collection Number 2

Title: Recordations (Rail and Water Carrier Liens).

OMB Control Number: 2140–0025.

Form Number: None.

Type of Review: Extension without change.

Respondents: Parties holding liens on rail equipment or water carrier vessels, and carriers filing proof that a lien has been removed.

Number of Respondents: Approximately 90 respondents.

Frequency: On occasion. (Over the last three years, respondents have filed an average of 1,120 responses per year. The same number of filings is expected during each of the next three years.).

Estimated Time per Response: Approximately 0.25 hours.

Total Burden Hours (annually including all respondents): 280 hours (1,120 submissions × 0.25 hours estimated per response).

Total ''*Non-hour Burden*'' *Cost:* There are no non-hourly burden costs for this collection. The collection may be filed electronically.

Needs and Uses: Under 49 U.S.C. 11301 and 49 CFR part 1177, liens on rail equipment or water carrier vessels must be filed with the STB in order to perfect a security interest in the equipment. Subsequent amendments, assignments of rights, or release of obligations under such instruments must also be filed with the agency. This information is maintained by the Board for public inspection. Recordation at the STB obviates the need for recording the liens in individual States.

Collection Number 3

Title: Water Carrier Tariffs.

OMB Control Number: 2140–0026.

Form Number: None.

Type of Review: Extension without change.

Respondents: Water carriers that provide freight transportation in noncontiguous domestic trade.

Number of Respondents: Approximately 20.

Frequency: Annual certification.

Total Burden Hours (annually including all respondents): 84 hours (24 annual filings × 3.5 hours estimated time per certification).

Total ''*Non-Hour Burden*'' *Cost:* There are no non-hourly burden costs for this collection. The annual certifications will be submitted electronically.

Needs and Uses: Under 49 U.S.C. 13702(b) and 49 CFR part 1312, in lieu of individual tariffs, water carriers that provide freight transportation in noncontiguous domestic trade (*i.e.,* shipments moving to or from Alaska,

Hawaii, or the U.S. territories or possessions (Puerto Rico, Guam, the U.S. Virgin Islands, American Samoa, and the Northern Mariana Islands) to or from the mainland U.S.) may file an annual certification with the Board that includes the internet address of a website containing a list of current and historical tariffs (including prices and fees that the water carrier charges to the shipping public).

Under the PRA, a federal agency that conducts or sponsors a collection of information must display a currently valid OMB control number. A collection of information, which is defined in 44 U.S.C. 3502(3) and 5 CFR 1320.3(c), includes agency requirements that persons submit reports, keep records, or provide information to the agency, third parties, or the public. Section 3507(b) of the PRA requires, concurrent with an agency's submitting a collection to OMB for approval, a 30-day notice and comment period through publication in the **Federal Register** concerning each proposed collection of information, including each proposed extension of an existing collection of information.

Dated: August 21, 2026.

Stefan Rice,

Clearance Clerk.

[FR Doc. 2026–17329 Filed 8–24–26; 8:45 am]

BILLING CODE 4915–01–P

SURFACE TRANSPORTATION BOARD

30-Day Notice of Intent To Seek Extension of Approval of Collection: Rail Depreciation Studies

AGENCY: Surface Transportation Board.

ACTION: Notice and request for comments.

SUMMARY: As required by the Paperwork Reduction Act of 1995 (PRA), the Surface Transportation Board (STB or Board) gives notice of its intent to seek approval from the Office of Management and Budget (OMB) for an extension of the collection of Rail Depreciation Studies, described below.

DATES: Comments on this information collection should be submitted by September 24, 2026.

ADDRESSES: Written comments should be identified as ''Paperwork Reduction Act Comments, Surface Transportation Board, Rail Depreciation Studies.'' Written comments for the proposed information collection should be submitted via *www.reginfo.gov/public/do/PRAMain.* This information collection can be accessed by selecting ''Currently under Review—Open for Public Comments'' or by using the search function. As an alternative, written comments may be directed to the Office of Management and Budget, Office of Information and Regulatory Affairs, Attention: Caitlin Chin-Rothmann, Surface Transportation Board Desk Officer: via email at *oira_submission@omb.eop.gov;* by fax at (202) 395–1743; or by mail to Room 10235, 725 17th Street NW, Washington, DC 20503.

Please also direct all comments to Chris Oehrle, PRA Officer, Surface Transportation Board, 395 E Street SW, Washington, DC 20423–0001, or to *PRA@stb.gov.* When submitting comments, please refer to ''Paperwork Reduction Act Comments, Rail Depreciation Studies.'' For further information regarding this collection, contact Pedro Ramirez at (202) 245–0333 or *pedro.ramirez@stb.gov.* Assistance for the hearing impaired is available through the Federal Relay Service at (800) 877–8339.

SUPPLEMENTARY INFORMATION: The Board previously published a notice about this collection in the **Federal Register** (91 FR 35781 (June 12, 2026)). That notice allowed for a 60-day public review and comment period. No comments were received.

Comments are requested concerning each collection as to (1) whether the particular collection of information is necessary for the proper performance of the functions of the Board, including whether the collection has practical utility; (2) the accuracy of the Board's burden estimates; (3) ways to enhance the quality, utility, and clarity of the information collected; and (4) ways to minimize the burden of the collection of information on the respondents, including the use of automated collection techniques or other forms of information technology, when appropriate. Submitted comments will be included and summarized in the Board's request for OMB approval.

Subjects: In this notice, the Board is requesting comments on the extension of the following information collection:

Description of Collection

Title: Rail Depreciation Studies.

OMB Control Number: 2140–0028.

Form Number: None.

Type of Review: Extension without change.

Respondents: Class I railroads.

Number of Respondents: Six.

Estimated Time per Response: Approximately 250 hours per study (estimating that studies will require between 125 hours and 375 hours depending on the extent to which the carrier provides assistance to outside consultants performing the study for them).

Frequency of Response: Bi-annual. (Under 49 CFR part 1201, §§ 4–1 to 4–4, the Board requires all Class I (large) carriers to submit depreciation studies no less than every three years for equipment property and every six years for road property. That means that for any given six-year period, the Class I railroads must submit no less than three depreciation reports, or the equivalent of 0.5 depreciation reports per year.)

Total Annual Hour Burden: 750 hours (250 hours × 0.5 studies/year × 6 Class I railroads).

Total Annual ''Non-Hour Burden'' Cost: Approximately $180,000 per year. Board staff estimates that each study will cost between $20,000 and $100,000, which equals a cost of approximately $10,000–$50,000 per year. Using an average cost ($30,000 per year × 6 Class I railroads), the non-hour burden cost is estimated to be approximately $180,000 per year.

Needs and Uses: Under 49 CFR part 1201, §§ 4–1 to 4–4, the Board is required to identify those classes of property for which rail carriers may include depreciation charges under operating expenses, and the Board must also prescribe a rate of depreciation that may be charged to those classes of property. Under 49 U.S.C. 11145, Class I rail carriers are required to submit Depreciation Studies to the Board. Information in these studies is not available from any other source. The Board uses the information in these studies to prescribe depreciation rates. These depreciation rate prescriptions state the period for which the depreciation rates therein are applicable. Class I railroads apply the prescribed depreciation rates to their investment base to determine monthly and annual depreciation expense. This expense is included in the railroads' operating expenses, which are reported in their R–1 reports (OMB Control Number 2140–0009). Operating expenses are used to develop operating costs for application in various proceedings before the Board, such as in rate reasonableness cases and in the determination of railroad ''revenue adequacy.''

Under the PRA, a federal agency that conducts or sponsors a collection of information must display a currently valid OMB control number. A collection of information, which is defined in 44 U.S.C. 3502(3) and 5 CFR 1320.3(c), includes agency requirements that persons submit reports, keep records, or provide information to the agency, third parties, or the public. Section 3507(b) of the PRA requires, concurrent with an

agency's submitting a collection to OMB for approval, a 30-day notice and comment period through publication in the **Federal Register** concerning each proposed collection of information, including each proposed extension of an existing collection of information.

Information from certain schedules contained in these reports is available at the Board's website at *www.stb.gov* by navigating to ''Reports & Data'' and clicking on ''Economic Data.'' Information in these reports is not available from any other source.

Dated: August 21, 2026.

Stefan Rice,

Clearance Clerk.

[FR Doc. 2026–17327 Filed 8–24–26; 8:45 am]

BILLING CODE 4915–01–P

SURFACE TRANSPORTATION BOARD

30-Day Notice of Intent To Seek Extension of Approval: Report of Fuel Cost, Consumption, and Surcharge Revenue

ACTION: Notice and request for comments.

AGENCY: Surface Transportation Board.

SUMMARY: As required by the Paperwork Reduction Act of 1995 (PRA), the Surface Transportation Board (STB or Board) gives notice of its intent to seek approval from the Office of Management and Budget (OMB) for an extension of the collection of the Report of Fuel Cost, Consumption, and Surcharge Revenue, as described below.

DATES: Comments on this information collection should be submitted by September 24, 2026.

ADDRESSES: Written comments should be identified as ''Paperwork Reduction Act Comments, Surface Transportation Board, Report of Fuel Cost, Consumption, and Surcharge Revenue.'' Written comments for the proposed information collection should be submitted via *www.reginfo.gov/public/do/PRAMain.* This information collection can be accessed by selecting ''Currently under Review—Open for Public Comments'' or by using the search function. As an alternative, written comments may be directed to the Office of Management and Budget, Office of Information and Regulatory Affairs, Attention: Michael J. McManus, Surface Transportation Board Desk Officer: via email at *oira_submission@omb.eop.gov;* by fax at (202) 395–1743; or by mail to Room 10235, 725 17th Street NW, Washington, DC 20503.

Please also direct all comments to Chris Oehrle, PRA Officer, Surface Transportation Board, 395 E Street SW, Washington, DC 20423–0001, or to *PRA@stb.gov.* When submitting comments, please refer to ''Paperwork Reduction Act Comments, Report of Fuel Cost, Consumption, and Surcharge Revenue.'' For further information regarding this collection, contact Pedro Ramirez at (202) 245–0333 or *pedro.ramirez@stb.gov.* Assistance for the hearing impaired is available through the Federal Relay Service at (800) 877–8339.

SUPPLEMENTARY INFORMATION: The Board previously published a notice about this collection in the **Federal Register** (91 FR 35780 (June 12, 2026)). That notice allowed for a 60-day public review and comment period. No comments were received.

Comments are requested concerning: (1) the accuracy of the Board's burden estimates; (2) ways to enhance the quality, utility, and clarity of the information collected; (3) ways to minimize the burden of the collection of information on the respondents, including the use of automated collection techniques or other forms of information technology, when appropriate; and (4) whether the collection of information is necessary for the proper performance of the functions of the Board, including whether the collection has practical utility. Submitted comments will be summarized and included in the Board's request for OMB approval.

Description of Collection

Title: Report of Fuel Cost, Consumption, and Surcharge Revenue.

OMB Control Number: 2140–0014.

STB Form Number: None.

Type of Review: Extension without change.

Respondents: Class I [large] railroads.

Number of Respondents: Six.

Estimated Time per Response: One hour.

Frequency: Quarterly.

Total Burden Hours (annually including all respondents): 24.

Total ''Non-hour Burden'' Cost: None identified. Filings are submitted electronically to the Board.

Needs and Uses: Under 49 U.S.C. 10702, the Board has the authority to address the reasonableness of a rail carrier's practices. This information collection permits the Board to monitor the current fuel surcharge practices of the Class I carriers. Failure to collect this information would impede the Board's ability to fulfill its statutory responsibilities. The Board has authority to collect information about rail costs and revenues under 49 U.S.C. 11144 and 11145.

Under the PRA, a federal agency that conducts or sponsors a collection of information must display a currently valid OMB control number. A collection of information, which is defined in 44 U.S.C. 3502(3) and 5 CFR 1320.3(c), includes agency requirements that persons submit reports, keep records, or provide information to the agency, third parties, or the public. Section 3507(b) of the PRA requires, concurrent with an agency's submitting a collection to OMB for approval, a 30-day notice and comment period through publication in the **Federal Register** concerning each proposed collection of information, including each proposed extension of an existing collection of information.

Dated: August 21, 2026.

Stefan Rice,

Clearance Clerk.

[FR Doc. 2026–17330 Filed 8–24–26; 8:45 am]

BILLING CODE 4915–01–P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

[Docket No.—FAA–2026–8285]

Agency Information Collection Activities: Requests for Comments; Clearance Approval of Information Collection of Renewed: FAA Acquisition Management System (FAAAMS)

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Notice and request for comments.

SUMMARY: In accordance with the Paperwork Reduction Act of 1995, FAA invites public comments about FAA's intention to request Office of Management and Budget (OMB) approval to renew an information collection. The collection involves the FAA Acquisition Management System (FAAAMS) and information collected in response to notices regarding FAA acquisitions. The information to be collected is necessary to solicit, award, and administer contracts for supplies, equipment, services, facilities, and real property to fulfill FAA's mission.

DATES: Written comments should be submitted by October 26, 2026.

ADDRESSES: Please send written comments:

By Electronic Docket: www.regulations.gov (Enter docket number into search field).

By mail: David L Williams, Federal Aviation Administration (AAP–100), 800 Independence Ave. SW, FOB–10A, Room 439–16, Washington, DC 20591.

FOR FURTHER INFORMATION CONTACT: David L. Williams by email at: *David.L.Williams@faa.gov;* phone: 202–267–8051

SUPPLEMENTARY INFORMATION:

Public Comments Invited: You are asked to comment on any aspect of this information collection, including (a) Whether the proposed collection of information is necessary for FAA's performance; (b) the accuracy of the estimated burden; (c) ways for FAA to enhance the quality, utility and clarity of the information collection; and (d) ways that the burden could be minimized without reducing the quality of the collected information. The agency will summarize and/or include your comments in the request for OMB's clearance of this information collection.

OMB Control Number: 2120–0595.

Title: FAA Acquisition Management System (FAAAMS).

FAA FAST Home Page: https://fast.faa.gov/.

Type of Review: Renewal of an information collection.

Background: The FAAAMS establishes policies and internal procedures for FAA acquisition. Section 348 of Public Law 104–50 directed FAA to establish an acquisition system. The information collection is carried out as an integral part of FAA's acquisition process. Various portions of the AMS describe information needed from vendors seeking or already doing business with FAA. FAA's contracting offices collect the information to plan, solicit, award, administer and close individual contracts. FAA's small business office collects information to promote and increase small business participation in FAA contracts. AMS requires information collection through a series of forms in the areas of (1) Solicitations and (2) Post-Award Contract Administration.

Solicitations: The FAA utilizes solicitations to evaluate vendor-specific technical solutions, capabilities, and other qualifications such as subcontracting plans that may result in the award of a contract for a defined FAA need. The extent and nature of the information required from vendors varies depending on the nature of the goods and/or services procured, as well as the size and complexity of the FAA requirements.

Post-Award Contract Administration: Depending on the complexity and size of the contract, various activities are ongoing after contract award in areas such as bonds (*e.g.,* construction contracts), small business subcontracting (*e.g.,* applying to large businesses), the tracking and management of Government Property, and invoicing. Contract modifications vary from routine administrative updates to major additions of work.

Solicitations

Respondents: 3,461.
Frequency: 1 time.
Estimated Average Burden per Response: 3 hours.
Estimated Total Annual Burden: 10,383 hours.

Post-Award Contract Administration

Respondents: 10,177.
Frequency: 3 times.
Estimated Average Burden per Response: 23 hours.
Estimated Total Annual Burden: 702,213 hours.

Issued in Washington, DC, August 20, 2026.

Stephen Brendan Mangan,

Manager, AAP–100, Acquisition Policy Group.

[FR Doc. 2026–17259 Filed 8–24–26; 8:45 am]

BILLING CODE 4910–13–P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

[Docket No. FAA–2026–9736]

Siting New Spaceports and Use of Priority Airspace for Critical Space Launch Corridors

ACTION: Notice; Request for information (RFI).

SUMMARY: Under the leadership of President Trump and at the direction of Secretary Duffy and Administrator Bedford, the U.S. Department of Transportation (DOT) and the Federal Aviation Administration (FAA) are pursuing opportunities to ensure the United States global dominance in the commercial space transportation industry. The FAA is issuing this RFI to solicit public and industry input on two key transportation-related elements of President Trump's recently published 2026 National Space Transportation Policy (NSTP): siting a new spaceport and the development and use of priority airspace for critical space launch corridors.

DATES: Written comments, including all supporting information and documents, are requested on or before October 26, 2026.

ADDRESSES: Interested persons are encouraged to submit responses to the questions posed in this RFI, along with supporting information, regarding the 2026 NSTP, to docket number FAA–2026–9736 using any of the following methods:

- *Federal eRulemaking Portal:* Go to *http://www.regulations.gov* and follow the online instructions for sending your comments electronically.
- *Mail:* Send comments to Docket Operations, M–30; U.S. Department of Transportation, 1200 New Jersey Avenue SE, Room W12–140, West Building Ground Floor, Washington, DC 20590–0001.

Privacy: DOT posts any comments received without edit, including any personal information the commenter provides, to *http://www.regulations.gov,* as described in the system of records notice (DOT/ALL–14 FDMS), which can be reviewed at *http://www.dot.gov/privacy.*

Docket: Background documents or comments received may be read at *http://www.regulations.gov* at any time. Follow the online instructions for accessing the docket or go to the Docket Operations in Room W12–140 of the West Building Ground Floor at 1200 New Jersey Avenue SE, Washington, DC 20590–0001, between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays.

FOR FURTHER INFORMATION CONTACT: James Hatt, Federal Aviation Administration, U.S. Department of Transportation, 1200 New Jersey Ave. SE, Washington, DC 20590. Telephone: (202) 267–4156. Email: *NSTP2026@faa.gov.*

SUPPLEMENTARY INFORMATION:

1. Purpose

The purpose of this RFI is to solicit information to support the Department's analysis in expanding opportunities for commercial space transportation and support the 2026 NSTP objectives.

In 2025, the United States was responsible for 217 of the 329 launches worldwide. This rapid increase cemented the United States as the premier launch country. Looking forward, this ever-increasing launch rate is expected to reach 10,000 FAA-licensed launches and reentries a year by 2035, driving the cadence from a few launches a week to several launches and reentries a day. As of today, over half of U.S. launches originated from Cape Canaveral Space Force Station and Kennedy Space Center in Florida. Including Vandenberg Space Force Base in California, these three Federal sites account for 83 percent of U.S. launches.

On December 18, 2025, President Trump signed Executive Order (E.O.) 14369, *Ensuring American Space Superiority,* to emphasize the reach of human discovery, secure the Nation's

vital economic and security interests, unleash commercial development, and lay the foundation for a new space age.[1] New and upgraded facilities, improved efficiency, and policy reforms will facilitate the security and defense of vital U.S. national and economic commercial space equities. In addition, President Trump's new 2026 NSTP directs the Secretary of Transportation to identify ''potential locations for additional launch facilities and targeted development or improvement of launch infrastructure.'' Consistent with the Administration's E.O. and the NSTP, the Department of Transportation (Department) is requesting input regarding potential locations for new spaceports. Such spaceports would ideally be viable locations to complement or augment many of the operations from Cape Canaveral Space Force Station, Kennedy Space Center, Vandenberg Space Force Base, and the National Aeronautics and Space Administration's (NASA) Wallops Flight Facility.

The 2026 NSTP also tasks the Department to ''designate priority airspace for critical space launch corridors.'' The Department seeks input from the space and aviation industries and other interested stakeholders. Specifically, the Department is interested in considerations for developing priority airspace for critical space launch corridors, the ideal requisites for priority airspace, and concepts for differentiating standard airspace used for commercial space activities from priority airspace.

This RFI is an invitation to submit information in response to questions on the topics posed below in Section 4. Responses should be as detailed as possible to facilitate a comprehensive review.

2. Background

The United States is the unquestioned leader in space launch and reentry. Robust and varied commercial, civil, and national security space launch activities form the backbone of U.S. space-based power. Cape Canaveral Space Force Station, Kennedy Space Center, and Vandenberg Space Force Base provide unprecedented access to space. Federal ranges are strained to support both governmental and commercial space launches, however. Even with enhanced efficiency at Federal launch and reentry sites, the United States may find availability of launch and reentry sites becoming a bottleneck to achieving the goals of E.O. 14369 and the 2026 NSTP. While enhanced efficiency at Federal launch sites will support the short-term increase in launch cadence and demand, with surges in military, commercial, and civil space activities, the United States must prepare for the rapid expansion of launch cadence by supporting increased spaceport capacity, additional launch sites, and support infrastructure to ensure continuous dominance in commercial space.

The fundamental requirements that drove site selection for the Eastern and Western Test Ranges in the 1950s remain unchanged. Geography allowing launch and reentry over open water, available infrastructure to support launch logistics (*e.g.,* roads and utilities), and accessibility to space with minimal overflight of foreign countries were, and remain, key metrics to spaceport success. In addition to the Federal launch and reentry ranges, NASA's Wallops Flight Facility adds capacity to U.S. space launch. However, although Wallops shares many of the attributes of the major Federal ranges, certain characteristics, including tight physical constraints and only four launch pads with no option for heavy spacelift, limit Wallops' ability to support future space technology or to accommodate the expected increase in orbital launch cadence.

The Department oversees FAA-licensed commercial spaceports and private single-use launch sites. A viable spaceport involves several tradeoffs. The Office of Commercial Space Transportation developed a brief *Spaceport Licensing Primer: An Introduction to the Spaceport Licensing Process*[2] to provide information for individuals not familiar with the development of commercial spaceports. The 2026 NSTP recognizes, as a national space transportation goal, that ''by 2030, our space transportation ranges must grow to support more than 1,000 launches and reentries every year.'' To ensure the United States reaches this goal, it must add and modernize launch and reentry infrastructure.

A critical aspect of spaceport development will be funding. Secretary Duffy recently established the National Infrastructure Development Office (NIDO) in the Department to expand and encourage use of public-private partnerships in infrastructure development. Public-private partnerships could be a valuable and innovative tool for structuring spaceport development in particular. This RFI solicits information on funding mechanisms and the potential utility of public-private partnerships in spaceport development.

In addition, the 2026 NSTP directs the Department to ''designate priority airspace for critical space launch corridors.'' Currently, U.S. launch operators work with the FAA Air Traffic Organization to establish Aircraft Hazard Areas (AHAs) for space launches to protect aircraft from space objects and falling debris. Because the same spaceports support the majority of U.S. space launches, the same or similar AHAs for safety are repeatedly used. FAA does not currently use the term 'space launch corridor.' The questions below are intended to explore the relationship and assumptions related to the current AHAs and the new critical space launch corridor concept. The concept of airspace corridors, in general, is not new, and airspace corridors for aviation users may vary in definition and use from space launch corridors. For example, airspace corridors for aviation activities may look and operate differently from a potential space launch corridor, as the foundations for space launch safety account for collision and debris. In contrast, most aviation activities need only account for collision. From a space operator's perspective, request time and availability are important factors enabling rapid launch cadence. From an aviation perspective, advance notification of time, size, and duration of AHAs are integral to maintaining both aviation safety and airspace efficiency.

3. Nature of Information Request

The Department may use information obtained through this request to assist in, inform, and research potential locations for viable spaceport sites. The Department will also accept ideas for increasing launch cadence at existing U.S. commercial spaceport sites.

The Department requests that information be provided in a written statement. The Department may request additional information or presentations from responders depending upon the details of the responder's submission. Given the short timeframe for the Department's identification and characterization of potential sites, responders should assume that their written response is the best opportunity to provide input and not hold out for an in-person meeting with the Department.

[1] 90 FR 60537.

[2] *https://www.faa.gov/space/office_spaceports/Spaceport-Licensing-Primer.pdf.*

4. Submittal Requests for RFI [3]

Interested members of the public, including aerospace industry stakeholders, are requested to submit information on the following:

Responder Information. Submit, as applicable:

- Name, address, and affiliation (company if appropriate);
- URL of company website (if applicable); and
- Point of contact, including telephone number and email address.

RFI Questions. Any interested member of the public, including any aerospace industry stakeholder, is invited to provide information responsive to the questions below. Responses will enable the Department to evaluate the best locations for new U.S. spaceports and assist the Department in establishing priority airspace for critical space launch corridors.

1. *(Spaceport Location criteria)* What strategic criteria should the Department use in evaluating new spaceport siting considerations?

- What geographic aspects matter most: proximity to the equator for prograde space launches, proximity to or separation from densely populated regions, or other factors?
- What logistical considerations should be evaluated, including ease of development and access, as well as impediments to be avoided?
- What unique considerations would there be with an island spaceport versus a site on the continental United States?
- What international equities should be considered with siting (*e.g.,* early overflight of foreign territory)?
- What should the primary safety considerations be for siting of any new spaceport, given the current public safety criteria of 1×10^{-4} casualties per operation?

2. *(Existing Commercial Spaceports)* Why are existing commercial spaceports underutilized?

- What Federal actions could be taken to increase orbital launches from existing commercial spaceports?
- Why haven't these underutilized spaceports developed into operational spaceports? Can the development of existing commercial spaceports be renewed?

3. *(Previously Proposed Spaceports)* Noting that the Department has not been involved in selecting or developing new spaceports in the past, several spaceport options have been previously considered. The Department would like input on these potential locations.

- Spaceport Shiloh, Florida. Space Florida proposed the construction and operation of the Shiloh Launch Complex on approximately 150 acres of undeveloped Federal land.
- Camden Spaceport, Georgia. Initially, a site considered by NASA for the Apollo program, planning progressed on Camden Spaceport until local stakeholders pushed back in 2022, ending site development. The County's current site license runs through December 2026.
- Puerto Rico Spaceport. Initially conceptualized in the 2012–2016 timeframe. Spaceport Puerto Rico was considered for light and medium launch vehicles.
- Space launch rigs. Space launch from converted oil rigs or custom-developed launch platforms.

4. (New Spaceport Location) The Department would like input on potential new locations and other options not identified specifically in this RFI.

- Where might a new U.S. vertical spaceport site be developed? Considering the factors identified in the Spaceport Licensing Primer and FAA regulations on launch sites in Title 14 of the Code of Federal Regulations part 420, what changes might the Department make to encourage, facilitate, and promote development of a new spaceport site?
- Referring to the Spaceport Licensing Primer, what can the Department do to address the four challenging areas in spaceport development: (1) stakeholder engagement, (2) co-location with an airport, (3) environmental issues, and (4) airspace integration?
- Are there locations where the necessary infrastructure already exists for establishing a spaceport? For example, transport links such as wide-load highways or deep-water ports.
- What are the primary costs associated with developing a new spaceport?
- What strategies and technologies could be utilized to expedite construction?
- What are the supply chain constraints for construction, and how could they be addressed?
- What energy constraints exist, and how could they be addressed?
- What funding constraints exist, and how could they be addressed, to include alternative financing structures? How could public-private partnerships best be leveraged to finance spaceport development?

5. *(Critical Space Launch Corridors)* As the Department develops critical space launch corridors, what expectations do the space and aviation industries have regarding prioritization?

- How can the implementation of space launch corridors limit adverse impacts to airspace efficiency and the continued growth of the air transportation industry?
- What benefits to either or both industries would be granted when utilizing critical space launch corridors?
- What adjustments to operational and coordination timelines might be made when utilizing critical space launch corridors?
- Assuming standard existing procedures apply for activities that do not use critical space launch corridors, what activities would qualify for activation of the critical space launch corridors?
- How would the payload characterization (commercial, civil, or national security) impact the development or use of critical space launch corridors?
- What spaceports would most benefit from critical space launch corridors: all spaceports, major use spaceports, or only Federal spaceports?
- What governance structures would enhance the use of critical launch corridors, to include fees, operational restrictions, or other oversight methodologies?
- What limitations or emergency measures would need to be established to ensure public safety during commercial space activities and continued aviation safety for the flying public?
- What environmental concerns should be considered in determining where to locate, and when to activate, critical space launch corridors?
- How would the identification of a corridor as a ''critical space launch corridor,'' which is not a current term in AHAs, increase awareness, streamline timing requirements, and enable greater launch cadence?

6. What questions are we not asking that are relevant to this effort? Please identify those questions and provide responses.

5. Timeline and Delivery of Submittal

See also the **DATES** section of this notice. Written comments, including all supporting information and documents, are requested on or before October 26, 2026.

[3] This is not a Screening Information Request or Request for Offers. The Department is not seeking or accepting unsolicited proposals related to this activity. The Department will not pay for any information received or costs incurred in preparing a response to this request. Any costs associated with a submittal are solely at the interested vendor's expense. The Department reserves the right to communicate with any, some, or none of the respondents. Any submissions will remain with the Department for its use and will not be returned to the respondents.

Submittals: Interested parties must respond in writing. Responses to the RFI questions should be concise and reasonable in length.

The Department may request clarification of responses directly related to this RFI through direct contact with respondents. Respondents must identify and clearly mark any proprietary information contained in their submissions and must be prepared to provide justification for confidential treatment to the Department of such designations if requested. This proprietary information will be treated confidentially by the Department; however, nothing alters the Department's obligations under existing law, including any duties owed by the Department under the Freedom of Information Act. The Department may need the Respondent's justification of the proprietary designation to support withholding the documents or information from public disclosure upon request.

Issued in Washington, DC.

Sean P. Duffy,

Secretary of Transportation.

[FR Doc. 2026–17290 Filed 8–24–26; 8:45 am]

BILLING CODE 4910–13–P

DEPARTMENT OF TRANSPORTATION

Federal Motor Carrier Safety Administration

[Docket No. FMCSA–2026–1783]

Agency Information Collection Activities; Renewal of an Approved Information Collection: Non-Insulin-Treated Diabetes Mellitus Assessment Form, MCSA–5872

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

ACTION: Notice and request for comments.

SUMMARY: In accordance with the Paperwork Reduction Act of 1995, FMCSA announces its plan to submit the Information Collection Request (ICR) described below to the Office of Management and Budget (OMB) for review and approval and invites public comment. FMCSA requests approval to renew an ICR titled, ''Non-Insulin-Treated Diabetes Mellitus Assessment Form, MCSA–5872.'' This information collection (IC) is voluntary and may be utilized by certified medical examiners (MEs) responsible for issuing Medical Examiner's Certificates (MEC), Form MCSA–5876, to individuals diagnosed with non-insulin-treated diabetes mellitus who operate commercial motor vehicles (CMVs). MEs choosing to use this IC will do so in an effort to communicate with treating healthcare providers who manage the diabetes care of individuals diagnosed with non-insulin-treated diabetes mellitus who operate CMVs. The information obtained by MEs will assist them in determining if an individual diagnosed with non-insulin-treated diabetes mellitus meets FMCSA's physical qualification standards.

DATES: Comments on this notice must be received on or before October 26, 2026.

ADDRESSES: You may submit comments identified by Docket Number FMCSA–2026–1783 using any of the following methods:

- *Federal eRulemaking Portal: https://www.regulations.gov.* Follow the online instructions for submitting comments.
- *Mail:* Dockets Operations; U.S. Department of Transportation, 1200 New Jersey Avenue SE, W58–213, West Building, Washington, DC 20590–0001.
- *Hand Delivery or Courier:* Dockets Operations, U.S. Department of Transportation, 1200 New Jersey Avenue SE, W58–213, Washington, DC 20590–0001 between 9 a.m. and 5 p.m. ET, Monday through Friday, except Federal holidays.
- *Fax:* (202) 493–2251.

To avoid duplication, please use only one of these four methods. See the ''Public Participation and Request for Comments'' portion of the **SUPPLEMENTARY INFORMATION** section for instructions on submitting comments.

FOR FURTHER INFORMATION CONTACT: Ms. Christine A. Hydock, Chief, Medical Programs Division, DOT, FMCSA, 1200 New Jersey Avenue SE, Washington, DC 20590–0001; (202) 366–4001; *fmcsamedical@dot.gov.*

SUPPLEMENTARY INFORMATION:

Instructions

All submissions must include the Agency name and docket number. For detailed instructions on submitting comments, see the Public Participation heading below. Note that all comments received will be posted without change to *https://www.regulations.gov,* including any personal information provided. Please see the Privacy Act heading below.

Public Participation and Request for Comments

If you submit a comment, please include the docket number for this notice (FMCSA–2026–1783), indicate the specific section of this document to which your comment applies, and provide a reason for each suggestion or recommendation. You may submit your comments and material online or by fax, mail, or hand delivery, but please use only one of these means. FMCSA recommends that you include your name and a mailing address, an email address, or a phone number in the body of your document so FMCSA can contact you if there are questions regarding your submission.

To submit your comment online, go to *https://www.regulations.gov/docket/FMCSA-2026-1783/document,* click on this notice, click ''Comment,'' and type your comment into the text box on the following screen.

If you submit your comments by mail or hand delivery, submit them in an unbound format, no larger than 8½ by 11 inches, suitable for copying and electronic filing.

FMCSA will consider all comments and material received during the comment period.

Privacy Act

In accordance with 5 U.S.C. 553(c), DOT solicits comments from the public to better inform its regulatory process. DOT posts these comments, including any personal information the commenter provides, to *www.regulations.gov* as described in the system of records notice DOT/ALL 14 (Federal Docket Management System (FDMS)), which can be reviewed at *https://www.transportation.gov/individuals/privacy/privacy-act-system-records-notices.* The comments are posted without edits and are searchable by the name of the submitter.

Background

The primary mission of FMCSA is to reduce crashes, injuries, and fatalities involving CMVs (large trucks and buses). The Secretary of Transportation has delegated responsibility to FMCSA under 49 U.S.C. 31136 and 31502 to prescribe regulations that ensure CMVs are operated safely. As part of this mission, the Agency's Medical Programs Division works to ensure that individuals who operate CMVs engaged in interstate commerce are physically qualified and able to safely perform their work. CMVs characteristically pose a threat to highway safety if not operated properly by qualified individuals. CMVs are longer, heavier, and more difficult to maneuver than automobiles. Not only does it take a skilled driver to operate them safely, but it also takes a physically and mentally fit driver to do so as well. Information used to determine and certify driver medical fitness helps to promote and maintain safety on our nation's

highways. FMCSA is the Federal government agency authorized to request the collection of this information. FMCSA is required by statute to establish standards for the physical qualifications of drivers who operate CMVs in interstate commerce for non-excepted industries (49 U.S.C. 31136(a)(3) and 31502(b)). The regulations applicable to this collection are outlined in the Federal Motor Carrier Safety Regulations (FMCSRs) at 49 CFR part 391, subpart E. The FMCSRs in 49 CFR 391.41(b) set forth the physical qualification standards that most individuals operating CMVs in interstate transportation who are subject to part 391 must meet. The FMCSRs covering the performance of the CMV physical qualification examination of individuals who operate in interstate commerce by an ME and the related record-keeping requirements are found at 49 CFR 391.43. The results of the examination must be recorded in accordance with the requirements set forth in that section; they include preparing and maintaining a Medical Examination Report Form, MCSA–5875, and, if the individual is physically qualified, issuing an MEC.

The FMCSRs in § 391.41(b)(1) through (13) generally include the physical qualification standards required for the medical certification of individuals who operate a CMV in interstate commerce. The physical qualification standards in § 391.46 address the physical qualification requirements for medical certification of individuals who are diagnosed with diabetes mellitus and are treated with insulin. However, the FMCSRs do not specifically address individuals who are diagnosed with diabetes mellitus and are treated with non-insulin therapy. The type of diabetes mellitus that is not treated with insulin (commonly known as Type 2 diabetes) is recognized as a health concern for the general public. Non-insulin-treated diabetes mellitus that is not properly managed and controlled may result in diabetes complications, target organ damage, and in the individual's physical condition being inadequate to enable the driver to operate a CMV safely. The physical qualification standards in the FMCSRs broadly address some of the conditions and symptoms that may be attributable to complications from non-insulin-treated diabetes mellitus. Examples include the loss of limb and limb impairment standard (§ 391.41(b)(1) and (2)), the cardiovascular standard (§ 391.41(b)(4)), the rheumatic, arthritic, orthopedic, muscular, neuromuscular, or vascular standard (§ 391.41(b)(7)), and the loss of consciousness standard (§ 391.41(b)(8)). In performing a thorough assessment and evaluation of an individual diagnosed with non-insulin-treated diabetes mellitus, the ME may need to consult with the individual's treating healthcare provider who manages the individual's diabetes. The ME may find this helpful in determining whether the individual has any medical conditions or symptoms, such as frequent episodes of severe hypoglycemia, that may prevent the individual from meeting the physical qualification standards and receiving an MEC. This IC would assist the ME in collecting the appropriate information from the treating healthcare provider via the Non-Insulin-Treated Diabetes Mellitus Assessment Form, MCSA–5872, in a standardized manner and would assist the ME in making an informed and sound physical qualification determination.

In May 2021, FMCSA's Medical Review Board (MRB) deliberated on the topic and contents of the Non-Insulin-Treated Diabetes Mellitus Assessment Form, MCSA–5872 (Task 21–2). FMCSA directed the MRB to review and comment on whether the information on the proposed Non-Insulin-Treated Diabetes Mellitus Assessment Form, MCSA–5872, provides sufficient information concerning the treatment, management, and control of an individual's non-insulin-treated diabetes mellitus condition to assist a ME in making an appropriate physical qualification determination. The Agency also requested that the MRB identify any areas of ambiguity as well as additional information that FMCSA should include on the form. Based on the review of the Non-Insulin-Treated Diabetes Mellitus Assessment Form, MCSA–5872, the MRB made some recommendations to improve the clarity and quality of information on the Non-Insulin-Treated Diabetes Mellitus Assessment Form, MCSA–5872 that is provided from the individual's treating healthcare provider to the ME.

There is no required collection frequency for the Non-Insulin-Treated Diabetes Mellitus Assessment Form, MCSA–5872, because the use of this IC is voluntary and at the discretion of the ME. The ME may use the Non-Insulin-Treated Diabetes Mellitus Assessment Form, MCSA–5872, to facilitate communication with the treating healthcare provider responsible for managing the individual's non-insulin-treated diabetes mellitus diabetes care, and to assist the ME in determining if the individual meets the physical qualification standards in § 391.41(b)(1) through (13).

The Non-Insulin-Treated Diabetes Mellitus Assessment Form, MCSA–5872, is available as a fillable pdf and may be downloaded from the FMCSA website. Treating healthcare providers can fax or scan and email the report to the ME. Consistent with OMB's commitment to minimizing respondents' recordkeeping and paperwork burdens and the increased use of secure electronic modes of communication, the Agency anticipates that approximately 50 percent of the Non-Insulin-Treated Diabetes Mellitus Assessment Forms, MCSA–5872, will be transmitted electronically.

The information collected on the Non-Insulin-Treated Diabetes Mellitus Assessment Form, MCSA–5872, will be used by the ME who requests completion of the form and will not be available to the public. The Non-Insulin-Treated Diabetes Mellitus Assessment Form, MCSA–5872, will become a part of the individual's physical qualification examination records that are maintained and retained by the ME for a period of at least 3 years from the date of the examination.

Title: Non-Insulin-Treated Diabetes Mellitus Assessment Form, MCSA–5872.

OMB Control Number: 2126–0081.

Type of Request: Renewal of a currently approved ICR.

Respondents: Treating healthcare providers of individuals who are diagnosed with non-insulin-treated diabetes mellitus who operate CMVs.

Estimated Number of Respondents: 1,011,520.

Estimated Time per Response: 8 minutes.

Expiration Date: January 31, 2027.

Frequency of Response: Other (Voluntary use at the medical discretion of the ME).

Estimated Total Annual Burden: 27,913 hours.

Public Comments Invited: You are asked to comment on any aspect of this information collection, including: (1) whether the proposed collection is necessary for the performance of FMCSA's functions; (2) the accuracy of the estimated burden; (3) ways for FMCSA to enhance the quality, usefulness, and clarity of the collected information; and (4) ways that the burden could be minimized without reducing the quality of the collected information. The Agency will summarize or include your comments in the request for OMB's clearance of this ICR.

Issued under the authority of 49 CFR 1.87.

Nicole S. Michel,

Acting Associate Administrator, Office of Research and Registration.

[FR Doc. 2026–17340 Filed 8–24–26; 8:45 am]

BILLING CODE 4910–EX–P

DEPARTMENT OF TRANSPORTATION

Federal Motor Carrier Safety Administration

[Docket No. FMCSA–2026–2476]

Agency Information Collection Activities; Renewal of an Approved Information Collection: Emergency Exemptions Under 49 CFR 390.25

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

ACTION: Notice and request for comments.

SUMMARY: In accordance with the Paperwork Reduction Act of 1995, FMCSA announces its plan to submit the Information Collection Request (ICR) described below to the Office of Management and Budget (OMB) for review and approval and invites public comment. This notice invites comments on the renewal of an approved information collection titled ''Emergency Exemptions Under 49 CFR 390.25,'' (OMB Control No. 2126–007) which is currently due to expire on January 31, 2027.

DATES: Comments on this notice must be received on or before October 26, 2026.

ADDRESSES: You may submit comments identified by Docket Number FMCSA–2026–2476 using any of the following methods:

- *Federal eRulemaking Portal: https://www.regulations.gov.* Follow the online instructions for submitting comments.
- *Mail:* Dockets Operations; U.S. Department of Transportation, W58–213, 1200 New Jersey Avenue SE, Washington, DC 20590–0001.
- *Hand Delivery or Courier:* Dockets Operations, U.S. Department of Transportation, W58–213, 1200 New Jersey Avenue SE, Washington, DC 20590–0001 between 9 a.m. and 5 p.m. ET, Monday through Friday, except Federal holidays.
- *Fax:* (202) 493–2251.

To avoid duplication, please use only one of these four methods. See the ''Public Participation and Request for Comments'' portion of the **SUPPLEMENTARY INFORMATION** section for instructions on submitting comments.

FOR FURTHER INFORMATION CONTACT: Kathryn Sinniger, Regulatory Law Division, Office of the Chief Counsel, FMCSA, 1200 New Jersey Avenue SE, Washington, DC 20590–0001; *kathryn.sinniger@dot.gov.*

SUPPLEMENTARY INFORMATION:

Instructions

All submissions must include the Agency name and docket number. For detailed instructions on submitting comments, see the Public Participation heading below. Note that all comments received will be posted without change to *https://www.regulations.gov,* including any personal information provided. Please see the Privacy Act heading below.

Public Participation and Request for Comments

If you submit a comment, please include the docket number for this notice (FMCSA–2026–2476), indicate the specific section of this document to which your comment applies, and provide a reason for each suggestion or recommendation. You may submit your comments and material online or by fax, mail, or hand delivery, but please use only one of these means. FMCSA recommends that you include your name and a mailing address, an email address, or a phone number in the body of your document so FMCSA can contact you if there are questions regarding your submission.

To submit your comment online, go to *https://www.regulations.gov/docket/FMCSA-2026-2476/document*, click on this notice, click ''Comment,'' and type your comment into the text box on the following screen.

If you submit your comments by mail or hand delivery, submit them in an unbound format, no larger than 8½ by 11 inches, suitable for copying and electronic filing.

FMCSA will consider all comments and material received during the comment period.

Privacy Act

In accordance with 5 U.S.C. 553(c), DOT solicits comments from the public to better inform its regulatory process. DOT posts these comments, including any personal information the commenter provides, to *www.regulations.gov* as described in the system of records notice DOT/ALL 14 (Federal Docket Management System (FDMS)), which can be reviewed at *https://www.transportation.gov/individuals/privacy/privacy-act-system-records-notices.* The comments are posted without edits and are searchable by the name of the submitter.

Background

Section 390.23 of title 49, Code of Federal Regulations (CFR), automatically creates a 14-day exemption from the hours of service regulations, found in 49 CFR 395.3 and 395.5, when a Governor, or FMCSA, issues a declaration of an *emergency,* as defined in §§ 390.5 and 390.5T, and a motor carrier or driver provides direct assistance to supplement State and local emergency relief efforts in response to that emergency, as those terms are defined in §§ 390.5 and 390.5T. Section 390.25 provides a means for an individual, motor carrier, or State seeking an extension or modification of an emergency exemption to make that request in writing to an identified email address. Additionally, § 390.25(b) allows FMCSA to place reporting requirements on any individual or motor carrier operating under the terms of an extended or modified emergency exemption. In both cases, the information is used by FMCSA to determine whether the emergency exemption is still needed, or if it can be modified to limit its scope.

This ICR supports the DOT strategic goal of safety and organizational excellence by ensuring that the exemptions from the regulations are limited to those that are necessary to support immediate direct assistance in the wake of an emergency declaration.

Title: Emergency Exemptions Under 49 CFR 390.25.

OMB Control Number: 2126–0077.

Type of Request: Renewal.

Respondents: Individuals, motor carriers, or States seeking an extension or modification of an emergency exemption, or who may be required to comply with reporting requirements under an extended or modified emergency exemption.

Estimated Number of Respondents: 25 extension and modification requests per year.

Estimated Time per Response: 15 minutes.

Expiration Date: January 31, 2027.

Frequency of Response: As needed.

Estimated Total Annual Burden: 1,437.

Public Comments Invited: You are asked to comment on any aspect of this information collection, including: (1) whether the proposed collection is necessary for the performance of FMCSA's functions; (2) the accuracy of the estimated burden; (3) ways for FMCSA to enhance the quality, usefulness, and clarity of the collected information; and (4) ways that the burden could be minimized without reducing the quality of the collected

information. The Agency will summarize or include your comments in the request for OMB's clearance of this ICR.

Issued under the authority of 49 CFR 1.87.

Nicole S. Michel,

Acting Associate Administrator, Office of Research and Registration.

[FR Doc. 2026–17341 Filed 8–24–26; 8:45 am]

BILLING CODE 4910–EX–P

DEPARTMENT OF TRANSPORTATION

Federal Railroad Administration

[Docket No. FRA–2026–2179]

Notice of Limitation on Claims Against Elwood to Braidwood Track Construction Project

AGENCY: Federal Railroad Administration (FRA), Department of Transportation (DOT).

ACTION: Notice.

SUMMARY: This notice announces final environmental action taken for the Elwood to Braidwood Track Construction Project. The purpose of this notice is to advise the public of the time limit to file any claims that may challenge these decisions and other Federal permits, licenses, and approvals for the Project.

DATES: A claim seeking judicial review of Federal agency actions for the listed rail transportation project will be barred unless the claim is filed on or before August 24, 2028. If the Federal law that authorizes judicial review of a claim provides a time period of less than two years for filing such claim, then the shorter time period applies.

FOR FURTHER INFORMATION CONTACT: For further information related to this notice, please contact Kathryn Johnson, Attorney Adviser, Office of the Chief Counsel by email: *kathryn.johnson@dot.gov* or by telephone: 202–731–0658.

SUPPLEMENTARY INFORMATION: Notice is given that FRA has taken final agency action by issuing certain approvals for the railroad project listed below. The actions on the project, as well as the laws under which such actions were taken, are described in the documentation issued in connection with the project to comply with the National Environmental Policy Act (NEPA), available at *https://railroads.dot.gov/rail-network-development/environment/environmental-reviews/elwood-braidwood-track-construction.*

This notice applies to all Federal agency decisions on the listed project as of the issuance date of this notice and all laws under which such actions were taken, including but not limited to, NEPA (42 U.S.C. 4321–4375); Section 4(f) requirements (23 U.S.C. 138, 49 U.S.C. 303); Section 106 of the National Historic Preservation Act (54 U.S.C. 306108); the Clean Air Act (42 U.S.C. 7401–7671q); the Endangered Species Act (16 U.S.C. 1531–1544); the Clean Water Act (33 U.S.C. 1251), the Rivers and Harbors Act of 1899 (33 U.S.C. 403), the Coastal Zone Management Act of 1972 (16 U.S.C. 1451), and relevant Executive Orders. This notice does not, however, alter or extend a shorter limitation period that may exist for challenges of project decisions covered by this notice. The project that is the subject of this notice follows:

Project name and location: Elwood to Braidwood Track Construction Project, Will County, Illinois.

Project Summary: The Federal Railroad Administration (Lead Federal Agency) and Illinois Department of Transportation (Project Proponent/Sponsor) propose to implement railroad improvements between Elwood, IL and Braidwood, IL in accordance with the Chicago to St. Louis High-Speed Rail Program. The project includes construction of a second mainline track of approximately 9.5 miles adjacent to the existing Union Pacific Railroad mainline track, a parallel maintenance access facility, grade crossing improvements, new fencing, culvert, bridge, signal, and related work.

In the 2010 Omnibus Appropriations Act, Congress provided IDOT funding to support preliminary engineering for the Elwood to Braidwood Track Construction Project, among other improvements on the Chicago to St. Louis corridor. At this time, no federal funding has been awarded for final design or construction of the Elwood to Braidwood Track Construction Project.

In July 2025, FRA and IDOT released an Environmental Assessment (EA) for the Elwood to Braidwood Track Construction Project to evaluate potential impacts to the human and natural environment, in accordance with NEPA. FRA was the lead Federal agency for the NEPA process. FRA released the EA for public review and comment July 9, 2025 through August 15, 2025. IDOT hosted an open house/public hearing on August 7, 2025. FRA considered all comments before issuing a FONSI.

Authority: 49 U.S.C. 24201(a)(4) and 23 U.S.C. 139(*l*)(1).

Issued in Washington, DC.

Marlys Ann Osterhues,

Director, Environmental Program Management.

[FR Doc. 2026–17260 Filed 8–24–26; 8:45 am]

BILLING CODE 4910–06–P

DEPARTMENT OF TRANSPORTATION

Office of the Secretary

Beautifying Transportation Infrastructure Council; Public Meeting

AGENCY: Office of the Secretary (OST), Department of Transportation (DOT).

ACTION: Notice of public meetings.

SUMMARY: The Office of the Secretary of Transportation (OST) announces the next public meeting of the Beautifying Transportation Infrastructure Council (Council) on September 30, 2026. This notice announces the date, time, and location of the virtual meeting, which will be open to the public. The purpose of the Council is to advise the Secretary of Transportation on enhancing the aesthetic value of our Nation's transportation systems.

DATES: The meeting will be held on September 30, 2026, beginning at 10:00 p.m. (EST) and ending at 4:00 p.m. (EST). The exact start and end times are subject to change; please monitor *https://www.transportation.gov/beautifytransportation/meetings* for the latest information.

ADDRESSES: The Council will meet virtually. The public may join the meeting virtually, with information available on *https://www.transportation.gov/beautifytransportation/meetings.*

FOR FURTHER INFORMATION CONTACT: The Council's Designated Federal Officer, Julianne Schwarzer, Office of the Assistant Secretary for Transportation Policy, Office of the Secretary, *BeautifyTransportation@dot.gov* or 617–999–9667.

SUPPLEMENTARY INFORMATION:

Background

The U.S. Secretary of Transportation (Secretary) established the Council as a Federal Advisory Committee in accordance with the Federal Advisory Committee Act (Pub. L. 92–463, 5 U.S.C. Ch. 10) to advise the Secretary on enhancing the aesthetic value of our Nation's transportation systems. The Council provides recommendations on policies, designs, and funding priorities that beautify transportation infrastructure, including highways, bridges, and transit hubs, while maintaining safety and efficiency.

Agenda

At the meeting, the proposed agenda will cover the Call to Order, Official Statement of the Designated Federal Officer, Meeting Logistics, Opening Remarks, Committee Business, and Review of Next Steps. The agenda is subject to change.

Public Participation

The meeting will be open to the public through a virtual meeting. Registration for the meeting can be found here: *https://www.transportation.gov/beautifytransportation/meetings.* Members of the public may submit comments to the Committee in advance, as well as any requests for an electronic meeting accommodation consistent with the relevant sections of the Rehabilitation Act, as amended, 29 U.S.C. 794, by contacting the individual listed in the **FOR FURTHER INFORMATION CONTACT** section of this notice no later than September 24, 2026.

All advance submissions will be reviewed by the Designated Federal Officer. If approved, advance submissions shall be circulated to the Council members for review prior to the meeting. All advance submissions will become part of the official record of the meeting.

Authority: The Council is a discretionary advisory committee under the authority of the U.S. Department of Transportation and was established in accordance with the provisions of the Federal Advisory Committee Act, as amended, 5 U.S.C. Ch. 10.

Owen Morgan,

Deputy Assistant Secretary for Transportation Policy.

[FR Doc. 2026–17342 Filed 8–24–26; 8:45 am]

BILLING CODE 4910–9X–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 name of one person that has 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 this person are blocked, and U.S. persons are generally prohibited from engaging in transactions with them.

DATES: This action was issued on August 7, 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 Action

On August 7, 2026, OFAC determined that the property and interests in property subject to U.S. jurisdiction of the following person are blocked under the relevant sanctions authority listed below.

Entity

1. BLUWAVES PROPERTIES LIMITED, Virgin Islands, British; Organization Established Date 05 Mar 2021; Registration Number 2056404 (Virgin Islands, British) [VENEZUELA–EO13850].

Designated pursuant to section l(a)(i) of Executive Order 13850 of November 1, 2018, ''Blocking Property of Additional Persons Contributing to the Situation in Venezuela,'' 83 FR 55243, 3 CFR, 2018 Comp., p. 881, as amended by Executive Order 13857 of January 25, 2019, ''Taking Additional Steps To Address the National Emergency With Respect to Venezuela,'' 84 FR 509, 3 CFR 2019 Comp., p. 251 (E.O. 13850) for operating in the oil sector of the Venezuelan economy.

(Authority: E.O. 13850.)

Bradley T. Smith,

Director, Office of Foreign Assets Control.

[FR Doc. 2026–17263 Filed 8–24–26; 8:45 am]

BILLING CODE 4810–AL–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 and vessels 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. The vessels placed on the SDN List have been identified as property in which a blocked person has an interest.

DATES: This action was issued on August 20, 2026. See **SUPPLEMENTARY INFORMATION** for relevant dates.

FOR FURTHER INFORMATION CONTACT: OFAC: Associate Director for Global Targeting, 202–622–2420; Assistant Director for Sanctions Compliance, 202–622–2490; or *https://ofac.treasury.gov/contact-ofac.*

SUPPLEMENTARY INFORMATION:

Electronic Availability

The SDN List and additional information concerning OFAC sanctions programs are available on OFAC's website: *https://ofac.treasury.gov.*

Notice of OFAC Actions

On August 20, 2026, OFAC determined that one or more persons and vessels identified below meet one or more of the criteria for the imposition of sanctions set forth in section 1(a)–(c) of Executive Order 14059 of December 15, 2021, ''Imposing Sanctions on Foreign Persons Involved in the Global Illicit Drug Trade,'' 86 FR 71549 (E.O. 14059). OFAC has selected to impose blocking sanctions pursuant to section 2(a)(i) of E.O. 14059 on the persons identified below.

OFAC further determined that one or more persons and vessels identified below meet one or more of the criteria for sanctions pursuant to Executive Order 13224 of September 23, 2001, ''Blocking Property and Prohibiting Transactions With Persons Who Commit, Threaten to Commit, or Support Terrorism,'' 66 FR 49079, as amended by Executive Order 13886 of September 9, 2019, ''Modernizing Sanctions To Combat Terrorism,'' 84 FR 48041 (E.O. 13224, as amended).

As a result, the property and interests in property subject to U.S. jurisdiction of the following persons and vessels are blocked under the relevant sanctions authorities listed below.

Individuals

1. ALARCON HOLGUIN, Jimmy Leonidas, Ecuador; DOB 06 Mar 1987; POB Manta, Manabi, Ecuador; nationality Ecuador; Gender Male; Cedula No. 1312277484 (Ecuador) (individual) [ILLICIT–DRUGS–EO14059].

Designated pursuant to section 1(a)(i) of E.O. 14059 for having engaged in, or attempted to engage in, activities or transactions that have materially contributed to, or pose a significant risk of materially contributing to, the international proliferation of illicit drugs or their means of production.

2. MARTINEZ MENDOZA, Milton Edixson, Manabi, Ecuador; DOB 31 Aug 1971; POB Ecuador; nationality Ecuador; Gender Male; National ID No. 1307290450 (individual) [ILLICIT–DRUGS–EO14059] (Linked To: LOS LOBOS DRUG TRAFFICKING ORGANIZATION; Linked To: LOS CHONEROS).

Designated pursuant to section 1(b)(i) of E.O. 14059 for having provided, or attempted to provide, financial, material, or technological support for, or goods or services in support of, Los Choneros and Los Lobos, sanctioned persons pursuant to E.O. 14059.

Designated pursuant to section 1(a)(iii)(C) of E.O. 13224, as amended, for having materially assisted, sponsored, or provided financial, material, or technological support for, or goods or services to or in support of, Los Choneros and Los Lobos, sanctioned persons pursuant to E.O. 13224, as amended.

3. MERO ARCENTALES, Edwar Alexis, Manabi, Ecuador; DOB 01 Jul 1980; POB Manta, Manabi, Ecuador; nationality Ecuador; Gender Male; Cedula No. 1309153755 (Ecuador) (individual) [ILLICIT–DRUGS–EO14059].

Designated pursuant to section 1(a)(i) of E.O. 14059 for having engaged in, or attempted to engage in, activities or transactions that have materially contributed to, or pose a significant risk of materially contributing to, the international proliferation of illicit drugs or their means of production.

4. MERO ARCENTALES, Roberth Alfonso, Manabi, Ecuador; DOB 01 Dec 1970; POB Manta, Manabi, Ecuador; nationality Ecuador; Gender Male; Cedula No. 1306376458 (Ecuador) (individual) [ILLICIT–DRUGS–EO14059].

Designated pursuant to section 1(a)(i) of E.O. 14059 for having engaged in, or attempted to engage in, activities or transactions that have materially contributed to, or pose a significant risk of materially contributing to, the international proliferation of illicit drugs or their means of production.

5. MERO BERMELLO, Byron Aladino, Manabi, Ecuador; DOB 15 Jul 1983; POB Manabi, Ecuador; nationality Ecuador; Gender Male; Cedula No. 1310415516 (Ecuador) (individual) [ILLICIT–DRUGS–EO14059].

Designated pursuant to section 1(a)(i) of E.O. 14059 for having engaged in, or attempted to engage in, activities or transactions that have materially contributed to, or pose a significant risk of materially contributing to, the international proliferation of illicit drugs or their means of production.

6. MERO FRANCO, Julio Javier (a.k.a. ''Javico''), Ecuador; DOB 09 Aug 1991; POB Manta, Manabi, Ecuador; nationality Ecuador; Gender Male (individual) [ILLICIT–DRUGS–EO14059] (Linked To: LOS CHONEROS).

Designated pursuant to section 1(b)(i) of E.O. 14059 for having provided, or attempted to provide, financial, material, or technological support for, or goods or services in support of, Los Choneros, a sanctioned person pursuant to E.O. 14059.

Designated pursuant to section 1(a)(iii)(C) of E.O. 13224, as amended, for having materially assisted, sponsored, or provided financial, material, or technological support for, or goods or services to or in support of, Los Choneros, a sanctioned person pursuant to E.O. 13224, as amended.

7. MERO MERO, Alfonso, Ecuador; DOB 27 May 1945; POB Montecristi, Ecuador; nationality Ecuador; Gender Male; Identification Number 1300092499 (Ecuador) (individual) [ILLICIT–DRUGS–EO14059].

Designated pursuant to section 1(a)(i) of E.O. 14059 for having engaged in, or attempted to engage in, activities or transactions that have materially contributed to, or pose a significant risk of materially contributing to, the international proliferation of illicit drugs or their means of production.

8. VERZ LAZ, Jhonny Francisco (a.k.a. ''Baron Poncho''), Ecuador; DOB 09 Aug 1996; POB Manta, Manabi, Ecuador; nationality Ecuador; Gender Male; National ID No. 1308357084 (individual) [ILLICIT–DRUGS–EO14059] (Linked To: MERO FRANCO, Julio Javier).

Designated pursuant to section 1(b)(iii) of E.O. 14059 for having acted or purported to act for or on behalf of, directly or indirectly, Julio Javier Mero Franco, a sanctioned person pursuant to E.O. 14059.

Designated pursuant to section 1(a)(iii)(A) of E.O. 13224, as amended, for having acted or purported to act for or on behalf of, directly or indirectly, Julio Javier Mero Franco, a sanctioned person pursuant to E.O. 13224, as amended.

Entities

1. ALHO FISH, S.A., Manabi, Ecuador; Organization Established Date 06 Nov 2009; Organization Type: Marine Fishing; RUC #1391767943001 (Ecuador) [ILLICIT–DRUGS–EO14059] (Linked To: ALARCON HOLGUIN, Jimmy Leonidas).

Designated pursuant to section 1(b)(iii) of E.O. 14059 for being owned, controlled, or directed by, or having acted or purported to act for or on behalf of, directly or indirectly, Jimmy Leonidas Alarcon Holguin, a sanctioned person pursuant to E.O. 14059.

2. ARCASDENOE, S.A. (a.k.a. EXPORTADORA Y EMPACADORA ARCASDENOE, S.A.), Manabi, Ecuador; website *http://www.arcasdenoe.com;* Organization Type: Marine Fishing; RUC #1391785844001 (Ecuador); Registration Number 50193 (Ecuador) [ILLICIT–DRUGS–EO14059] (Linked To: MERO ARCENTALES, Edwar Alexis; Linked To: MERO MERO, Alfonso).

Designated pursuant to section 1(b)(iii) of E.O. 14059 for being owned, controlled, or directed by, or having acted or purported to act for or on behalf of, directly or indirectly, Alfonso Mero Mero and Edwar Alexis Mero Arcentales, sanctioned persons pursuant to E.O. 14059.

3. GLOBALDISTRIAL, S.A.S., Manabi, Ecuador; Organization Established Date 23 Apr 2024; Organization Type: Wholesale of construction materials, hardware, plumbing and heating equipment and supplies; RUC #1391936314001 (Ecuador) [ILLICIT–DRUGS–EO14059] (Linked To: ALARCON HOLGUIN, Jimmy Leonidas).

Designated pursuant to section 1(b)(iii) of E.O. 14059 for being owned, controlled, or directed by, or having acted or purported to act for or on behalf of, directly or indirectly, Jimmy Leonidas Alarcon Holguin, a sanctioned person pursuant to E.O. 14059.

4. JAH–HMH, S.A.S., Manabi, Ecuador; Organization Established Date 24 Oct 2024; Organization Type: Marine Fishing; RUC #1391937025001 (Ecuador) [ILLICIT–DRUGS–EO14059] (Linked To: ALARCON HOLGUIN, Jimmy Leonidas).

Designated pursuant to section 1(b)(iii) of E.O. 14059 for being owned, controlled, or directed by, or having acted or purported to act for or on behalf of, directly or indirectly, Jimmy Leonidas Alarcon Holguin, a sanctioned person pursuant to E.O. 14059.

5. NEGOCIOS JIMAR, S.A.S., Manabi, Ecuador; Organization Established Date 01 Jun 2022; Organization Type: Marine Fishing; RUC #1391932622001 (Ecuador) [ILLICIT–DRUGS–EO14059] (Linked To: ALARCON HOLGUIN, Jimmy Leonidas).

Designated pursuant to section 1(b)(iii) of E.O. 14059 for being owned, controlled, or directed by, or having acted or purported to act for or on behalf of, directly or indirectly, Jimmy Leonidas Alarcon Holguin, a sanctioned person pursuant to E.O. 14059.

6. PROYECTOS NEYZOA, S.A.S., Manabi, Ecuador; Organization Established Date 06 Apr 2022; Organization Type: Marine Fishing; RUC # 1391932427001 (Ecuador) [ILLICIT–DRUGS–EO14059] (Linked To: ALARCON HOLGUIN, Jimmy Leonidas).

Designated pursuant to section 1(b)(iii) of E.O. 14059 for being owned, controlled, or directed by, or having acted or purported to act for or on behalf of, directly or indirectly, Jimmy Leonidas Alarcon Holguin, a sanctioned person pursuant to E.O. 14059.

7. SOISAMAR, S.A.S., Manabi, Ecuador; Organization Established Date 31 Mar 2021; Organization Type: Marine Fishing; RUC # 1391924267001 (Ecuador) [ILLICIT–DRUGS–EO14059] (Linked To: ALARCON HOLGUIN, Jimmy Leonidas).

Designated pursuant to section 1(b)(iii) of E.O. 14059 for being owned, controlled, or directed by, or having acted or purported to act for or on behalf of, directly or indirectly, Jimmy Leonidas Alarcon Holguin, a sanctioned person pursuant to E.O. 14059.

Vessels

1. ARCA DE NOE III (HC4100) Fishing Vessel Ecuador flag; Vessel Year of Build 1997; MMSI 735058087; Registration Number P–04–00583 (Ecuador) (vessel) [ILLICIT–DRUGS–EO14059] (Linked To: MERO ARCENTALES, Edwar Alexis; Linked To: MERO ARCENTALES, Roberth Alfonso).

Identified as property in which Edwar Alexis Mero Arcentales and Roberth Alfonso Mero Arcentales, persons whose property and interests in property are blocked pursuant to E.O. 14059, have an interest.

2. ARCA DE NOE III JR (a.k.a. ''ARCA JR. 3'') (HC6372) Fishing Vessel Ecuador flag; Vessel Year of Build 2019; Vessel Registration Identification IMO 8456035; MMSI 735059969; Registration Number P–04–01069 (Ecuador) (vessel) [ILLICIT–DRUGS–EO14059] (Linked To: MERO ARCENTALES, Edwar Alexis).

Identified as property in which Edwar Alexis Mero Arcentales, a person whose property and interests in property are blocked pursuant to E.O. 14059, has an interest.

3. ARCA DE NOE IV (HC4361) Fishing Vessel Ecuador flag; Vessel Year of Build 2000; MMSI 735058088; Registration Number P–04–00679 (Ecuador) (vessel) [ILLICIT–DRUGS–EO14059] (Linked To: MERO MERO, Alfonso).

Identified as property in which Alfonso Mero Mero, a person whose property and interests in property are blocked pursuant to E.O. 14059, has an interest.

4. ARCA DE NOE V (HC4733) Fishing Vessel Ecuador flag; Vessel Year of Build 2005; MMSI 735058089; Registration Number P–04–00777 (Ecuador) (vessel) [ILLICIT–DRUGS–EO14059] (Linked To: MERO ARCENTALES, Edwar Alexis).

Identified as property in which Edwar Alexis Mero Arcentales, a person whose property and interests in property are blocked pursuant to E.O. 14059, has an interest.

5. CONQUISTA (HC4941) Fishing Vessel Ecuador flag; Vessel Year of Build 1985; MMSI 735058723; Registration Number P–06–05063 (Ecuador) (vessel) [ILLICIT–DRUGS–EO14059] (Linked To: MERO ARCENTALES, Edwar Alexis).

Identified as property in which Edwar Alexis Mero Arcentales, a person whose property and interests in property are blocked pursuant to E.O. 14059, has an interest.

6. COSTA MARLIN (HC4338) Fishing Vessel Ecuador flag; Vessel Year of Build 2000; MMSI 735057861; Registration Number P–04–01049 (Ecuador) (vessel) [ILLICIT–DRUGS–EO14059] (Linked To: ALARCON HOLGUIN, Jimmy Leonidas).

Identified as property in which Jimmy Leonidas Alarcon Holguin, a person whose property and interests in property are blocked pursuant to E.O. 14059, has an interest.

7. REY DE ARCA (HC4440) Fishing Vessel Ecuador flag; Vessel Year of Build 2009; MMSI 735058725; Registration Number P–04–00850 (Ecuador) (vessel) [ILLICIT–DRUGS–EO14059] (Linked To: MERO MERO, Alfonso).

Identified as property in which Alfonso Mero Mero, a person whose property and interests in property are blocked pursuant to E.O. 14059, has an interest.

8. SIEMPRE MI ARCA (HC5299) Fishing Vessel Ecuador flag; Vessel Year of Build 2011; Vessel Registration Identification IMO 8555518; MMSI 735058993; Registration Number P–04–00905 (Ecuador) (vessel) [ILLICIT–DRUGS–EO14059] (Linked To: MERO ARCENTALES, Edwar Alexis).

Identified as property in which Edwar Alexis Mero Arcentales, a person whose property and interests in property are blocked pursuant to E.O. 14059, has an interest.

9. SOLO ES MEJOR (HC6172) Fishing Vessel Ecuador flag; Vessel Year of Build 2012; MMSI 735059710; Registration Number P–04–00926 (Ecuador) (vessel) [ILLICIT–DRUGS–EO14059] (Linked To: ALARCON HOLGUIN, Jimmy Leonidas).

Identified as property in which Jimmy Leonidas Alarcon Holguin, a person whose property and interests in property are blocked pursuant to E.O. 14059, has an interest.

10. TODOS VUELVEN (a.k.a. ''ARCA DE NOE I''; a.k.a. ''MI NARCISA DE JESUS'') (HC4983) Fishing Vessel Ecuador flag; MMSI 735058319; Registration Number P–04–00819 (Ecuador) (vessel) [ILLICIT–DRUGS–EO14059] (Linked To: MERO ARCENTALES, Edwar Alexis; Linked To: ALARCON HOLGUIN, Jimmy Leonidas).

Identified as property in which Edwar Alexis Mero Arcentales and Jimmy Leonidas Alarcon Holguin, persons whose property and interests in property are blocked pursuant to E.O. 14059, have an interest.

(Authority: E.O. 14059; E.O. 13224, as amended.)

Bradley T. Smith,

Director, Office of Foreign Assets Control.

[FR Doc. 2026–17265 Filed 8–24–26; 8:45 am]

BILLING CODE 4810–AL–P

DEPARTMENT OF THE TREASURY

Office of Foreign Assets Control

Notice of OFAC Sanctions Action

AGENCY: Office of Foreign Assets Control, Treasury.

ACTION: Notice.

SUMMARY: The U.S. Department of the Treasury's Office of Foreign Assets Control (OFAC) is publishing the names of one or more persons that have been placed on OFAC's Specially Designated Nationals and Blocked Persons List (SDN List) based on OFAC's determination that one or more applicable legal criteria were satisfied. All property and interests in property subject to U.S. jurisdiction of these persons are blocked, and U.S. persons are generally prohibited from engaging in transactions with them.

DATES: This action was issued on August 20, 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 August 20, 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 authority listed below.

Individuals

1. AKYUZ, Vasfi, 14112 Sokak Door: 47, Seyhan Daghkioghlu Mah., Adana, Turkey; DOB 01 Aug 1969; POB Mardin, Turkey; nationality Turkey; Gender Male; Secondary sanctions risk: section 1(b) of Executive Order 13224, as amended by Executive Order 13886; National ID No. 29570232550 (Turkey) (individual) [SDGT] (Linked To: HIZBALLAH).

Designated pursuant to section 1(a)(iii)(C) of Executive Order (E.O.) 13224 of September 23, 2001, ''Blocking Property and Prohibiting Transactions With Persons Who Commit, Threaten To Commit, or Support Terrorism,'' 66 FR 49079, 3 CFR, 2001 Comp., p. 786, as amended by Executive Order 13886 of September 9, 2019, ''Modernizing Sanctions To Combat Terrorism,'' 84 FR 48041, 3 CFR, 2019 Comp., p. 356 (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, Hizballah, a person whose property and interests in property are blocked pursuant to E.O. 13224.

2. DEDE, Onder, Gamze Sokak 15 3, Avcilar, Istanbul, Turkey; DOB 10 Aug 1972; POB Cankiri, Turkey; nationality Turkey; Gender Male; Secondary sanctions risk: section 1(b) of Executive Order 13224, as amended by Executive Order 13886; National ID No. 17380793996 (Turkey) (individual) [SDGT] [IFSR] (Linked To: ISLAMIC REVOLUTIONARY GUARD CORPS (IRGC)-QODS FORCE).

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, the Islamic Revolutionary Guard Corps-Qods Force (IRGC–QF), a person whose property and interests in property are blocked pursuant to E.O. 13224.

3. KACMAZ, Halil Ibrahim (a.k.a. KACHMAZ, Halil), Turkey; DOB 02 Mar 1971; POB Mardin, Turkey; nationality Turkey; Gender Male; Secondary sanctions risk: section 1(b) of Executive Order 13224, as amended by Executive Order 13886; National ID No. 62719131246 (Turkey) (individual) [SDGT] [IFSR] (Linked To: ISLAMIC REVOLUTIONARY GUARD CORPS (IRGC)-QODS FORCE).

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, the IRGC–QF, a person whose property and interests in property are blocked pursuant to E.O. 13224.

4. KARASALIH, Feyyad, United Arab Emirates; Turkey; DOB 27 May 2002; POB Hatay, Turkey; nationality Turkey; Gender Male; Secondary sanctions risk: section 1(b) of Executive Order 13224, as amended by Executive Order 13886; Passport U25359263 (Turkey) expires 29 Nov 2031; National ID No. 47935114464 (Turkey) (individual) [SDGT] (Linked To: HIZBALLAH).

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, Hizballah, a person whose property and interests in property are blocked pursuant to E.O. 13224.

5. MOUSAFAR, Masoud, Turkey; DOB 23 Sep 1980; nationality Iran; Gender Male; Secondary sanctions risk: section 1(b) of Executive Order 13224, as amended by Executive Order 13886; Passport K34425246 (Iran) expires 01 Aug 2020 (individual) [SDGT] (Linked To: HIZBALLAH).

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, Hizballah, a person whose property and interests in property are blocked pursuant to E.O. 13224.

6. YILMAZ, Yunus Alper, Turkey; United Arab Emirates; DOB 1982; POB Mersin, Turkey; nationality Turkey; Gender Male; Secondary sanctions risk: section 1(b) of Executive Order 13224, as amended by Executive Order 13886 (individual) [SDGT] [IFSR] (Linked To: ISLAMIC REVOLUTIONARY GUARD CORPS (IRGC)-QODS FORCE).

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, the IRGC–QF, a person whose property and interests in property are blocked pursuant to E.O. 13224.

7. ACUR, Mehmet (a.k.a. AJUR, Mehmet), Kangal Sokak 6 4, Fatih Yavuz Sultan Selim Mah., Istanbul, Turkey; DOB 19 Aug 1982; POB Midyat, Turkey; nationality Turkey; Gender Male; Secondary sanctions risk: section 1(b) of Executive Order 13224, as amended by Executive Order 13886; Passport U28821454 (Turkey) expires 29 May 2033; National ID No. 31250176566 (Turkey) (individual) [SDGT] (Linked To: HIZBALLAH).

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, Hizballah, a person whose property and interests in property are blocked pursuant to E.O. 13224.

8. AKYUZ, Mehmet, Oksuzler Sokak 10 2, Fatih Iskenderpasha Mah., Istanbul, Turkey; DOB 01 Jan 1983; POB Midyat, Turkey; nationality Turkey; Gender Male; Secondary sanctions risk: section 1(b) of Executive Order 13224, as amended by Executive Order 13886; Passport U36466313 (Turkey) expires 25 Jun 2034; National ID No. 29537233644 (Turkey) (individual) [SDGT] (Linked To: HIZBALLAH).

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, Hizballah, a person whose property and interests in property are blocked pursuant to E.O. 13224.

9. AYAZ, Emrah, Genclik Sokak 5 2, Bahchelievler Fevzichakmak Mah., Istanbul, Turkey; DOB 02 Oct 1984; POB Adana, Turkey; nationality Turkey; Gender Male; Secondary sanctions risk: section 1(b) of Executive Order 13224, as amended by Executive Order 13886; National ID No. 54121688050 (Turkey) (individual) [SDGT] (Linked To: HIZBALLAH).

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, Hizballah, a person whose property and interests in property are blocked pursuant to E.O. 13224.

10. SAVCI, Gulay Kaya (a.k.a. SAVJI, Gulay Kaya), Merkez Mah. Deste Sokak

18 8, Kagithane, Istanbul, Turkey; DOB 14 Nov 1980; POB Istanbul, Turkey; nationality Turkey; Gender Female; Secondary sanctions risk: section 1(b) of Executive Order 13224, as amended by Executive Order 13886; National ID No. 34088200656 (Turkey) (individual) [SDGT] (Linked To: HIZBALLAH).

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, Hizballah, a person whose property and interests in property are blocked pursuant to E.O. 13224.

Entities

1. HIZBALLAH (a.k.a. ANSAR ALLAH; a.k.a. EXTERNAL SECURITY ORGANIZATION OF HEZBOLLAH; a.k.a. FOLLOWERS OF THE PROPHET MUHAMMED; a.k.a. HIZBALLAH ESO; a.k.a. HIZBALLAH INTERNATIONAL; a.k.a. ISLAMIC JIHAD; a.k.a. ISLAMIC JIHAD FOR THE LIBERATION OF PALESTINE; a.k.a. ISLAMIC JIHAD ORGANIZATION; a.k.a. LEBANESE HEZBOLLAH; a.k.a. LEBANESE HIZBALLAH; a.k.a. ORGANIZATION OF RIGHT AGAINST WRONG; a.k.a. ORGANIZATION OF THE OPPRESSED ON EARTH; a.k.a. PARTY OF GOD; a.k.a. REVOLUTIONARY JUSTICE ORGANIZATION; a.k.a. ''ESO''; a.k.a. ''EXTERNAL SECURITY ORGANIZATION''; a.k.a. ''EXTERNAL SERVICES ORGANIZATION''; a.k.a. ''FOREIGN ACTION UNIT''; a.k.a. ''FOREIGN RELATIONS DEPARTMENT''; a.k.a. ''FRD''; a.k.a. ''LH''; a.k.a. ''SPECIAL OPERATIONS BRANCH''); Additional Sanctions Information—Subject to Secondary Sanctions Pursuant to the Hizballah Financial Sanctions Regulations; Secondary sanctions risk: section 1(b) of Executive Order 13224, as amended by Executive Order 13886; Organization Type: Transnational Terrorist Group [FTO] [SDGT] [IRGC] [IFSR] (Linked To: ISLAMIC REVOLUTIONARY GUARD CORPS (IRGC)-QODS FORCE).

Designated pursuant to section 1(a)(iii)(A) of E.O. 13224, as amended, for being owned, controlled, or directed by, or having acted or purported to act for or on behalf of, directly or indirectly, the IRGC–QF, a person whose property and interests in property are blocked pursuant to E.O. 13224.

(Authority: E.O. 13224, as amended)

Bradley T. Smith,

Director, Office of Foreign Assets Control.

[FR Doc. 2026–17332 Filed 8–24–26; 8:45 am]

BILLING CODE 4810–AL–P

DEPARTMENT OF THE TREASURY

Internal Revenue Service

Agency Information Collection Activities; Comment Request on U.S. Individual Income Tax Returns and Related Forms, Schedules, Attachments, and Published Guidance

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 October 26, 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. 1545–0074'' in the subject line of the message.

FOR FURTHER INFORMATION CONTACT: View the latest drafts of the tax forms related to the information collection listed in this notice at *https://www.irs.gov/draft-tax-forms.* Requests for additional information or copies of this collection should be directed to Ronald J. Durbala, at (202) 317–5746, at Internal Revenue Service, Room 6526, 1111 Constitution Avenue NW, Washington, DC 20224, or through the internet at *RJoseph.Durbala@irs.gov.*

SUPPLEMENTARY INFORMATION: The IRS, in accordance with the Paperwork Reduction Act of 1995 (PRA) (44 U.S.C. 3506(c)(2)(A)), provides the 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.

Tax Compliance Burden

Tax compliance burden is defined as the time and money taxpayers spend to comply with their tax filing responsibilities. Time-related activities include recordkeeping, tax planning, gathering tax materials, learning about the law and what you need to do, and completing and submitting the return. Out-of-pocket costs include expenses such as purchasing tax software, paying a third-party preparer, and printing and postage. Tax compliance burden does not include a taxpayer's tax liability, economic inefficiencies caused by sub-optimal choices related to tax deductions or credits, or psychological costs.

Proposed PRA Submission to OMB

Title: U.S. Individual Income Tax Returns and Related Forms, Schedules, Attachments, and Published Guidance.

OMB Number: 1545–0074.

Form Numbers: Form 1040 and all related forms, schedules, and attachments.

Abstract: These forms, schedules, and attachments are used by individuals to report their income tax liability. This information collection covers the burden associated with preparing and submitting individual income tax returns and related forms, schedules, and attachments, and complying with published guidance.

Current Actions: There have been changes in regulatory guidance related to various forms approved under this approval package during the past year. There have been additions and removals of forms included in this approval package. It is anticipated that these changes will have an impact on the overall burden and cost estimates requested for this approval package, however these estimates were not finalized at the time of release of this notice. These estimated figures are expected to be available by the release of the 30-day comment notice from Treasury. This approval package is being submitted for renewal purposes.

Type of Review: Revision of a currently approved collection.

Affected Public: Individuals or Households.

Preliminary Estimated Number of Respondents: 170,400,000.

Preliminary Estimated Time per Respondent (Hours): 11 hrs. 27 mins.

Preliminary Estimated Total Annual Time (Hours): 1,950,000,000.

Preliminary Estimated Monetized Time ($): 44,242,000,000.

Preliminary Estimated Total Out-of-Pockets Costs ($): 51,234,000,000.

Preliminary Estimated Total Monetized Burden ($): 95,476,000,000.

Note: Total Monetized Burden = Out-of-Pocket Costs + Monetized Time.

Approved: August 21, 2026.

Jon R. Callahan,

Senior Tax Analyst.

Appendix-A: Forms and Schedules

Form No.	Form name
1040	U.S. Individual Income Tax Return.
Schedule 1 (1040)	Additional Income and Adjustments to Income.
Schedule 1–A (1040)	Additional Deductions.
Schedule 2 (1040)	Additional Taxes.
Schedule 3 (1040)	Additional Credits and Payments.
Schedule 3–A (1040)	Federal Public Benefit.
1040–C	U.S. Departing Alien Income Tax Return.
1040 X	Amended U.S. Individual Income Tax Return.
1040 NR	U.S. Nonresident Alien Income Tax Return.
Schedule NEC (1040NR)	Tax on Income Not Effectively Connected with a U.S. Trade or Business.
Schedule A (1040NR)	Itemized Deductions.
Schedule OI (1040NR)	Other Information.
Schedule P (1040NR)	Gain or Loss of Foreign Persons from Sale or Exchange of Certain Partnership Interests.
1040–SR	U.S. Tax Return for Seniors.
1040–SS	U.S. Self-Employment Tax Return (Including the Additional Child Tax Credit for Bona Fide Residents of Puerto Rico).
Schedule A (1040)	Itemized Deductions.
Schedule B (1040)	Interest and Ordinary Dividends.
Schedule C (1040)	Profit or Loss from Business.
Schedule D (1040)	Capital Gains and Losses.
Schedule E (1040)	Supplemental Income and Loss.
Schedule EIC (1040)	Earned Income Credit.
Schedule F (1040)	Profit or Loss from Farming.
Schedule H (1040)	Household Employment Taxes.
Schedule J (1040)	Income Averaging for Farmers and Fishermen.
Schedule LEP (1040)	Request for Change in Language Preference.
Schedule R (1040)	Credit for the Elderly or the Disabled.
Schedule SE (1040)	Self-Employment Tax.
1040 V	Payment Voucher.
1040 ES/OCR	Estimated Tax for Individuals (Optical Character Recognition with Form 1040V).
1040 ES	Estimate Tax for Individuals.
1040 ES (NR)	U.S. Estimated Tax for Nonresident Alien Individuals.
Schedule 8812 (1040)	Credits for Qualifying Children and Other Dependents.
172	Net Operating Losses (NOLs) for Individuals, Estates, and Trusts.
461	Limitation on Business Losses.
673	Statement for Claiming Exemption from Withholding on Foreign Earned Income Eligible for the Exclusion(s) Provided by Section 911.
926	Return by a U.S. Transferor of Property to a Foreign Corporation.
965–A	Individual Report of Net 965 Tax Liability.
965–C	Transfer Agreement Under 965(h)(3).
970	Application to Use LIFO Inventory Method.
972	Consent of Shareholder to Include Specific Amount in Gross Income.
982	Reduction of Tax Attributes Due to Discharge of Indebtedness (and Section 1082 Basis Adjustment).
1045	Application for Tentative Refund.
1062	Deferral of Tax on Gain From the Sale or Exchange of Qualified Farmland Property to Qualified Farmers.
Schedule A (1062)	Section 1062 Gain From the Sale or Exchange of Qualified Farmland Property to a Qualified Farmer.
1116	Foreign Tax Credit (Individual, Estate, or Trust).
Schedule B (1116)	Foreign Tax Carryover Reconciliation Schedule.
Schedule C (1116)	Foreign Tax Redetermination.
1118	Foreign Tax Credit—Corporations.
1127	Application for Extension of Time for Payment of Tax Due to Undue Hardship.
1128	Application to Adopt, Change or Retain a Tax Year.
1310	Statement of Person Claiming Refund Due a Deceased Taxpayer.
2106	Employee Business Expenses.
2120	Multiple Support Declaration.
2210	Underpayment of Estimated Tax by Individuals, Estates, and Trusts.
2210–F	Underpayment of Estimated Tax by Farmers and Fishermen.
2350	Application for Extension of Time to File U.S. Income Tax Return.
2441	Child and Dependent Care Expenses.
2555	Foreign Earned Income.
3115	Application for Change in Accounting Method.
3468	Investment Credit.
3520	Annual Return to Report Transactions with Foreign Trusts and Receipt of Certain Foreign Gifts.
3520–A	Annual Information Return of Foreign Trust With a U.S. Owner.
3800	General Business Credit.

Form No.	Form name
Schedule A (3800)	Transfer Election Statement.
3903	Moving Expenses.
4136	Credit for Federal Tax Paid on Fuels.
Schedule A (4136)	Business Activity Report for Credit for Federal Tax Paid on Fuels.
4137	Social Security and Medicare Tax on Unreported Tip Income.
4255	Recapture of Investment Credit.
4361	Application for Exemption from Self-Employment Tax for Use by Ministers, Members of Religious Orders, and Christian Science Practitioners.
4562	Depreciation and Amortization (Including Information on Listed Property).
4562–B	Amortization.
4563	Exclusion of Income for Bona Fide Residents of American Samoa.
4684	Casualities and Thefts.
4797	Sale of Business Property.
4835	Farm Rental Income and Expenses.
4852	Substitute for Form W–2, Wage and Tax Statement or Form 1099–R, Distributions from Pensions, Annuities, Retirement or Profit-Sharing Plans, IRAs, Insurance Contracts, etc.
4868	Application for Automatic Extension of Time to File U.S. Individual Income Tax Return.
4952	Investment Interest Expense Deduction.
4970	Tax on Accumulation Distribution of Trusts.
4972	Tax on Lump-Sum Distributions.
5074	Allocation of Individual Income Tax to Guam or the Commonwealth of the Northern Mariana Islands (CNMI).
5213	Election to Postpone Determination as to Whether the Presumption Applies that an Activity is Engaged in for Profit.
5329	Additional Taxes on Qualified Plans (Including IRAs) and Other Tax-Favored Accounts.
5405	Repayment of the First-Time Homebuyer Credit.
5471	Information Return of U.S. Persons with Respect to Certain Foreign Corporations.
Schedule E (5471)	Income, War Profits, and Excess Profits Taxes Paid or Accrued.
Schedule G–1 (5471)	Cost Sharing Arrangement.
Schedule H (5471)	Current Earnings and Profits.
Schedule I–1 (5471)	Information for Global Intangible Low-Taxed Income.
Schedule J (5471)	Accumulated Earnings and Profits (E&P) of Controlled Foreign Corporations.
Schedule M (5471)	Transactions Between Controlled Foreign Corporation and Shareholders or Other Related Persons.
Schedule O (5471)	Organization or Reorganization of Foreign Corporation, and Acquisitions and Dispositions of its Stock.
Schedule P (5471)	Previously Taxed Earnings and Profits of U.S. Shareholder of Certain Foreign Corporations.
Schedule Q (5471)	CFC Income by CFC Income Groups.
5695	Residential Energy Credits.
5713	International Boycott Report.
Schedule A (5713)	International Boycott Factor (Section 999(c)(1)).
Schedule B (5713)	Specifically Attributable Taxes and Income (Section 999(c)(2)).
Schedule C (5713)	Tax Effect of the International Boycott Provisions.
5884	Work Opportunity Credit.
5884–A	Employee Retention Credit.
6198	At-Risk Limitations.
6251	Alternative Minimum Tax-Individuals.
6252	Installment Sale Income.
6478	Biofuel Producer Credit.
6765	Credit for Increasing Research Activities.
6781	Gains and Losses from Section 1256 Contracts and Straddles.
7203	S Corporation Shareholder Stock and Debt Basis Limitations.
7204	Consent to Extend the Time to Assess Tax Related to Contested Foreign Income Taxes-Provisional Foreign Tax Credit Agreement.
7205	Energy Efficient Commercial Buildings Deduction.
7206	Self-Employed Health Insurance Deduction.
7207	Advanced Manufacturing Production Credit.
7210	Clean Hydrogen Production Credit.
7211	Clean Electricity Production Credit.
7213	Nuclear Power Production Credit.
7217	Partner's Report of Property Distributed by a Partnership.
7218	Clean Fuel Production Credit.
7220	Prevailing Wage and Apprenticeship (PWA) Verification and Corrections.
8082	Notice of Inconsistent Treatment or Administrative Adjustment Request (AAR).
8275	Disclosure Statement.
8275–R	Regulation Disclosure Statement.
8283	Noncash Charitable Contributions.
8332	Release/Revocation of Release of Claim to Exemption for Child by Custodial Parent.
8379	Injured Spouse Allocation.
8396	Mortgage Interest Credit.
8453	U.S. Individual Income Tax Transmittal for an IRS e-file Return.
8453–TR	E-file Declaration or Authorization for Form 1045/1139.
8582	Passive Activity Loss Limitation.
8582–CR	Passive Activity Credit Limitations.
8586	Low-Income Housing Credit.
8594	Asset Acquisition Statement Under Section 1060.
8606	Nondeductible IRAs.

Form No.	Form name
8609–A	Annual Statement for Low-Income Housing Credit.
8611	Recapture of Low-Income Housing Credit.
8615	Tax for Certain Children Who Have Unearned Income.
8621	Information Return by a Shareholder of a Passive Foreign Investment Company or Qualified Electing Fund.
8621–A	Return by a Shareholder Making Certain Late Elections to End Treatment as a Passive Foreign Investment Company.
8689	Allocation of Individual Income Tax to the U.S. Virgin Islands.
8697	Interest Computation Under the Look-Back Method for Completed Long-Term Contracts.
8801	Credit for Prior Year Minimum Tax-Individuals, Estates, and Trusts.
8814	Parents' Election to Report Child's Interest and Dividends.
8815	Exclusion of Interest from Series EE and I U.S. Savings Bonds Issued After 1989.
8818	Optional Form to Record Redemption of Series EE and I U.S. Savings Bonds Issued After 1989.
8820	Orphan Drug Credit.
8824	Like-Kind Exchanges.
8825	Rental Real Estate Income and Expenses of a Partnership or an S Corporation.
Schedule A (8825)	Rental Real Estate Other Deductions.
8826	Disabled Access Credit.
8828	Recapture of Federal Mortgage Subsidy.
8829, 8830	Expenses for Business Use of Your Home.
8833	Treaty-Based Return Position Disclosure Under Section 6114 or 7701(b).
8834	Qualified Electric Vehicle Credit.
8835	Renewable Electricity, Refined Coal, and Indian Coal Production Credit.
8838	Consent to Extend the Time to Assess Tax Under Section 367-Gain Recognition Agreement.
8838–P	Consent To Extend the Time To Assess Tax Pursuant to the Gain Deferral Method (Section 721(c)).
8839	Qualified Adoption Expenses.
8840	Closer Connection Exception Statement for Aliens.
8843	Statement for Exempt Individuals and Individuals with a Medical Condition.
8844	Empowerment Zone Employment Credit.
8846	Credit for Employer Social Security and Medicare Taxes Paid on Certain Employee Tips.
8853	Archer MSA's and Long-Term Care Insurance Contracts.
8854	Initial and Annual Expatriation Statement.
8858	Information Return of U.S. Persons with Respect to Foreign Disregarded Entities (FDEs) and Foreign Branches (FBs).
Schedule M (8858)	Transactions Between Foreign Disregarded Entity (FDE) or Foreign Branch (FB) and the Filer or Other Related Entities.
8859	Carryforward of the District of Columbia First-Time Homebuyer Credit.
8862	Information to Claim Earned Income Credit After Disallowance.
8863	Education Credits (American Opportunity and Lifetime Learning Credits).
8864	Biodiesel and Renewable Diesel Fuels Credit.
8865	Return of U.S. Persons with Respect to Certain Foreign Partnerships.
Schedule G (8865)	Statement of Application for the Gain Deferral Method Under Section 721(c).
Schedule H (8865)	Acceleration Events and Exceptions Reporting Relating to Gain Deferral Method Under Section 721(c).
Schedule K–1 (8865)	Partner's Share of Income, Deductions, Credits, etc.
Schedule K–2 (8865)	Partners' Distributive Share Items—International.
Schedule K–3 (8865)	Partner's Share of Income, Deductions, Credits, etc. International.
Schedule O (8865)	Transfer of Property to a Foreign Partnership (Under section 6038B).
Schedule P (8865)	Acquisitions, Dispositions, and Changes of Interests in a Foreign Partnership.
8866	Interest Computation Under the Look-Back Method for Property Depreciated Under the Income Forecast Method.
8867	Paid Preparer's Due Diligence Checklist.
8873	Extraterritorial Income Exclusion.
8874	New Markets Credit.
8878	IRS e-file Signature Authorization for Form 4868 or Form 2350.
8879	IRS e-file Signature Authorization.
8880	Credit for Qualified Retirement Savings Contributions.
8881	Credit for Small Employer Pension Plan Startup Costs.
8882	Credit for Employer-Provided Child Care Facilities and Services.
8883	Asset Allocation statement under section 338.
8886	Reportable Transaction Disclosure Statement.
8888	Allocation of Refund (Including Savings Bond Purchases).
8889	Health Savings Accounts (HSAs).
8896	Low Sulfur Diesel Fuel Production Credit.
8898	Statement for Individuals Who Begin or End Bona Fide Residence in a U.S. Possession.
8900	Qualified Railroad Track Maintenance Credit.
8903	Domestic Production Activities Deduction.
8904	Credit for Oil and Gas Production From Marginal Wells.
8906	Distilled Spirits Credit.
8908	Energy Efficient Home Credit.
8911	Alternative Fuel Vehicle Refueling Property Credit.
Schedule A (8911)	Alternative Fuel Vehicle Refueling Property.
8912	Credit to Holders of Tax Credit Bonds.
8915–F	Qualified Disaster Retirement Plan Distributions and Repayments.
8919	Uncollected Social Security and Medicare Tax on Wages.
8925	Report of Employer-Owned Life Insurance Contracts.
8932	Credit for Employer Differential Wage Payments.

Form No.	Form name
8933	Carbon Oxide Sequestration Credit.
Schedule A (8933)	Disposal or Enhanced Oil Recovery Owner Certification.
Schedule B (8933)	Disposal Operator Certification.
Schedule C (8933)	Enhanced Oil Recovery Operator Certification.
Schedule D (8933)	Recapture Certification.
Schedule E (8933)	Election Certification.
Schedule F (8933)	Utilization Certification.
8936	Clean Vehicle Credits.
Schedule A (8936)	Clean Vehicle Credit Amount.
8938	Statement of Specified Foreign Financial Assets.
8941	Credit for Small Employer Health Insurance Premiums.
8949	Sales and other Dispositions of Capital Assets.
8958	Allocation of Tax Amounts Between Certain Individuals in Community Property States.
8960	Net Investment Income Tax-Individuals, Estates, and Trusts.
8962	Premium Tax Credit (PTC).
8964–ELE	Section 987 Elections.
8964–TRA	Section 987 Transition Information.
8978	Partner's Additional Reporting Year Tax.
Schedule A (8978)	Partners Additional Reporting Year Tax.
8990	Limitation on Business Interest Expense Under Section 163(j).
8992	U.S Shareholder Calculation of Global Intangible Low-Taxed Income (GILTI).
Schedule A (8992)	Schedule A, for Global Intangible Low-Taxed Income (GILTI).
8993	Section 250 Deduction for Foreign Derived Intangible Income (FDII) and Global Intangible Low-Taxed Income (GILTI).
8994	Employer Credit for Paid Family and Medical Leave.
8995	Qualified Business Income Deduction Simplified Computation.
8995–A	Qualified Business Income Deduction.
Schedule A (8995–A)	Specified Service Trades or Businesses.
Schedule B (8995–A)	Aggregation of Business Operations.
Schedule C (8995–A)	Loss Netting And Carryforward.
Schedule D (8995–A)	Special Rules for Patrons of Agricultural or Horticultural Cooperatives.
8997	Initial and Annual Statement of Qualified Opportunity Fund (QOF) Investments.
9000	Alternative Media Preference.
9465	Installment Agreement Request.
15620	Section 83(b) Election.
W–4	Employee's Withholding Certificate.
W–4 P	Withholding Certificate for Pension or Annuity Payments.
W–4 S	Request for Federal Income Tax Withholding from Sick Pay.
W–4 V	Voluntary Withholding Request.
W–4 R	Withholding Certificate for Retirement Payments Other Than Pensions or Annuities.
W–7	Application for IRS Individual Taxpayer Identification Number.
W–7 A	Application for Taxpayer Identification Number for Pending U.S. Adoptions.
W–7 (COA)	Certificate of Accuracy for IRS Individual Taxpayer Identification Number.
Form T (Timber)	Forest Activities Schedule.

Appendix-B: Guidance Documents

Guidance	Title/description
Notice 2006–52	Deduction for Energy Efficient Commercial Buildings.
Notice 2008–40	Amplification of Notice 2006–52; Deduction for Energy Efficient Commercial Buildings.
Notice 2024–60	Required Procedures to Claim a Section 45Q Credit for Utilization of Carbon Oxide.
Notice 2025–75	Transition Rule for Applying Section 951(a)(2)(B).
Notice 2026–1	Safe Harbor for the Credit for Carbon Oxide Sequestration under Section 45Q for Qualified Carbon Oxide Disposed of in Secure Geological Storage in Calendar Year 2025.
Notice 2026–11	Interim Guidance on Additional First Year Depreciation Deduction under § 168(k).
Notice 2026–15	Guidance to Apply Interim Safe Harbors for Purposes of Determining a Taxpayer's Material Assistance from a Prohibited Foreign Entity; Other Prohibited Foreign Entity Guidance.
Notice 2026–16	Interim Guidance on Special Depreciation Allowance for Qualified Production Property.
Notice 2026–17	Modifications to Rules for Computing Taxable Income or Loss and Foreign Currency Gain or Loss Under Section 987.
Publication 972 Tables	Child Tax Credit.
Rev. Proc. 2004–12	Section 35.—Health Insurance Costs of Eligible Individuals.
Rev. Proc. 2011–34	Rules for certain rental real estate activities.
Rev. Proc. 2019–38	Trade or Business.
Rev. Proc. 2024–09	Changes in accounting periods and in methods of accounting.
Rev. Proc. 2024–23	Changes in accounting periods and in methods of accounting.
Rev. Proc. 2025–8	Changes in Accounting Periods and in Methods of Accounting.
Rev. Proc. 2025–23	Changes in accounting periods and in methods of accounting.
Rev. Proc. 2025–28	Changes in Accounting Periods and in Methods of Accounting.
TD 7918	Income, war profits, or excess profits tax paid or accrued.
TD 8400	Taxation of Gain or Loss from Certain Nonfunctional Currency Transactions (Section 988 Transactions).

Guidance	Title/description
TD 8459	The Taxation of Settlement Funds and Related Transfers and Distributions.
TD 8929	Accounting for Long-Term Contracts.
TD 8995	Mid-Contract Change in Taxpayer Completing Contract Accounted for Under Long-Term Contract Method of Accounting.
TD 9035	Constructive Transfers and Transfers of Property to a Third Party on Behalf of a Spouse.
TD 9137	Partnership Long-Term Contract Transactions.
TD 9764	Section 6708 Failure To Maintain List of Advisees With Respect to Reportable Transactions.
TD 9408	Dependent Child of Divorced or Separated Parents or Parents Who Live Apart.
TD 9902	Guidance Under Sections 951A and 954 Regarding Income Subject to a High Rate of Foreign Tax.
TD 9920	Income Tax Withholding on Certain Periodic Retirement and Annuity Payments Under Section 3405(a).
TD 9924	Income Tax Withholding from Wages.
TD 9959	Guidance Related to the Foreign Tax Credit; Clarification of Foreign-Derived Intangible Income.
TD 9993	Transfer of Certain Credits.
TD 9998	Increased Amounts of Credit or Deduction for Satisfying Certain Prevailing Wage and Registered Apprenticeship Requirements.
TD 9999	Statutory Disallowance of Deductions for Certain Qualified Conservation Contributions Made by Partnerships and S Corporations.
TD 1023	Credit for Production of Clean Hydrogen and Energy Credit.
TD 1024	Section 45Y Clean Electricity Production Credit and Section 48E Clean Electricity Investment Credit.

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FEDERAL REGISTER

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Part II

The President

National Security Presidential Memorandum 17 of August 20, 2026—The National Space Transportation Policy
Presidential Determination No. 2026–21 of August 20, 2026—Continuation of the Exercise of Certain Authorities Under the Trading With the Enemy Act

Federal Register
Vol. 91, No. 163
Tuesday, August 25, 2026

Presidential Documents

Title 3—

The President

National Security Presidential Memorandum 17 of August 20, 2026

The National Space Transportation Policy

Memorandum for the Secretary of State[,] the Secretary of War[,] the Secretary of the Interior[,] the Secretary of Commerce[,] the Secretary of Transportation[,] the Secretary of Energy[,] the Secretary of Homeland Security[,] the Director of the Office of Management and Budget[,] the Director of National Intelligence[,] the Assistant to the President for National Security Affairs[,] the Assistant to the President for Science and Technology[,] the Assistant to the President for Economic Policy[,] the Assistant to the President for Domestic Policy[,] the Administrator of the National Aeronautics and Space Administration[, and] the Chairman of the Federal Communications Commission

By the authority vested in me as President by the Constitution and the laws of the United States of America, I hereby direct the following:

Section 1. *National Space Transportation Goals.* Access to, from, and within space is a vital national and economic security interest. American space transportation capabilities underpin the global economy, and commercial space innovation flourishes with affordable, reliable, and safe space transportation. The United States must establish and maintain space transportation capabilities that ensure access to the full range of orbital regimes relevant to United States interests, from suborbital and very-low Earth orbit altitudes to the lunar surface, Lagrange points, and deep space. By 2030, our space transportation ranges must grow to support more than 1,000 launches and reentries every year. The policies set forth in this memorandum will secure America's continued superiority in space.

Sec. 2. *Space Launch and Reentry Infrastructure.* (a) The Secretary of War and the Administrator of the National Aeronautics and Space Administration (NASA) shall operate Federal launch and reentry ranges and facilities in a transparent manner that accommodates government and non-government users.

(b) The heads of relevant executive departments and agencies (agencies) shall, in consultation with State, local, tribal, territorial, and industry partners:

(i) regularly consider and evaluate opportunities to improve launch and reentry infrastructure and access to infrastructure;

(ii) incentivize co-development of launch and reentry infrastructure, including by facilitating leases, commercial investment, and public-private partnerships for capital improvements on Federal property;

(iii) facilitate access to Federal launch and reentry sites for commercial users;

(iv) expedite facility permitting and environmental reviews, consistent with Executive Order 14335 of August 13, 2025 (Enabling Competition in the Commercial Space Industry); and

(v) develop fair and transparent cost recovery policies for common services, commodities, and infrastructure.

(c) The Secretary of War and the Administrator of NASA shall prioritize and coordinate on infrastructure investments that optimize launch and reentry capacity, flexibility, agility, resilience, and economies of scale at Federal launch and reentry facilities and ranges.

(d) Within 180 days of the date of this memorandum, the Secretary of War, in coordination with the Administrator of NASA, the Secretary of Commerce, the Secretary of Transportation, and the heads of other relevant agencies, shall develop and promulgate Federal range scheduling criteria to maximize efficient use of range resources for commercial users while ensuring United States Government needs are met.

(e) The Secretary of War, in coordination with the Administrator of NASA and the heads of other relevant agencies, shall regularly publish range schedules to ensure transparent allocation of resources and optimize launch capacity.

(f) Within 180 days of the date of this memorandum, the Secretary of Transportation, in coordination with the Secretary of War and the Administrator of NASA, shall:

(i) identify, in consultation with the Secretary of Commerce, State and local officials, and other relevant stakeholders, potential locations for additional launch facilities and targeted development or improvement of launch infrastructure and report these findings to the President through the Assistant to the President for Science and Technology (APST);

(ii) implement a plan to integrate space launch and reentry management into airspace and traffic control modernization efforts; and

(iii) designate priority airspace for critical space launch corridors.

(g) The Secretary of Commerce and the Chairman of the Federal Communications Commission, in coordination with the heads of relevant agencies, shall ensure reliable access to spectrum for commercial and Federal space launch, reentry, recovery, and on-orbit activities. Within 180 days of the date of this memorandum, and every 2 years thereafter, the Secretary of Commerce and the Chairman of the Federal Communications Commission shall report to the President, through the APST and the Assistant to the President for Economic Policy (APEP), on their approach to ensuring reliable access to spectrum.

(h) Within 180 days of the date of this memorandum, the Secretary of War and the Secretary of Homeland Security, in coordination with the Administrator of NASA, the Secretary of Transportation, and the heads of other relevant agencies, shall each report to the President through the Assistant to the President for National Security Affairs (APNSA), the APST, the APEP, and the Director of the Office of Management and Budget on actions to secure United States space launch infrastructure on Federal real property, including any recommendations for additional policy direction, resources, or authorities required to secure United States space launch infrastructure.

(i) Within 180 days of the date of this memorandum, the Secretary of War, in coordination with the Secretary of Transportation and the Administrator of NASA, shall evaluate the regulatory, programmatic, operational, and technological barriers for prompt, responsive, and resilient access to space, including the ability to accommodate accelerated timelines (*i.e.,* within 48 hours of need) and expeditionary locations, to support high-priority civil and national security space launch needs.

(j) Within 90 days of the date of this memorandum, the Secretary of the Interior, in coordination with the Secretary of War, the Secretary of Transportation, and the heads of other relevant agencies, and in consultation with local and industry stakeholders, as appropriate, shall identify Federal lands to serve as an additional designated Federal land reentry site.

(k) Within 180 days of the date of this memorandum, the Secretary of Transportation shall evaluate reentry safety criteria to support the development of the designated Federal land reentry site.

(l) Within 240 days of the date of this memorandum, the Secretary of Commerce, in coordination with the heads of relevant agencies, shall produce a development plan for the designated Federal land reentry site that considers

commercial access, infrastructure, and co-development needs and opportunities.

Sec. 3. *Space Transportation Industrial Base.* Within 180 days of the date of this memorandum, the APST shall coordinate with the heads of relevant agencies to develop and implement a space transportation industrial base strategy that:

(a) promotes and maintains a vibrant, competitive, and resilient space transportation industry to ensure continued leadership in space transportation capabilities and to enable American space superiority;

(b) facilitates a United States space transportation industry with increased capability, affordability, security, and resilience to meet the needs of United States Government and non-government users;

(c) strengthens and supports workforce development and retention programs, military service transition pathways, government-industry exchanges, and other talent pipelines to ensure the United States maintains a world-class space transportation workforce; and

(d) is reviewed and updated, as appropriate, every 2 years.

Sec. 4. *Space Transportation Market Access.* Within 120 days of the date of this memorandum, and every 2 years thereafter, the Secretary of State and the Secretary of Commerce shall update, as appropriate and consistent with United States economic, foreign relations, nonproliferation, and national security interests:

(a) export policies and programs, in coordination with the Administrator of NASA, the Secretary of War, and the Secretary of Transportation, to promote United States space transportation capabilities and standards abroad; protect United States intellectual property; and include industry advocacy, foreign sales, co-investment, co-development, market access, regulatory alignment, and technology protections; and

(b) export controls, in coordination with the Secretary of War, to enable United States export opportunities for space transportation-related capabilities to allies and partners.

Sec. 5. *International Collaboration.* The APST and the APNSA shall coordinate with the heads of relevant agencies to review, on a case-by-case basis, requests to launch foreign space vehicles or permit reentry of foreign space vehicles in the United States for commercial purposes, and shall issue a recommendation to the President on such actions within 60 days of receipt of the necessary information from such agency officials. The APST and the APNSA shall consider the following in their recommendations:

(a) consistency with United States foreign policy and national security interests, including international obligations and nonproliferation commitments;

(b) effects on the overall health and competitiveness of the United States space industrial base;

(c) verifiable foreign direct investment in United States space markets, where applicable and consistent with broader United States policy considerations and constraints, including for the advancement of national scientific, technological, industrial, and strategic space interests;

(d) liability assumed and indemnification granted by the foreign entity for launch, reentry, and related activities in the event of claims involving the United States, United States persons, or United States entities; and

(e) effects on Federal launch site infrastructure and availability for Federal launch users.

Sec. 6. *United States Government Space Transportation.* (a) The heads of relevant agencies shall ensure United States Government payloads are launched by or transported in space on vehicles manufactured in the United States, except for:

(i) international programs with no-exchange-of-funds agreements, including launches of scientific instruments manifested on foreign spacecraft, or

other cooperative government-to-government agreements where launch services are provided by a foreign government;

(ii) technology demonstrations or science payloads where the payload is a secondary mission, and no comparable United States launch service is available to meet mission needs; or

(iii) hosted payload arrangements on spacecraft not owned by the United States.

(b) The Secretary of War and the Administrator of NASA, as the launch agents for national security and civil space missions, respectively, shall, in consultation with the heads of relevant agencies:

(i) assure reliable, affordable access to space transportation services that meet requirements for United States Government agencies;

(ii) support the United States space transportation industrial base, in consultation with the Secretary of Commerce, to ensure a vibrant and dynamic competitive market, stabilize domestic supply chains, and maximize buying power and cost efficiencies for taxpayers;

(iii) favor commercial space transportation services for meeting United States Government needs;

(iv) refrain from conducting United States Government space transportation activities that preclude, discourage, or compete with United States commercial space transportation activities, unless required by public safety or national security;

(v) ensure, to the maximum extent practicable and for all relevant key orbital regimes and payload classes, multiple avenues for reliably deploying United States Government payloads;

(vi) coordinate space transportation acquisitions to maximize shared requirements and United States Government buying power;

(vii) ensure consistency, to the maximum extent possible, in new entrant certification for United States Government launch requirements;

(viii) develop launch concepts, techniques, and technologies for augmentation or rapid restoration of space capabilities during a time of crisis, conflict, or in the event of a launch system failure;

(ix) provide and coordinate ridesharing and hosted payload opportunities to maximize launch and reentry resources for United States Government or partner missions, including for science and technology demonstrations, component risk reduction missions, and operational prototypes;

(x) develop standardized, flexible, and adaptable interfaces between launch vehicles and spacecraft to enable remanifesting payloads on an operationally relevant timeframe, as appropriate;

(xi) evaluate United States Government in-space transportation needs such as space weather awareness, debris removal, and on-orbit servicing; and

(xii) facilitate United States commercial industry access, where appropriate, to flight data and lessons learned for spaceflight safety.

(c) The Administrator of NASA, in consultation with the heads of other relevant agencies, shall:

(i) develop a lunar logistics architecture that facilitates commercial transportation to and from the lunar surface;

(ii) explore commercial robotic access to the surface of Mars;

(iii) explore commercial architectures for sending humans to the surface of Mars and returning them to Earth; and

(iv) ensure the availability of commercial crew and cargo services to the extent necessary to support United States Government needs.

(d) The Secretary of War shall:

(i) pursue in-space transportation services for existing and potential Department of War mission applications, such as on-orbit servicing and in-

space logistics, in coordination with the Administrator of NASA, as appropriate, to support the development of the in-space transportation industry;

(ii) maximize infrastructure to enable diversity of transportation types, including spaceplanes;

(iii) consider in-space transportation services when designing military architectures and force structures; and

(iv) explore novel rapid, responsive, and resilient launch architectures, including relocatable equipment.

Sec. 7. *Interagency Coordination.* (a) Consistent with Executive Order 14369 of December 18, 2025 (Ensuring American Space Superiority), the APST shall coordinate interagency implementation of this policy.

(b) The heads of relevant agencies may submit requests for waivers, deviations from, or exceptions to this policy to the President through the APST.

Sec. 8. *Rescission.* This memorandum supersedes Presidential Policy Directive 26 of November 21, 2013 (National Space Transportation Policy), which is hereby revoked. To the extent that this memorandum is inconsistent with any provision of any previous Presidential Memorandum or Space Policy Directive, this memorandum shall control. This memorandum waives Administration requirements of the Space Transportation Policy announced on December 21, 2004, in accordance with 51 U.S.C. 30703, and replaces such guidance with direction within this memorandum.

Sec. 9. *General Provisions.* (a) Nothing in this memorandum shall be construed to impair or otherwise affect:

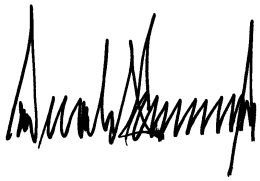
(i) the authority granted by law to an executive department or agency, or the head thereof; or

(ii) the functions of the Director of the Office of Management and Budget relating to budgetary, administrative, or legislative proposals.

(b) This memorandum shall be implemented consistent with applicable law and subject to the availability of appropriations.

(c) This memorandum is not intended to, and does not, create any right or benefit, substantive or procedural, enforceable at law or in equity by any party against the United States, its departments, agencies, or entities, its officers, employees, or agents, or any other person.

(d) The Secretary of War is authorized and directed to publish this memorandum in the *Federal Register*.



THE WHITE HOUSE,
Washington, August 20, 2026

[FR Doc. 2026–17372
Filed 8–24–26; 11:15 am]
Billing code 6001–FR–P

Presidential Documents

Presidential Determination No. 2026–21 of August 20, 2026

Continuation of the Exercise of Certain Authorities Under the Trading With the Enemy Act

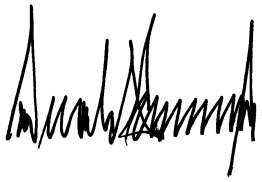
Memorandum for the Secretary of State [and] the Secretary of the Treasury

Under section 101(b) of Public Law 95–223 (91 Stat. 1625; 50 U.S.C. 4305 note), and a previous determination on August 29, 2025 (90 *FR* 42795, September 4, 2025), the exercise of certain authorities under the Trading With the Enemy Act is scheduled to expire on September 14, 2026.

I hereby determine that the continuation of the exercise of those authorities with respect to Cuba for 1 year is in the national interest of the United States.

Therefore, consistent with the authority vested in me by section 101(b) of Public Law 95–223, I continue for 1 year, until September 14, 2027, the exercise of those authorities with respect to Cuba, as implemented by the Cuban Assets Control Regulations, 31 C.F.R. Part 515.

The Secretary of the Treasury is authorized and directed to publish this determination in the *Federal Register*.



THE WHITE HOUSE,
Washington, August 20, 2026

[FR Doc. 2026–17374
Filed 8–24–26; 11:15 am]
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